



March 15, 2024

Town Board
Town of Perinton
1350 Turk Hill Road
Fairport, NY 14450

**Re: Rochester Ice Center
80 Lyndon Road
T.A. #154.03-1-26
Special Use Permit Application**

2932

Dear Board Members:

On behalf of 80 Lyndon Road LLC, the owner/applicant of the Rochester Ice Center, we submit this application for a Special Use Permit to allow for a proposed expansion of the current facility located at 80 Lyndon Road. We request the Town Board schedule a public hearing for this application pursuant to Section 208-54.B of the Town Code, and we provide twelve (12) sets of the following application materials for your use and review:

- Letter of Intent, dated March 13, 2024
- Special Use Permit Application Form
- Concept Site Plan (BME Dwg. 2932-01)
- Building Architectural Elevations
- Environmental Assessment Form Parts 1, 2 & 3 with Engineer's Narrative Supplement
- Owner's Authorization Form
- Property Deed
- \$150.00 Special Use Permit Application Fee

The Rochester Ice Center is a two-rink facility located at 80 Lyndon Road, and was formerly operated as the Thomas Creek Ice Arena. The property totals ± 23.5 acres and is zoned Residential B, and the ice center operates as a Public Building and Grounds use in the Residential B zone per Section 208-32.A.(4).

Section 208-8 of the Town Code defines Public Buildings and Grounds in A.(8) as "Recreational facilities, either for profit or not for profit, such as...hockey, ice skating...or other similar indoor sports." Per Section 208-14Q of the Town Code, public buildings and grounds may be permitted in any authorized district per a Special Use Permit. The current two-rink facility operates per Special Use Permits issued July 27, 1987 (rink #1) and modified February 23, 1994 to add the second rink.

The Town Board modified the Special Use Permit again on June 23, 2010 to allow for construction of a third rink. The owner at that time did not proceed with the construction, and thus the approval expired. The current owner wishes to now proceed with a third-rink expansion, and thus submits this application for an updated Special Use Permit.

The current proposal for 2024 is to construct a third rink on the property. The new rink would be a $\pm 41,750$ sf single-story structure and will be constructed to the east of the existing $\pm 73,900$ sf building.

The new rink will connect to the existing facility and the total new square footage of the expanded use will be ±115,650 sf.

As a result of the previous applications, several variances have been granted for parking for the use, including the 2010 proposal for a third rink. These variances are all listed on the submitted Concept Site Plan, and included relief from parking standards and approval for land banked parking.

The parking standard is based upon building occupancy at 1 space/3 persons. The proposed expansion results in a total projected occupancy of 1980 people, thus requiring 660 parking spaces. A variance was granted for the three-rink use on May 23, 2011 to provide relief of 92 parking spaces and to allow 187 spaces to be land banked. Thus, 568 parking spaces are to be available between actual parking and land banked parking.

The current proposal will include improvements to and expansion of the existing parking lot. The existing 327 space parking lot will be expanded to provide 374 parking spaces consisting of 334 paved spaces and 40 gravel spaces. The property will continue to include the previously approved 187 land banked spaces located along Lyndon Road, and we are also proposing an additional 48 land banked spaces to the east of the parking lot; for a total available on-site parking of 609 vehicles.

The project will be served by the existing entrance onto Lyndon Road. There are no proposed changes to the access or the interior vehicle circulation pattern. A traffic study is being prepared per a scope identified through consultation with the Town Department of Public Works. This study will be provided upon its completion.

The project will also include implementation of a stormwater management plan to be prepared per the Town and NYSDEC requirements. The outline of this plan is provided in the enclosed Engineer's Narrative prepared in support of the EAF.

This Narrative also provides information regarding the environmental setting of the property, which includes the Thomas Creek floodplain, state, and federal wetlands, and municipal LDD. The site plan for the proposed expansion, including parking lot improvements, has been prepared to avoid these areas.

As required by Town Code Section 208-54.D, we offer the following information to satisfy the twelve (12) standards the Town Board is to consider in reviewing this Special Use Permit request:

- (1) *The use will not prevent the orderly and reasonable use of adjacent properties or of properties in adjacent use districts.*

The proposal is an expansion of the current special permitted use on the property, and the expansion is planned completely within the property boundaries. The proposed third rink will not interfere with existing adjoining uses.

- (2) *The public health, safety, general welfare, or order of the Town will not be adversely affected by the proposed use in its location.*

The Town has issued a Special Use Permit for the operation of the ice rink facility dating back to 1987, and subsequently modified the permit in 1994 and 2010 for expansion; thus indicating the facility is operating satisfactorily and not adversely affecting the general public health, safety, and welfare of the community.

- (3) *The use will be in general harmony with and promote the general purposes and intent of the most recent Comprehensive Plan of the Town and the Zoning Ordinance.*

The issuance of the requested Special Use Permit will allow the existing ice rink facility to expand and continue to meet the needs of the community and the region for a hockey rink/ice

skating facility. The permit will also allow the existing successful private business to expand in the Town of Perinton at their current property.

The proposed ice skating/ice rink venue meets several goals and policies of the Town of Perinton's 2021 Comprehensive Plan including:

- Quality of Life & Healthy Living: Goal 1
"Continue to provide exceptional parks, recreation and open space resources."
- Economic Development: Goal 1
"Support the existing business community in the Town."
- Economic Development: Goal 4; Action 5
"Partner with local developers...to explore the feasibility of an indoor sporting facility in the Town to host local and regional competitions and events."

- (4) *The proposed use will not interfere with the preservation of the general character of the neighborhood in which such building is to be placed or use is to be conducted and that the proposed use will, in fact, be compatible with its surroundings and with the character of the neighborhood and of the community in general, particularly with regard to visibility, scale and overall appearance.*

The proposal is an expansion of the existing special permitted use, a use that has operated at the property address for over 35 years. The use has established itself as part of the character of the Lydon Road neighborhood. It compliments the recreational uses of the Fairport Little League complex, and the Erie Canal and its towpath trail.

The proposed expansion will be to the east, which is to the interior of the property. The existing vegetated buffers and existing viewsheds from Lydon Road and adjoining properties north, east, and south will remain unchanged.

- (5) *The physical characteristics and topography of the proposed site make it suitable for the proposed special use.*

The property has been developed since 1987 to support the operation of the current two-rink complex. The proposed expansion will occur within previously disturbed and somewhat graded portions of the property.

- (6) *The proposed special use provides sufficient landscaping and/or other forms of buffering to protect surrounding land uses.*

The proposed expansion is in the interior of the property and will not result in any disturbance or removal of existing vegetative buffers located around the perimeter of the property.

- (7) *The property has sufficient, appropriate, and adequate area for the use, as well as reasonably anticipated operation thereof.*

The concept site plan submitted with the Special Use Permit application illustrates the proposed building footprint and associated parking. The 23.5 acre site is large enough to accommodate the existing facilities, the proposed third-rink expansion, and required parking. The proposed development is achieved without encroachment into the floodplain, wetlands, or Town LDD. Upon completion of the third-rink expansion, the building lot coverage will only be 11% and the greenspace will be 70% of 23.5 acre property.

- (8) *Access to facilities is adequate for the estimated vehicular and pedestrian traffic generated by the proposed use on public streets and sidewalks, so as to assure public safety and to avoid traffic congestion.*

The property is served with an existing access to Lyndon Road (County Road 44), and subsequent access to Ayrault Road to the south and Macedon Center Road (NYS Route 31F) to the north. This existing highway network is capable of serving the facility at 80 Lyndon Road. A traffic study is being prepared and will be provided to the Town under separate cover.

The operation of the facility is one that generates peak traffic flows based upon scheduled events. These events are typically off-peak from the adjoining road network AM & PM peak hour commuter traffic. The operator also schedules events at the multi-rink facility to be off-set so that traffic is spread out through the course of daily operations.

The property currently has and will maintain pedestrian access to the Lyndon Road sidewalk system.

- (9) *Adequate parking and internal vehicular and pedestrian traffic circulation can be accommodated on the property in compliance with other sections of the Code, taking into account adequate buffering and landscaping.*

As documented in this letter of intent and on the submitted concept site plan, adequate on-site parking is provided based upon projected occupancy at the facility. Parking variances have been granted for the property based upon practical need and the knowledge gained from decades of operation at this property address. The plan also includes 187 land banked parking spaces, previously approved by the Town of Perinton, in the event demand for parking increases.

- (10) *Adequate facilities exist or can be integrated into the site development to property deal with stormwater runoff, sanitary sewers, fire protection, electrical power needs, refuse or other waste that may be generated, odors, noise or lights which may go beyond property boundaries.*

Adequate utility service exists to serve the proposed expansion for the third rink. Water, sanitary sewer, gas, and electric supply will be provided from the existing two-rink facility. Stormwater run-off will be managed on site through implementation of a stormwater management plan.

The operation of the ice rink will not result in any noise or odors, and we are unaware of any similar concerns regarding the current operations. Site lighting will be modified per the re-configured parking lot layout and fixtures will be dark sky compliant with no off-site light spill. Perimeter vegetation will be maintained and serve as a lighting buffer to adjoining properties.

- (11) *The natural characteristics of the site are such that the proposed use may be introduced on the property without undue disturbance or disruption of important natural features, systems, or processes and without negative impact to groundwater and surface waters on and off the site.*

The proposed third-rink expansion at this property will take place primarily within the current cleared, graded, and disturbed areas of the property. The site plan has been prepared to avoid encroachment into or disturbance of the Thomas Creek floodplain, Thomas Creek itself and the associated Town LDD, and NYSDEC wetlands.

Groundwater and surface waters will be protected through implementation of a comprehensive stormwater management plan. This plan will be designed per local and NYSDEC stormwater design regulations, and will treat run-off for water quality and attenuate the peak discharge rate for the post-development condition.

(12) The proposed use can and will comply with all provisions of this chapter and of the Code which are applicable to it and can meet every other applicable federal, state, county and local law, ordinance, rule, or regulation.

The proposed third rink will be a continuation of the current 35+ year operation of the Ice Center facility at this location. The proposal will comply with the conditions of the previous Special Use Permits issued for this property in 1987, 1994 and 2010, along with variances granted for the property. The property will be developed per the Town of Perinton's Design and Construction Standards and the NYS Building and Fire Code. The project will also comply with all state and federal regulations concerning the wetlands, floodplain, and stream corridor.

Upon review of the above information, it is our belief the proposal meets the standard established for a Special Use Permit for a public grounds and building within a Residential B zone.

We request the Town Board to declare themselves lead agency for the purposes of conducting the NY State Environmental Quality Review (SEQR). Pursuant to 6NYCRR 617.4 and 617.5, we believe the proposed action is an Unlisted Action. We have prepared the long form Environmental Assessment Form Part I as required by SEQRA.

To assist the Town in their review pursuant to SEQRA, we also provide an Engineer's Narrative to provide technical information in support of the EAF and concept site plan. Also, at the request of the Town of Perinton, we have prepared and submit a draft of the EAF parts 2 & 3 for your use.

Upon receipt and review of this application, we request the Town Board accepts this application, and at their March 27, 2024 meeting, set a public hearing date for their April 24, 2024 meeting date.

Upon completion of the public hearing, we would look to the Town Board to refer this application to the Conservation Board and Planning Board for review at their respective May meetings and provide a recommendation back to the Town Board where they could possibly consider granting the Special Use Permit for this third rink at the Town Board May 22, 2024 meeting.

If you require any additional information concerning this application, please contact our office.

Sincerely,
BME ASSOCIATES



Peter G. Vars, P.E.

PGV:blr

Encl.

c: Shawn O'Donnell; 80 Lyndon Road LLC



TOWN OF PERINTON

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

NUMBER _____ FEE \$ 150.00
(verify fee with staff)

MEETING DATE March 27, 2024

APPLICATION FORM – SPECIAL USE PERMIT - Town Board

See attached instructions/requirements

1. APPLICANT

Name 80 Lyndon Road, LLC (Shawn O'Donnell) Phone [REDACTED]
Street& Number 1 Elm Lane City Rochester Zip 14610
Interest in Property: Owner Lessee Other

2. OWNER (if other than applicant)

Name _____ Phone _____
Street& Number _____ City _____ Zip _____

3. ATTORNEY (If represented)

Name _____ Phone _____
Street& Number _____ City _____ Zip _____

4. INTEREST: Does any officer or employee of the State of New York, County of Monroe, or Town of Perinton have any interest in the owner/applicant or the subject property?

Yes _____ No Explain INTEREST _____

If yes, who? Name _____ Address _____

5. LOCATION: Street Address or Legal Description (subdivision and lot number)

80 Lyndon Road (Tax ID # 154.03-1-26)

6. SIZE OF PARCEL: +/- 23.5 acres

7. **PRESENT USE OF PROPERTY:** Recreational Facility (Ice Rink Complex)

8. **ZONING DISTRICT:** Residential B **TAX ACCOUNT#** 154.03-1-26

9. **Describe specifically the nature of your request** _____
Special Use Permit to allow for construction and operation of a 3rd ice rink at the property.

10. **Describe the location, use and size of structures and other land use within 100 feet of the boundaries of the subject property** _____

The property is bounded by Thomas Creek and associated wetlands along the southern, eastern, and a portion of the northern property limits. There is an existing single family home along the northwest property line. To the west of the site is the Lyndon Road ROW and Fairport Little League baseball fields.

11. The criteria used by the Town Board of the Town of Perinton are set forth in Section 208-54 of the Zoning Law. Special Use Permits can only be granted where the proposed is already a permitted use, but requires Town Board approval. That approval can only be given when the applicant offers proof that his proposed use will not violate any of the following factors:

A. You must show that your proposal will be in harmony with the general purpose and intent of the Zoning Ordinance of the Town of Perinton, considering the location, magnitude of the use, the nature and intensity of the operations involved in or conducted in connection with it, and the size of the subject property with respect to the streets giving access to the subject property.

Will your proposed use be detrimental to the neighborhood due to Location? No X Yes _____

The nature or magnitude of use? No X Yes _____

Inadequate access to property? No X Yes _____

If yes to any of above, explain how it will be detrimental. If effect can be lessened in some manner, explain how: _____


B. Will your proposed use tend to depreciate adjacent property or alter or be detrimental to the character of the neighborhood? No X Yes _____

If yes, explain how it will be detrimental. If effect can be lessened in some manner, explain how: _____

C. Will your proposed use create a hazard to health, or the general welfare of the neighborhood or significantly alter the flow of traffic? No X Yes _____

If yes, explain how. If effect can be lessened in some manner, explain how. _____

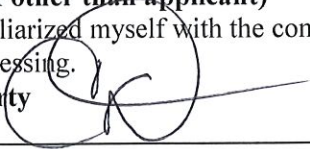
I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed and the premises used as stipulated in this request.

Signature of Applicant:  **Date** 3/12/2024

Printed name of Applicant Shawn O'Donnell (80 Lyndon Road, LLC)

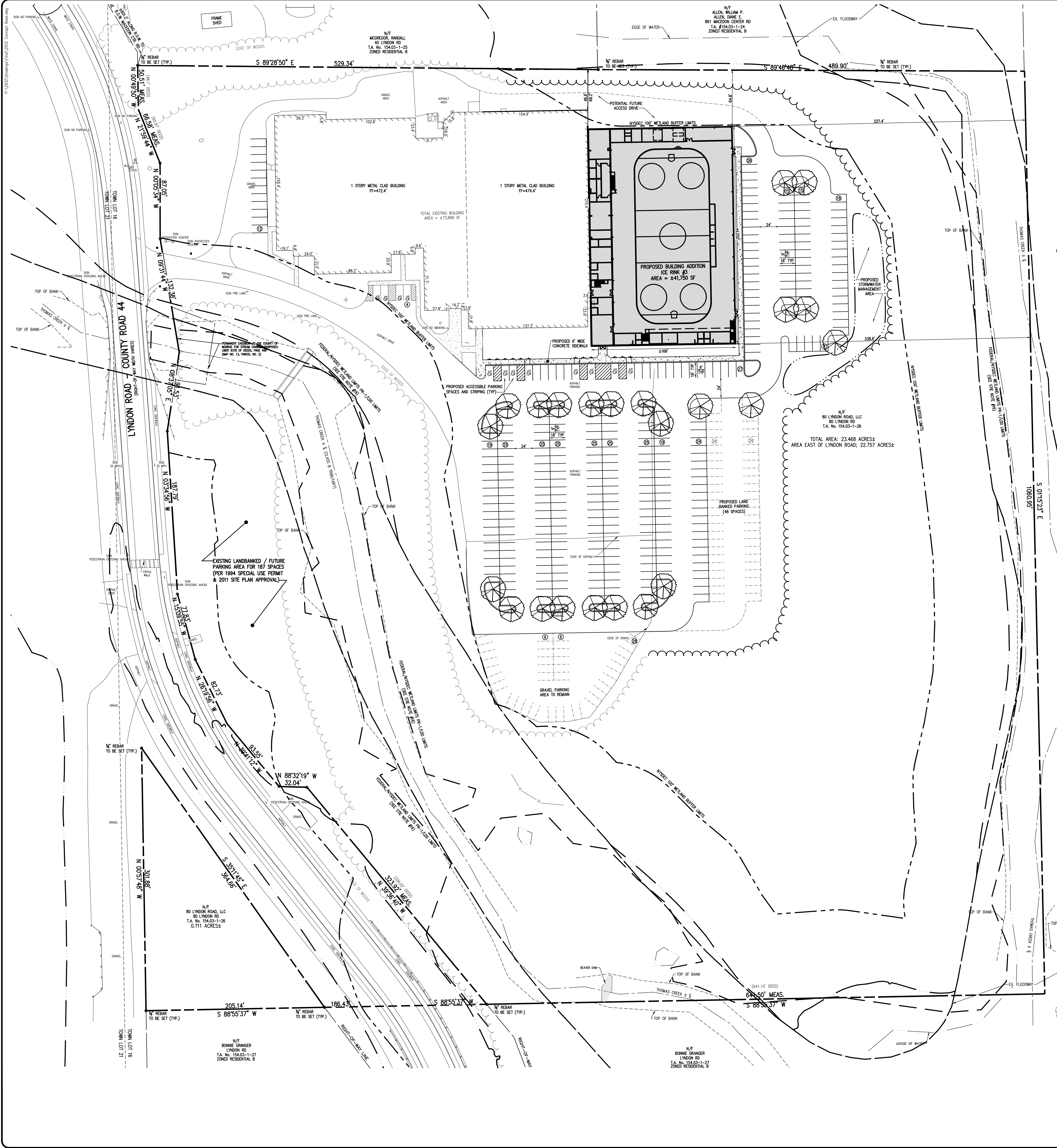
Property Owner (If other than applicant)

I have read and familiarized myself with the contents of this application and do hereby consent to its submission and processing.

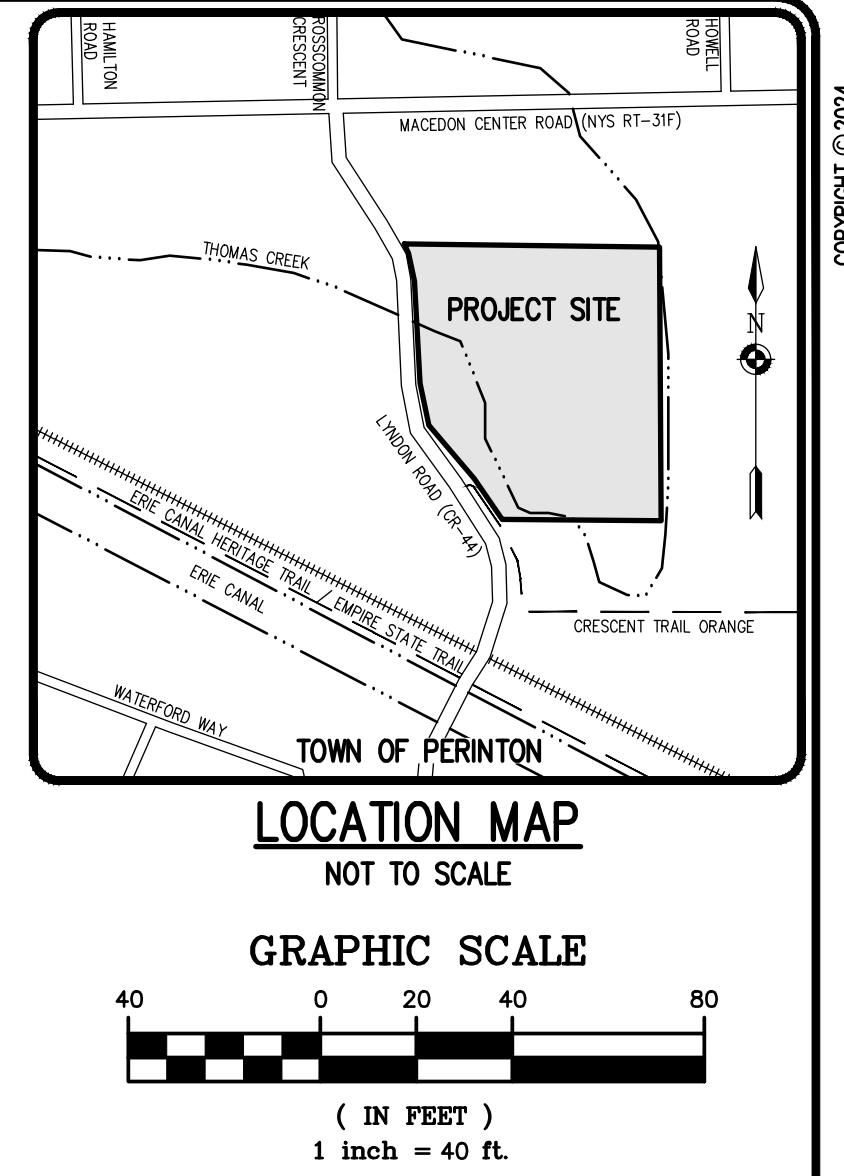
Signature of property owner  **Date** 3/12/24

Printed Name of property owner Chris O'Donnell

3/21/19



ALL EXISTING PROPERTY INFORMATION, INCLUDING BUT NOT LIMITED TO BOUNDARY, TOPOGRAPHY, UTILITIES, EASEMENTS, ETC. WERE PROVIDED BY SHULTZ ASSOCIATES ENGINEERS & LAND SURVEYORS ON EXISTING CONDITIONS PLANS (EX-1 & EX-2), DATED DECEMBER 5, 2023

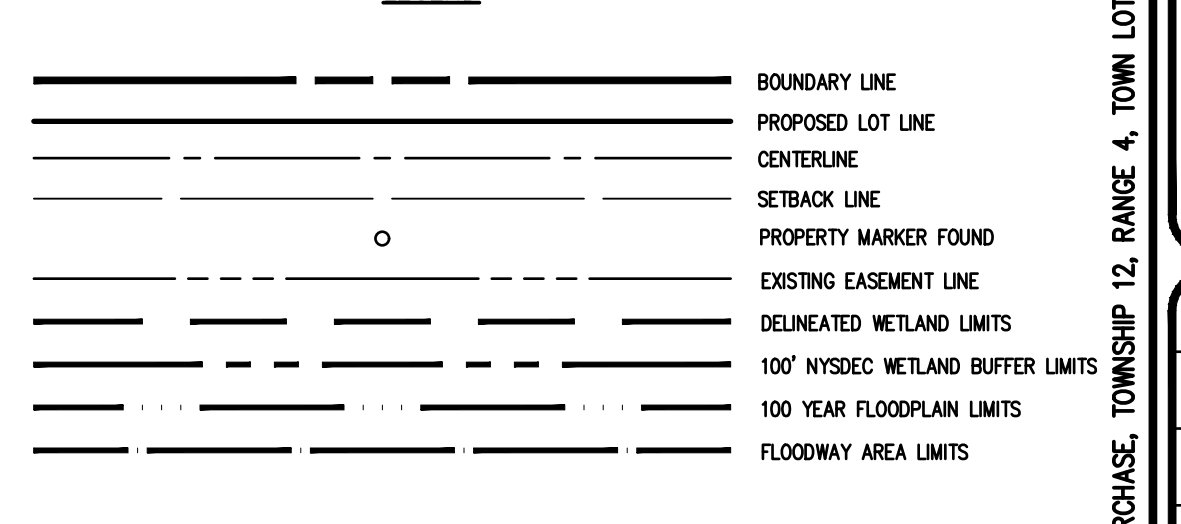


CONCEPT SITE NOTES:

- TOTAL PROJECT AREA: 23.468 ACRES (T.A. #154.03-1-26)
- EXISTING ZONING: RESIDENTIAL B DISTRICT (R)
- EXISTING USE: RECREATIONAL FACILITY - 2 INDOOR ICE SKATING RINKS
 - a. SPECIAL USE PERMIT GRANTED JULY 27, 1987 TO OPERATE AN ICE SKATING AREA IN A RESIDENTIAL B DISTRICT.
 - b. SPECIAL USE PERMIT MODIFIED FEBRUARY 23, 1994 TO ALLOW FOR THE CONSTRUCTION OF THE SECOND RINK.
 - c. SPECIAL USE PERMIT MODIFIED JUNE 23, 2010 TO ALLOW FOR THE CONSTRUCTION OF A THIRD RINK (EXP'D).
- PROPOSED USE: RECREATIONAL FACILITY - 3 INDOOR ICE SKATING RINKS*
 - * A MODIFICATION TO THE SPECIAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION AND OPERATION OF A 3RD ICE RINK IS BEING REQUESTED FROM THE TOWN BOARD.
- LOT STANDARDS (§208-27):

REQUIRED	PROVIDED
SETBACKS	
FRONT (BUILDING/PARKING):	100' / 156'
SIDE (BUILDING):	80' / 40' (SEE NOTE 7.a.)
REAR (BUILDING):	80' / 2,339'
SIDE (PARKING):	40' / > 40'
REAR (PARKING):	40' / > 40'
MIN LOT AREA:	100,000 SF / #1,022,246 SF
MIN LOT WIDTH:	250' / #1,125'
BUILDING LOT COVERAGE:	N/A / #11%
GREEN SPACE:	N/A / #70X (EXCLUDES 187 SPACE LAND BANKED PARKING)
- PARKING REQUIREMENTS:
 - EXISTING PARKING:
 - PAVED OR GRAVEL PARKING = 327 SPACES
 - LAND BANKED PARKING ALONG LYNDON ROAD = 187 SPACES (SEE NOTE 8.a.)
 - TOTAL EXISTING PARKING = 514 SPACES
 - REQUIRED PARKING:
 - 1 PARKING SPACE PER EVERY 3 PEOPLE (1,880 OCCUPANCY)* = 626 SPACES
 - TOTAL REQUIRED PARKING = 680 SPACES*
 - * OCCUPANCY BASED ON:
 - 750 PEOPLE FOR EXISTING WEST ICE RINK,
 - 330 PEOPLE FOR EXISTING EAST ICE RINK,
 - 100 PEOPLE FOR EXISTING NEXT LEVEL USE,
 - 800 PEOPLE PROPOSED 3RD ICE RINK.
 - 1980 TOTAL OCCUPANCY
 - ** VARIANCE FOR PARKING GRANTED SEE NOTES 7.i. AND 8.a.
 - PROVIDED PARKING:
 - PAVED OR GRAVEL PARKING = 374 SPACES
 - LAND BANKED PARKING AREA SOUTH EAST OF ADDITION = 48 SPACES
 - LAND BANKED PARKING ALONG LYNDON ROAD = 187 SPACES (SEE NOTE 8.a.)
 - TOTAL PROVIDED PARKING = 609 SPACES (SEE NOTE 8.a.)
 - * LAND BANKED PARKING IN AREA ALONG LYNDON ROAD PER 1994 SPECIAL USE PERMIT AND 2010 SPECIAL USE PERMIT FOR 3RD RINK EXPANSION. (SEE NOTE 8.c.)
- THE FOLLOWING VARIANCES WERE GRANTED BY THE TOWN OF PERINTON ZONING BOARD OF APPEALS ON MARCH 28, 1994:
 - §208-16C(1)(b) - RELIEF FROM REQUIREMENT (FORMER CODE §148-42C(1)(b))
 "In parking areas with a capacity of 75 vehicles or more, landscaping plans must be submitted showing the area broken up into smaller sections by ditches and landscaping, with adequate provisions for pedestrian walkways; such ditches shall be a minimum width of 10 feet."
 - §208-16C(1)(c) - RELIEF FROM REQUIREMENT (FORMER CODE §148-42C(1)(c))
 "The front setback area shall be screened using a landscaped berm; such berm shall be no less than five feet high and 40 feet wide at the base. The design shall be in accordance with the Town of Perinton Design Criteria and Construction Specifications."
 - §208-16C(2) - 10' SETBACK FRONT PARKING SETBACK ALLOWED. (FORMER CODE §148-42C(2))
 "Setbacks. Parking areas shall be set back from the right-of-way as if they were buildings, unless otherwise specified herein. Where parking areas are adjacent to a private drive or road, they shall be set back 50 feet. Side and rear setbacks shall be at least 15 feet from the lot line. The Planning Board may modify these setbacks at the time of site plan approval. [Amended 1-22-2020 by L.L. No. 1-2020]"
 - §208-16C(3) - CRUSHED STONE SURFACE ALLOWED. (FORMER CODE §148-42C(3))
 "Surfaces of the parking area. Any off-street parking area for more than five vehicles shall be surfaced with an asphalt pavement so as to provide a durable and rutless surface and shall be graded and drained so as to dispose of all surface water accumulation within the area. The Planning Board may alter this requirement at the time of site plan approval when special conditions exist. [Amended 1-22-2020 by L.L. No. 1-2020]"
 - §208-27 - 45' SIDE SETBACK FOR BUILDING ALLOWED. (FORMER CODE §148-53C(1)(3))
 "The minimum width of a public building lot at the street line shall be 250 feet, the minimum area shall be 100,000 square feet, the minimum front setback shall be 100 feet, the minimum side and rear setback of all structures shall be 80 feet, and the minimum side and rear setback of all parking areas shall be 40 feet."
 - §148-83 (FORMER CODE SECTION) - PROVIDE DESIGN OF FUTURE PARKING FACILITY FOR 187 SPACES WITHIN LIMITS OF LIMITED DEVELOPMENT DISTRICT (LDD).
 - §148-32(c) (FORMER CODE SECTION) - RELIEF TO ALLOW EXISTING SATELLITE DISH TO REMAIN IN SIDE YARD; REQUIREMENT REAR YARD ENCROACHMENT OF EXISTING DISH ON PROPERTY TO THE NORTH.
- THE FOLLOWING VARIANCES WERE GRANTED BY THE TOWN OF PERINTON ZONING BOARD OF APPEALS ON MAY 23, 2011:
 - §208-18B(1) - RELIEF OF 82 PARKING SPACES TO ALLOW 514 PARKING SPACES (187 TO BE LAND BANKED) WHERE CODE REQUIRES 606.
 "Required parking spaces. Minimum required parking parking shall be determined using the most applicable data from the latest "Parking Generation Manual" of the Institute of Transportation Engineers (ITE), at the discretion of the Town staff. [Amended 3-9-2022 by L.L. No. 2-2022]"
- ALL IMPROVEMENTS SHALL BE IN ACCORDANCE WITH THE MOST RECENT STANDARDS AND SPECIFICATIONS OF THE TOWN OF PERINTON AND THE APPROPRIATE MONROE COUNTY AND NEW YORK STATE AGENCIES, UNLESS OTHERWISE NOTED.
- THE CONTRACTOR SHALL LOCATE, MARK, SAFEGUARD AND PRESERVE ALL SURVEY CONTROL MONUMENTS FOR DESCRIPTIVE AND SURVEY DATA ON THE CONTROL MONUMENTS, CALL THE MONROE COUNTY SURVEY OFFICE.
- THE DEVELOPER'S AND CONTRACTOR'S ATTENTION IS DIRECTED TO LOCAL LAW NO. 8 OF 1971 REGARDING LIABILITY INCURRED THROUGH OBSTRUCTIONS OR DESTRUCTION OF GEOLOGIC SURVEY MONUMENTS.
- BOUNDARY INFORMATION TAKEN FROM SURVEY MAP PREPARED BY SHULTZ ASSOCIATES ENGINEERS & LAND SURVEYORS ON EXISTING CONDITIONS PLANS (EX-1 & EX-2), DATED DECEMBER 5, 2023.
- BUILDINGS SHOWN ON THIS PLAN ARE GRAPHICAL REPRESENTATIONS ONLY.
- REVIEW OF THE FEMA MAPS INDICATES THAT THIS PROPERTY IS WITHIN A RECOGNIZED 100-YEAR FLOODPLAIN PER THE FLOOD INSURANCE RATE MAP, TOWN OF PERINTON, NEW YORK, PANEL 284 OF 528 MAP NUMBER 30650C0384C EFFECTIVE DATE AUGUST 28, 2009.
- THE WETLANDS MAPPED ON SITE WERE DELINEATED BY EARTH DIMENSIONS, INC. IN OCTOBER 2023, BASED ON METHODS ESTABLISHED IN THE 1987 CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL, AN APPROVED JURISDICTIONAL DETERMINATION (AJD) FROM U.S. ARMY CORPS OF ENGINEERS (USACE) AND A JURISDICTIONAL DETERMINATION (JD) FROM THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYSDEC) HAS BEEN REQUESTED.
- THE LDD LIMITS ARE THOSE OF THE 100-YEAR FLOODPLAIN PER TOWN CODE §208-47D(2), DELINEATED WETLANDS PER TOWN CODE §208-47D(3)(b), AND THE AREA WITHIN 10' HORIZONTAL DISTANCE OF THE TOP OF BANK OF THOMAS CREEK PER §208-47D(5).
- EXISTING UTILITIES (SANITARY, WATER, GAS, & ELECTRIC) WILL BE EXTENDED TO THE NEW BUILDING ADDITION FROM WITHIN THE EXISTING BUILDING.
- THE PROPOSED STORM SEWER MAINS, CATCH BASINS, AND MANHOLES ARE TO BE PRIVATELY OWNED AND MAINTAINED.
- SANITARY SEWER LATERALS TO REMAIN PRIVATELY OWNED AND MAINTAINED.
- WATER MAINS FROM EXISTING BACKFLOW PREVENTION DEVICES AND THROUGHOUT THE SITE TO BE PRIVATELY OWNED AND MAINTAINED.

LEGEND



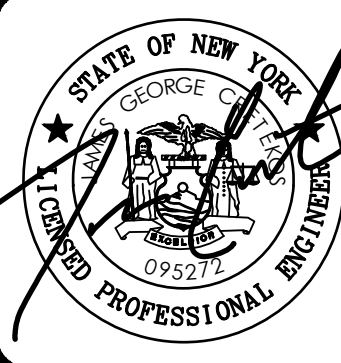
NOT APPROVED
 This plan has not received final approval of all reviewing agencies. This plan is subject to revisions until all approvals are obtained and should not be used for construction purposes.

Drawing Information
 This drawing is an extract from the New York State Education Law Article 145 Section 7208 and applies to this drawing.
 It is a violation of this law for any person, unless he is acting under the supervision of a duly licensed professional engineer or land surveyor to alter or change the drawing or to use the drawing for any purpose other than that intended by the engineer or land surveyor, and a specific description of the alteration.

NO.	REVISIONS	DATE	BY
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2			
3			
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NO.	REVISIONS	DATE	BY
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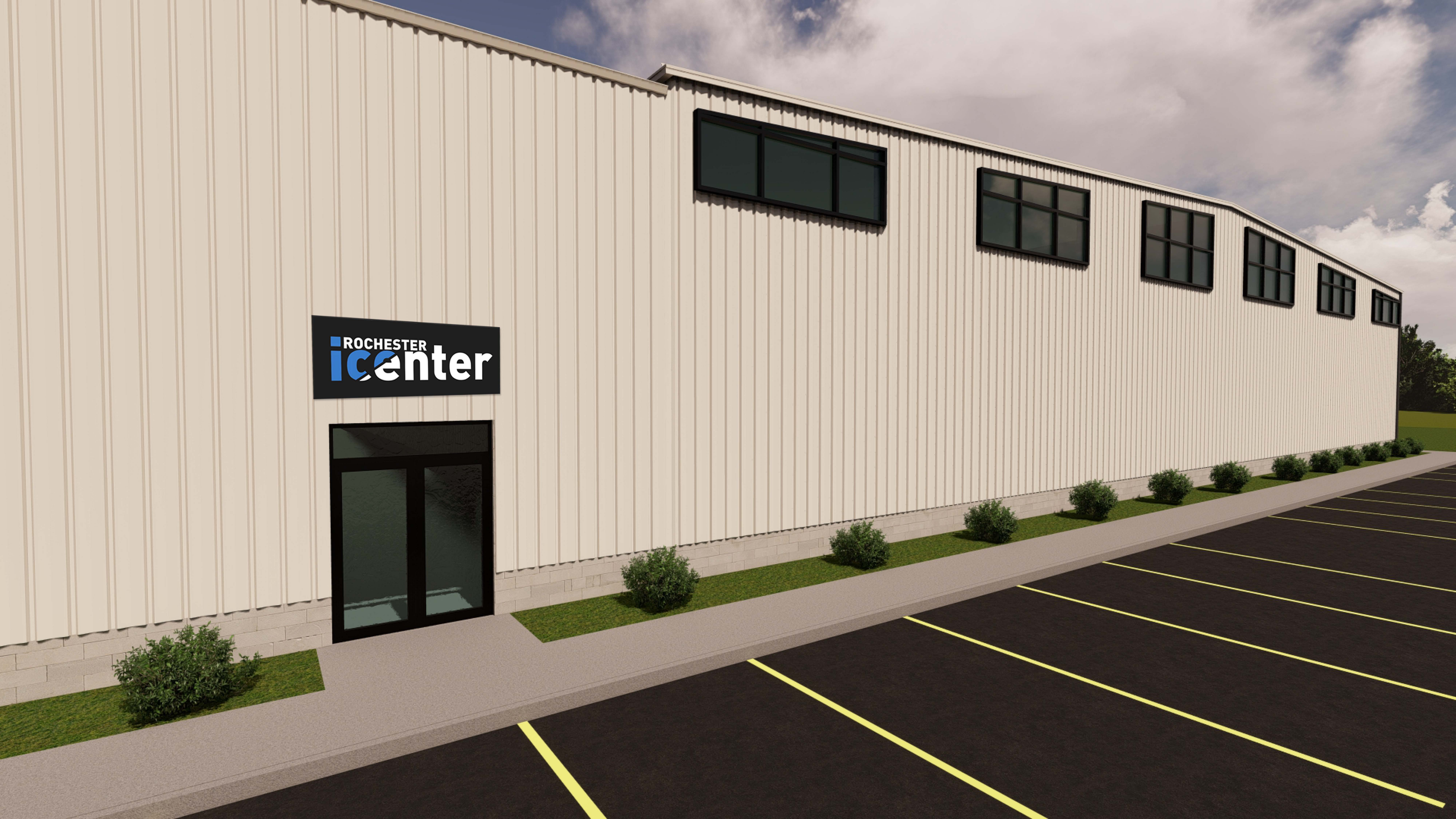
BME ASSOCIATES
 ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS
 101 FERRISDALE EAST
 FERRISBURGH, NY 11737
 WWW.BMEPCORP.COM
 505.275.7200



ROCHESTER ICE CENTER
 SPECIAL USE PERMIT
 TOWN OF PERINTON, MONROE COUNTY, NEW YORK STATE
 PROJECT MANAGER
 FIC VARS
 PROJECT ENGINEER
 J.C. CRETICOS
 DRAWN BY
 J. SOBER
 SCALE
 1"=40'
 DATE ISSUED
 MARCH 2024
 PROJECT NO.
 2932
 DRAWING NO.
 01

CONCEPT SITE PLAN
 PROJECT
 LOCATION
 CLIENT
 PROJECT MANAGER
 FIC VARS
 PROJECT ENGINEER
 J.C. CRETICOS
 DRAWN BY
 J. SOBER
 SCALE
 1"=40'
 DATE ISSUED
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 PROJECT NO.
 2932
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ROCHESTER
icenter



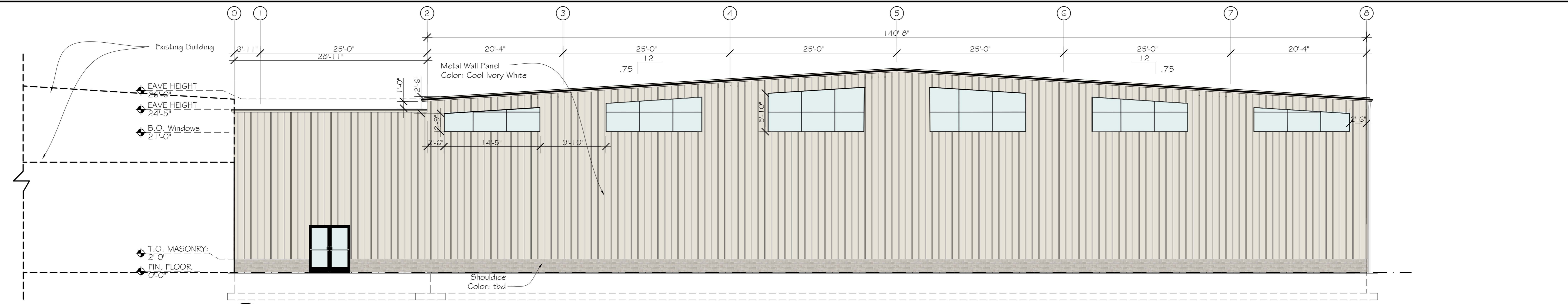


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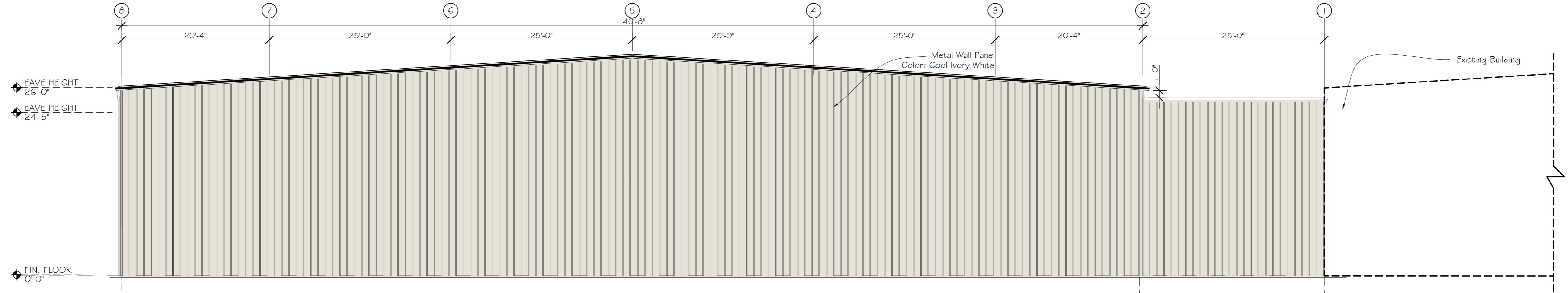


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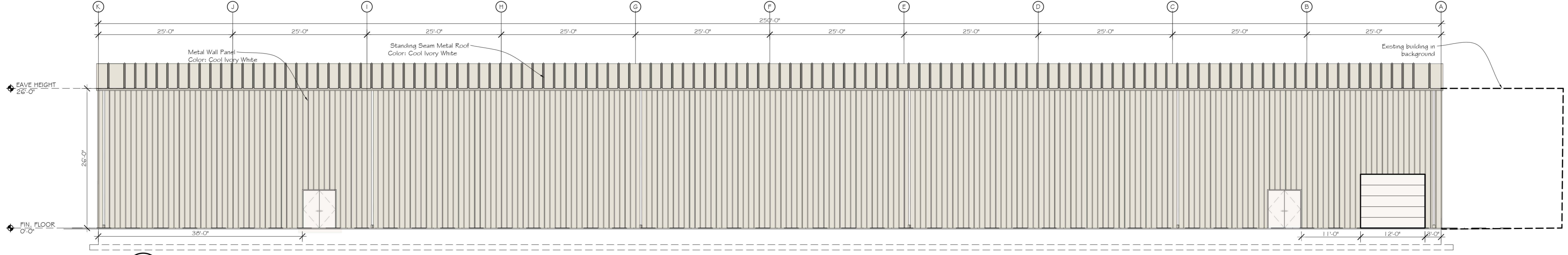




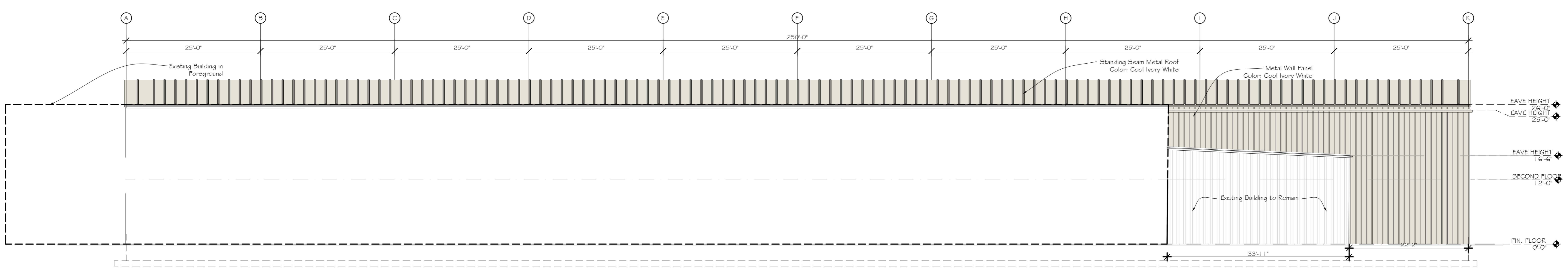
South Elevation
 1/8" = 1'-0"



North Elevation
 1/8" = 1'-0"



East Elevation
 3/32" = 1'-0"



West Elevation
 3/32" = 1'-0"

DRAWING ALTERATION
 The following is an excerpt from the NYCRR Title VIII Ch II Part 69.5b and applies to this drawing:
 "It is a violation of this law for any person, unless acting under the direct supervision of a licensed architect or a licensed professional engineer, to alter an item on this document in any way. If an item bearing the seal of an architect or engineer is altered, the altering architect or engineer shall affix their seal and the notation "Altered by" followed by their signature and date of such alteration and a specific description of the alteration."

REVISIONS		
PROGRESS PLOT	3/11/2023	
ISSUED FOR FINAL BIDDING		
ISSUED FOR PERMIT		
ISSUED FOR CONST.		
NO.	DATE	DESCRIPTION

PROJECT
Rochester Ice Center

LOCATION
 80 Lyndon Rd
 Town of Fairport
 Monroe County
 New York

DRAWING TITLE
 Elevations

SHEET NO. **A-2**

SCALE: As noted
 DRAWN BY: ADR
 CHECKED BY: RBK
 DATE: Aug 2023
 DRAWING:

P: 2932 Drawings Vinal 2932 Concept Base.dwg



Drawing Alteration
The following is an excerpt from the New York State Education Law Article 145 Section 7209 and applies to this drawing:
"It is a violation of this law for any person, unless he is acting under the direction of a licensed professional engineer or land surveyor to alter any item in any way. If an item bearing the seal of an engineer or land surveyor is altered, the altering engineer or land surveyor shall file to the item his seal and the notation altered by followed by his signature and the date of such alteration, and a specific description of the alteration."

NO.	REVISIONS	DATE	BY
7			
6			
5			
4			
3			
2			
1			

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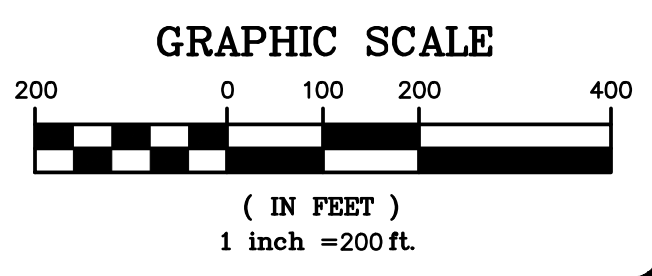
ROCHESTER ICE CENTER
SPECIAL USE PERMIT
FERNTON, MONROE COUNTY, NEW YORK STATE
80 LYNDON ROAD, LLC
80 LYNDON ROAD, LLC
ROCHESTER, NY 14610

PROJECT: ROCHESTER ICE CENTER
LOCATION: FERNTON, MONROE COUNTY, NEW YORK STATE
CLIENT: 80 LYNDON ROAD, LLC

PROJECT MANAGER: PG VARS
PROJECT ENGINEER: JG CRETEKOS
DRAWN BY: J SQUIRE
SCALE: 1" = 200'
DATE ISSUED: JANUARY 15, 2024

PROJECT NO.: 2932
DRAWING NO.: FIGURE 02

AERIAL EXHIBIT



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: 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: [REDACTED]
		E-Mail: [REDACTED]
Address: 1 Elm Lane		
City/PO: Rochester	State: NY	Zip Code: 14610
Project Contact (if not same as sponsor; give name and title/role): Same as Applicant		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Same as Applicant		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

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

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, 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 1

C.2. Adopted land use plans.

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

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

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

If Yes, identify the plan(s):

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? _____
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 1 (including demolition) _____ month _____ year
• Anticipated completion date of final phase _____ month _____ year
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

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

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

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

i. Total number of structures 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

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

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

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

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

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or ± 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 (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No
 If Yes:
 i. Estimate methane generation in tons/year (metric): _____
 ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No
 If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

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

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: 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.

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): 828026B
 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): 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: _____

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: _____

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 B
- 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

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

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>Small birds & mamals _____</p> <p>Deer _____</p>	<p>_____</p> <p>_____</p> <p>_____</p>
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing: _____</p> <p>_____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p>	
<p>E.3. Designated Public Resources On or Near Project Site</p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? 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.

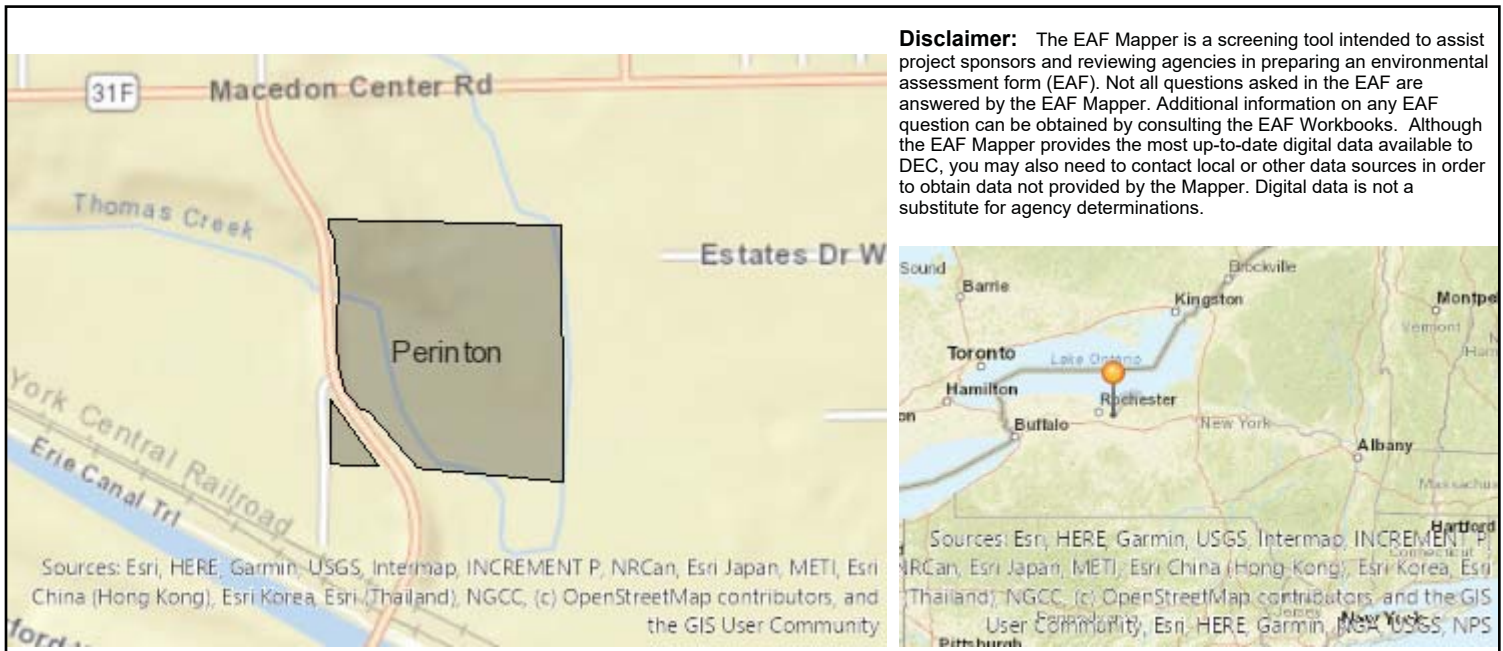
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

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

Signature  Title Civil Project Manager



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.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>			
		<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"/>

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 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.
 (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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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 ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<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"/>

8. Impact on Agricultural Resources			
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.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</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. 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.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</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 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. (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
	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) <i>If “Yes”, answer questions a - c. If “No”, go to Section 13.</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 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.) <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"/>

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If “Yes”, answer questions a - g. If “No”, proceed to Part 3.</i>			
		<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"/>

Project : Date :

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

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

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

Reasons Supporting This Determination:

To complete this section:

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

#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:

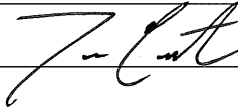
Name of Responsible Officer in Lead Agency:

Title of Responsible Officer:

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)



Date: 3/12/24

For Further Information:

Contact Person:

Address:

Telephone Number:

E-mail:

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>

Engineer's Narrative for Special Use Permit

Rochester Ice Center 3rd Rink

80 Lyndon Road
Fairport, New York
Monroe County, New York

Prepared for:

80 Lyndon Road, LLC
1 Elm Lane
Rochester, New York 14610

Prepared by:



10 Lift Bridge Lane East
Fairport, NY 14450
(585) 377-7360

March 12, 2024

BME Project #2932

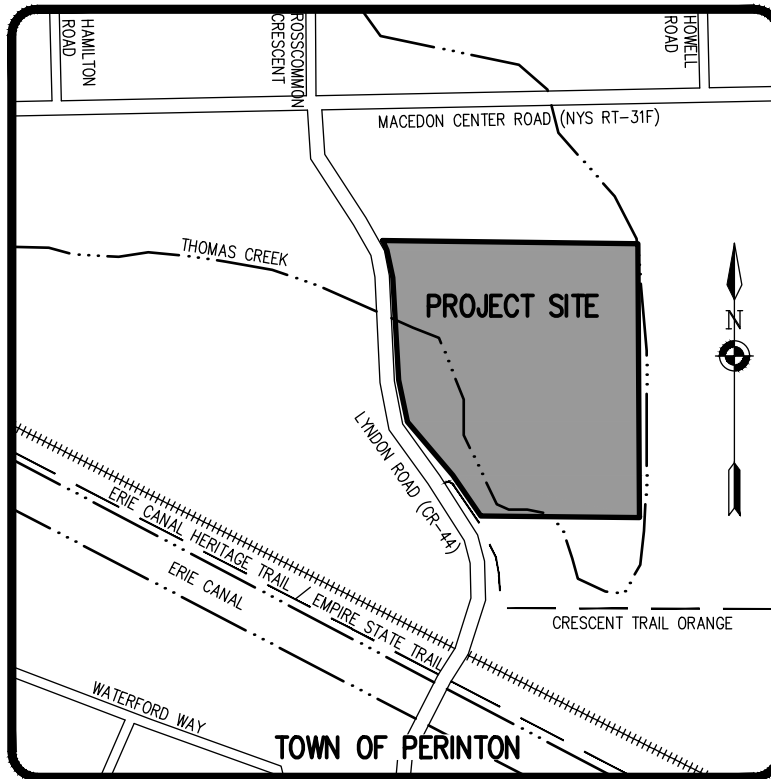


FIGURE 01 – LOCATION MAP
NOT TO SCALE



Drawing Alteration
 The following is an excerpt from the New York State Education Law Article 145 Section 7209 and applies to this drawing:
 "It is a violation of this law for any person, unless he is acting under the direction of a licensed professional engineer or land surveyor to alter any item in any way. If an item bearing the seal of an engineer or land surveyor is altered, the altering engineer or land surveyor shall file with the Board his seal and the notation altered by followed by his signature and the date of such alteration, and a specific description of the alteration."

NO.	REVISIONS	DATE	BY
7			
6			
5			
4			
3			
2			
1			

BME ASSOCIATES
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ROCHESTER ICE CENTER
 SPECIAL USE PERMIT
 FERNTON, MONROE COUNTY, NEW YORK STATE
 80 LYNDON ROAD, LLC
 80 LYNDON ROAD, LLC
 ROCHESTER, NY 14610

PROJECT: ROCHESTER ICE CENTER
 LOCATION: FERNTON, MONROE COUNTY, NEW YORK STATE
 CLIENT: 80 LYNDON ROAD, LLC

PROJECT MANAGER: PG VARS
 PROJECT ENGINEER: JG CRETEKOS
 DRAWN BY: J SQUIRE
 SCALE: 1" = 200'
 DATE ISSUED: JANUARY 15, 2024

PROJECT NO.: 2932
 DRAWING NO.: FIGURE 02

AERIAL EXHIBIT

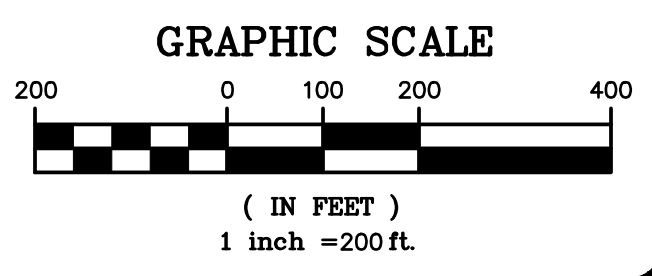


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Appendices

1. FEMA Flood Insurance Rate Map #36055C0384G
2. NYSDEC CRIS Map Exhibit

1) Introduction

The enclosed information and materials are provided in support of the Special Use Permit (SUP) application submitted to the Town of Perinton Town Board for an expansion of the Rochester Ice Center, located at 80 Lyndon Road (Tax Account ID# 154.03-1-26). The applicant, 80 Lyndon Road, LLC, is requesting a modification to the existing SUP to allow a 3rd Ice Rink to be constructed and operated on the property by expanding the existing building.

The existing and proposed use are classified as a “public building and grounds” per Town Code Section 208-8 and the property is zoned Residential B. Per Town Code Section 208-14.Q, “*public building and grounds may be permitted in any authorized district upon application to the Town Board for a special use permit.*”

A special use permit to allow for the construction of the 3rd ice rink at the property was previously approved by the Perinton Town Board on June 23, 2010, and a permit extension request was granted for that application on April 11, 2012. The expansion was never completed and therefore the special use permit became void 1-year after the approval extension date.

A conceptual site plan and building elevations have been included with the current SUP application. The 3rd rink expansion is planned east of the existing buildings and will include improvements to the parking areas and pedestrian walkways located onsite. The following information provides more detailed information regarding the site and proposed expansion.

2) Existing Conditions / Description of Site

The project site is located to the east of Lyndon Road, north of the Lyndon Road bridge and south of Mendon Center Road (NYS RT 31F). Thomas Creek flows southward along the east side of the property and “shoehorns” around the southern end, before bisecting the southwest corner of the site and then routing below Lyndon Road. The approximate 23.46 acre property is also bisected by the Lyndon Road right-of-way, with a majority of the site (22.6 acres) located to the east of Lyndon Road, and the remaining (0.71 acres) located on the western side.

The project site is currently comprised of the existing ice rink complex, asphalt and gravel parking areas, and perimeter vegetation around the site and along Thomas Creek.

3) Description of Proposed Project

The proposed improvements at the property include a building expansion of 41,750 sf to the east of the existing structure to accommodate the 3rd ice rink. Site improvements include a new parking area to the east of the proposed building, improvements to the existing parking and pedestrian walkways, and new land banked parking located to the east of the existing parking lot. The site improvements will also include paving portions of the existing gravel parking areas on site, new site lighting, new stormwater management areas, and landscaping.

4) Appearance / Visibility

The property is well screened from the adjacent property and Lyndon Road right-of-way by existing wooded areas. There is some visibility of the existing buildings (West Rink) near the site’s entrance. The proposed building expansion to the east of the existing building and the associated parking improvements are unlikely to be visible from Lyndon Road or the adjacent residential home north of the property. The

surrounding properties to the northeast, east, and south of the project site are undeveloped and contain portions of Thomas Creek and associated wetlands making them unsuitable for development. The proposed building expansions will be completed using sheet metal siding with colors matching the main building massing. Architectural elevations and perspectives have been included as part of the application materials.

5) Amenities

The demand for available ice time in this area of Monroe County is increasing. The proposed facility expansion with a 3rd ice rink will allow the Rochester Ice Center to provide it to customers, increasing recreational and entertainment opportunities available to the Town of Perinton residents.

6) Access & Parking

Site access will continue to be provided via the existing entrance onto Lyndon Road. The existing access consisting of one enter and one exit lane adequately serves the property.

Parking for the facility and the expansion will be provided within new parking areas located to the east of the proposed building addition, east of the existing parking lot, and within some of the existing gravel areas which will be paved. New landscape islands will also be incorporated into the parking areas to help break up the pavement areas. The required number of parking spaces for the property is calculated at 660 parking spaces, which was completed using the loading ratio from the previous SUP applications submitted to the Town (1 parking space per every 3 person occupancy). The total building occupancy for the existing building areas and proposed expansion is approximately 1,980 persons (750 people for existing West Ice Rink, 230 people for existing East Ice Rink, 100 people for existing Next Level Use, 900 people for proposed 3rd Ice Rink).

The required 660 parking spaces calculated using the 1 parking space to every 3 person occupancy loading ratio well exceeds the anticipated parking need by the applicant. The typical operations at the facility do not typically schedule larger events at similar times or days (i.e Section V hockey games) and therefore it is unlikely the maximum occupancy of each rink of the building will occur simultaneously. In support of this, a variance was granted by the Town of Perinton Zoning Board of Appeals on May 23, 2011 to allow relief of 92 parking spaces from the parking requirements. Previously approved applications for both the 2nd Ice Rink (1994) and 3rd Ice Rink (2010) also identified a 187-space land banked parking area located along Lyndon Road, west of Thomas Creek, which will be maintained with the current proposal.

Applying the existing parking variance allowing a 92 parking space relief from the required parking of 660 spaces, results in 568 required parking spaces. The current proposed parking space count is 609, meeting the requirement. The proposed parking count includes the 187 parking spaces land banked along Lyndon Road from previous SUP approvals, and another 48 parking spaces to be land banked east of the existing parking lot. This results in 374 parking spaces to be provided within the proposed paved parking area, or remaining gravel area south of the parking improvements, which the applicant feels will be sufficient for the proposed 3rd ice rink expansion.

A traffic study for the proposed expansion is being prepared per a scope identified by the Town of Perinton DPW. This report will be provided under separate cover.

7) Utilities

Utilities for the proposed building expansion will be extended from inside the existing building and will include; water, sanitary, electric, gas, and communications. Public water service to the property is currently and will continue to be provided Monroe County Water Authority's mains located along Lyndon Road,

which extend into the site via a 6” main. Sanitary wastewater will continue to flow to the existing onsite pump station which pumps through a force main and connects into the existing gravity sewer main along Macedon Center Road (NYS RT 31F). Electric service is provided by Fairport Electric, and gas service is provided by RGE via a 2” service extended south along Lyndon Road from Macedon Center Road.

8) Drainage and Stormwater Management

Stormwater runoff will be analyzed as part of a comprehensive stormwater management plan which will be developed per the Town of Perinton Code and Design Standards and the regulations set forth by the New York State Department of Environmental Conservation (NYSDEC) and its SPDES General Permit GP-0-20-001. Stormwater management facilities will be designed and constructed on-site to provide the required water quality and quantity controls and to discharge the post-development peak runoff rates below the pre-development peak rates as required by the Town Code and NYSDEC guidelines.

The proposed building addition and site improvements are intended to utilize combination of bio-retention practices, filter strips, and conventional stormwater ponds to provide the required water quality volume, runoff reduction volume, and stormwater quantity controls requirements. The final design will include calculations and a detailed analysis of the proposed stormwater design.

9) Lighting

New building mounted and parking lot lighting will be provided as part of the proposed improvements. The light fixtures will be dark sky compliant and will not result in light spillage over the property limits. Perimeter vegetation on the property will be preserved and continue to act as a visual screen from offsite areas. A site lighting plan will be provided as part of the site plan application to the Planning Board.

10) Easements

No new easements are required or planned for the proposed building expansion or site improvements.

11) Wetlands / LDD

The project site contains existing wetlands which are regulated by the US Army Corps of Engineers (USACE) and New York State Department of Environmental Conservation (NYSDEC). The wetlands mapped on site were delineated by Earth Dimensions, Inc. in October 2023, based on methods established in the 1987 Corps of Engineers Wetlands Delineation Manual. An approved jurisdictional determination (AJG) from USACE and a jurisdictional determination (JD) from the NYSDEC has been requested. The existing wetland limits and associated 100’ NYSDEC buffer has been identified on the concept plan and will be included on the future Final Site Plans. The proposal for the third rink expansion does not encroach into or disturb the regulated wetland areas.

The project site also includes Town of Perinton Limited Development Districts (LDD), as defined by Town Code 208-47.D; in particular 208-47.D.(2) lands within the 100-year floodplain, 208-47.D.(3)(b) lands within delineated state and federal wetlands, and 208-47.D.(5) lands within 10’ in horizontal distance to the top of bank of Thomas Creek. No disturbance or encroachment to the LDD lands are proposed with this project.

12) Floodplains

The project site contains a FEMA Floodway and associated 100-year floodplain located along Thomas Creek. No proposed development is planned to occur within the floodway or floodplain. A copy of the Flood Insurance Rate Map (map number 36055C0384G) has been included in the Appendices for reference.

13) Remediation Site

The site is the location of a former landfill (Granger Landfill) and is included in the NYSDEC Environmental Site Remediation Database (DEC ID #828026B). The proposed building expansion and site improvements may impact some of the existing landfill areas located on site. Any solid waste encountered during construction activities will be managed in accordance with a Soil and Ground Water Management plan for the property. The Soil and Ground Water Management Plan will include recommendations and requirements for working at the project site including procedures for handling any excavated soils, dewatering excavations, and how to proceed if contaminated soils are encountered. Encountered materials are planned to be relocated to within the project site under the supervision of the NYSDEC and capped per the requirements and standards set forth by the NYSDEC.

14) SHPO

The property is not located within an archeologically sensitive area per the NYSDEC Cultural Resource Information System, and a copy of the available mapping from the CRIS website has been enclosed in the Appendices for reference.

15) Conclusion

As described in this narrative, the proposed building expansion and site improvements to allow for construction and operation of a 3rd ice rink at the Rochester Ice Center complex are in accordance with Town and governing agency requirements. The proposal is also consistent with the previously approved Special Use Permit from 2010 which allowed for construction of a 3rd ice rink but since expired since it was not constructed at that time. The improvements are not expected to have any impact on the adjacent residential home to the northwest of the site and or the other adjacent properties surrounding the site.

The proposed use is consistent with the current use and the request to modify the Special Use Permit to allow for the construction of a 3rd Ice Rink at the Rochester Ice Center will be an improvement for the Town of Perinton and its residents.

Appendices

**FEMA Flood Insurance Rate Map #36055C0384G
NYSDEC CRIS Map Exhibit**

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The community map repository should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations (BFEs)** and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Coastal Base Flood Elevations shown on this map apply only landward of 0.7 North American Vertical Datum of 1988 (NAVD 88). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations tables in the Flood Insurance Study report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations tables should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures for this jurisdiction.

The **projection** used in the preparation of this map was Universal Transverse Mercator (UTM) zone 18N. The **horizontal datum** was NAD 83, GRS80 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at <http://www.ngs.noaa.gov> or contact the National Geodetic Survey at the following address:

NGS Information Services
NOAA, NNGS12
National Geodetic Survey
SSMC-3, #9202
1315 East-West Highway
Silver Spring, Maryland 20910-3182
(301) 713-3242

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242, or visit its website at <http://www.ngs.noaa.gov>.

Base map information shown on this FIRM was derived from digital orthophotography provided by the New York State Office of Cyber Security & Critical Infrastructure Coordination. This information was provided as 30-centimeter and 60-centimeter resolution natural color orthomography from photography dated April-May 2004.

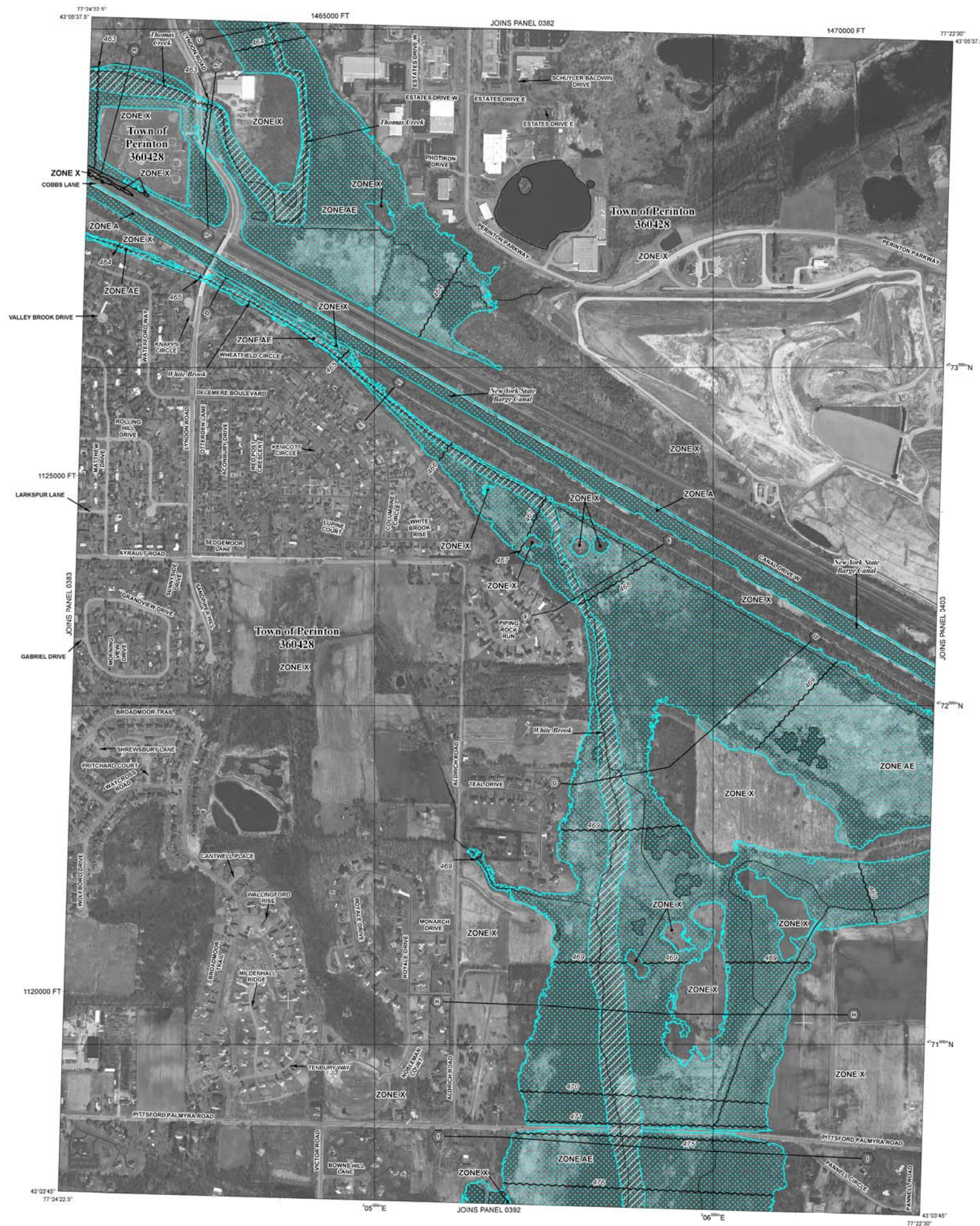
Based on updated topographic information, this map reflects more detailed and up-to-date **stream channel configurations** and **floodplain delineations** than those shown on the previous FIRM for this jurisdiction. As a result, the Flood Profiles and Floodway Data tables in the Flood Insurance Study Report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on this map. Also, the road to floodplain relationships for unreviewed streams may differ from what is shown on previous maps.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels, community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

Contact the **FEMA Map Service Center** at 1-800-358-9616 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study report, and/or digital versions of this map. The FEMA Map Service Center may also be reached by Fax at 1-800-358-9620 and its website at <http://msc.fema.gov>.

If you have **questions about this map** or questions concerning the National Flood Insurance Program in general, please call 1-877-FEMA MAP (1-877-336-2627) or visit the FEMA website at <http://www.fema.gov>.



LEGEND

SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zone A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

ZONE A No Base Flood Elevations determined.

ZONE AE Base Flood Elevations determined.

ZONE AH Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.

ZONE AO Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.

ZONE AR Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently identified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.

ZONE A99 Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.

ZONE V Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.

ZONE VE Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

ZONE X Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

OTHER AREAS

ZONE X Areas determined to be outside the 0.2% annual chance floodplain.

ZONE D Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

1% annual chance floodplain boundary
0.2% annual chance floodplain boundary
Floodway boundary
Zone D boundary
CBRS and OPA boundary
Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.
Base Flood Elevation line and value; elevation in feet*
Base Flood Elevation value where uniform within zone; elevation in feet*

* Referenced to the North American Vertical Datum of 1988

⊕ Cross section line
⊖ Limited detail cross section line
⊙ Transient line
Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere
1000-meter Universal Transverse Mercator grid values, zone 18N
5000-foot grid ticks: New York State Plane coordinate system, West zone (FPSZONE 3103), Transverse Mercator projection

DX5510 x Bench mark (see explanation in Notes to Users section of this FIRM panel)
M 1.5 River Mile

MAP REPOSITORY
Refer to listing of Map Repositories on Map Index

EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP
August 28, 2008

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your Insurance agent or call the National Flood Insurance Program at 1-800-638-6623.

MAP SCALE 1" = 500'
250 0 500 1000 FEET
150 0 150 300 METERS

NFIP NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0384G

FIRM
FLOOD INSURANCE RATE MAP
for MONROE COUNTY, NEW YORK
(ALL JURISDICTIONS)

CONTAINS:

COMMUNITY	NUMBER
PERINTON, TOWN OF	360428

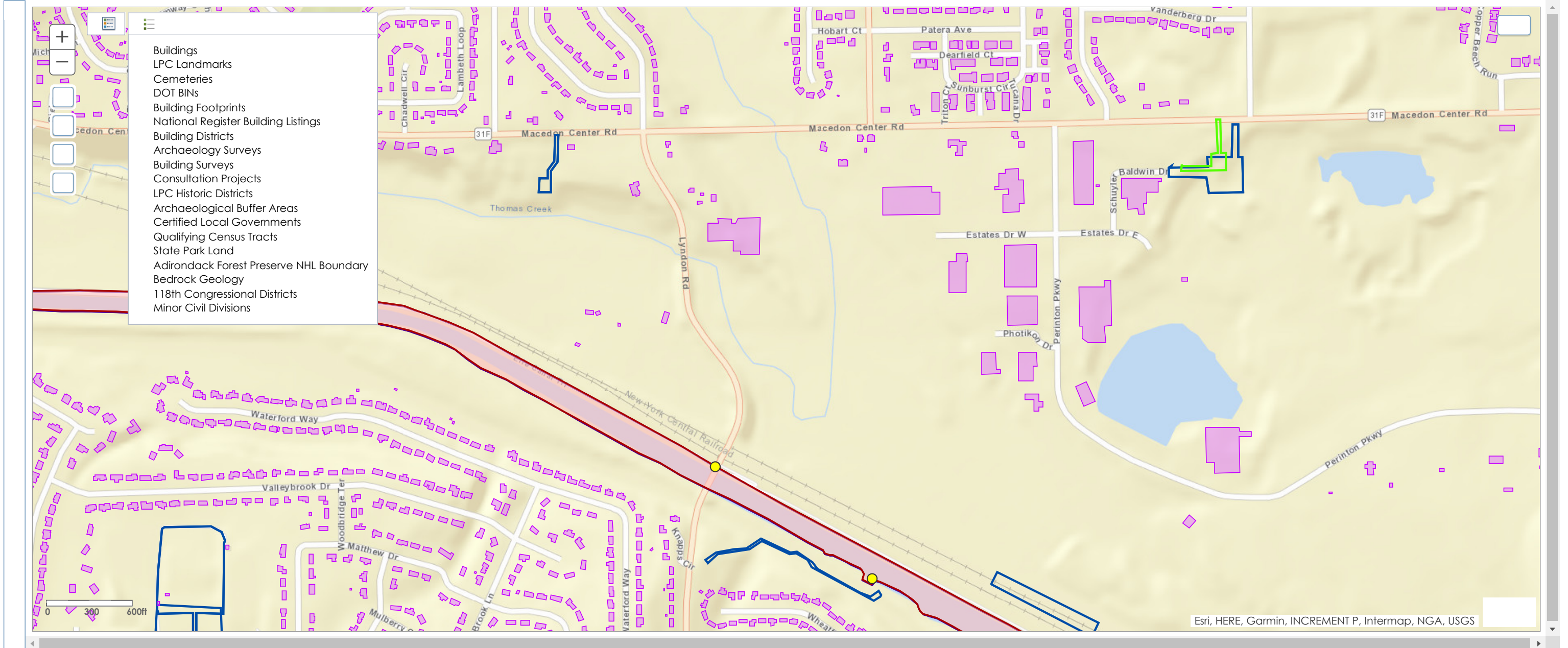
PANEL 384 OF 528
MAP SUFFIX: G
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER
36055C0384G

EFFECTIVE DATE
AUGUST 28, 2008

Federal Emergency Management Agency





TOWN OF PERINTON

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

Owner Authorization to Make Application

I, Chris O'Donnell of 80 Lyndon Road, LLC, authorize
(print owner name legibly)

BME Associates


(applicant/engineer name & company name)

to act as my agent to make application(s) to the Town of Perinton for the purpose of

Special Use Permits, Area Variances, and Site Plans,

(site plan/subdivision/change of use, etc.)

for the property that I own located at 80 Lyndon Road Fairport, NY 14450.



Signature

3/12/2024

Date

MONROE COUNTY CLERK'S OFFICE

THIS IS NOT A BILL. THIS IS YOUR RECEIPT

ROCHESTER, NY

Receipt # 1436502

Index DEEDS

Book 11717 Page 1

No. Pages : 4

Instrument DEED OTHER

Date : 06/28/2016

Time : 10:30:56AM

Control # 201606280328

TT # TT0000018682

Ref 1 #

Employee : RebeccaZ

Return To:

80 LYNDON RD LLC
2604 ELMWOOD AVENUE
SUITE 352
ROCHESTER, NY 14618-

THOMAS CREEK ENTERPRISES INC

80 LYNDON RD LLC

COUNTY FEE TP584	\$	5.00
MISCELLANEOUS COUNTY FEE	\$	0.00
COUNTY FEE NUMBER PAGES	\$	15.00
RECORDING FEE	\$	45.00
RP5217 COUNTY FEE	\$	9.00
RP5217 STATE EQUAL ADDIT FEE	\$	241.00
STATE FEE TRANSFER TAX	\$	10,400.00

Total \$ 10,715.00

State of New York

MONROE COUNTY CLERK'S OFFICE

WARNING - THIS SHEET CONSTITUTES THE CLERKS
ENDORSEMENT, REQUIRED BY SECTION 317-a(5) &
SECTION 319 OF THE REAL PROPERTY LAW OF THE
STATE OF NEW YORK. DO NOT DETACH OR REMOVE.

TRANSFER AMT

TRANSFER AMT \$2,600,000.00

TRANSFER TAX \$10,400.00

ADAM J BELLO

MONROE COUNTY CLERK



WARRANTY DEED

THIS INDENTURE, made the 15th day of June, 2016.

BETWEEN, THOMAS CREEK ENTERPRISES, INC., a New York Corporation having offices at 80 Lyndon Road, Fairport, New York 14450; and

Grantor,

ReAR ->

80 LYNDON RD., LLC, a New York limited liability company, having a mailing address of 2604 Elmwood Ave, Suite 352, Rochester NY 14618;

Grantee,

WITNESSETH, that the Grantor in consideration of TEN (\$10.00) DOLLARS, lawful money of the United States, and other good and valuable consideration paid by the Grantee does hereby grant and release unto the grantee, its successors and assigns forever,

2016 JUN 28 AM 10:30
MONROE COUNTY CLERK

SEE ATTACHED SCHEDULE "A"

Subject to all covenants, easements and restrictions of record, if any, filed in the Monroe County Clerk's Office affecting said premises.

Being and hereby intending to describe and convey the same premises conveyed to Grantor herein by Warranty Deed dated August 15, 1988 and recorded in the Monroe County Clerk's Office on August 19, 1988 in Liber 7418 of Deeds, at page 230.

TAX ACCOUNT NUMBER: 154.03-1-26

**PROPERTY ADDRESS AND TAX MAILING ADDRESS: 80 Lyndon Road, Fairport NY 14450
2604 Elmwood Ave., #352, Rochester NY 14618**

TOGETHER, with the appurtenances and all the estate and rights of the party of the first part, in and to said premises.

TO HAVE AND TO HOLD, the premises herein granted unto the grantee, the heirs or successors and assigns forever. AND the grantor covenants as follows:

- FIRST** - The grantee shall quietly enjoy the said premises;
- SECOND** - The grantor will forever warrant the title to said premises;
- THIRD** - This deed is subject to the trust provisions of Section 13 of the Lien Law. The

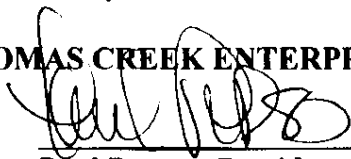
CHICAGO TITLE INSURANCE CO.
Order # 1616-00139

words "grantor" and "grantee" shall be construed to read in the plural whenever the sense of this deed so requires.

IN WITNESS WHEREOF, the grantor has duly executed this deed the day and year first above written.

THOMAS CREEK ENTERPRISES, INC.

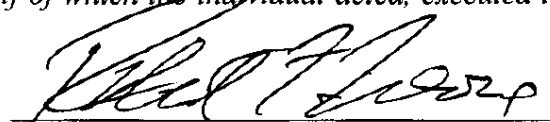
BY:



Paul Durso - President

STATE OF NEW YORK)
COUNTY OF MONROE) ss:

On this 15th day of June in the year 2016, before me, the undersigned, personally appeared PAUL DURSO, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

NOTARY PUBLIC ROBERT F. LEONE
NOTARY PUBLIC, State of New York
Monroe County
My Commission Expires 3/9/19

SCHEDULE "A"

ALL THAT TRACT OR PARCEL OF LAND situate in Town Lot 16, Township 12, Range 4, Town of Perinton, County of Monroe and State of New York more particularly described as follows:

BEGINNING at a point in the southerly line of lands now or formerly owned by Gene P. Congilaro (TM #154.03-1-25), said point being 33.01 westerly of the west line of Town Lot 16, having a coordinates of N=1,128,931.44 E=815.414.00; thence,

- 1.) South 89°38'55" East, along the southerly line of said Gne P. Congilaro, a distance of 529.34 feet to a point; thence,
- 2.) South 89°48'05" East, along the southerly line of lands now or formerly owned by Chad A. & Kara M. Kaestle (TM #154.03-1-24), a distance of 489.90 feet to a point; thence,
- 3.) South 01°17'30" East, along the lands now or formerly owned by Kevin C. & Evelyn M. Legg (TM #154.03-1-23.1) and lands now or formerly owned by Town of Perinton (TM #154.03-1-35.2), a distance of 1060.95 feet to a point; thence,
- 4.) South 88°53'30" West, along the northerly line of lands now or formerly owned by Bonnie Granger (TM #154.03-1-27), a distance of 641.10 feet to a point being 24.610 meters right of station 1+651.19 of the 1999 centerline for Lyndon Road Reconstruction as described in deed to Monroe County as filed in the Monroe County Clerk's office as liber 9378 page 469; thence,

The following courses and distances along the easterly highway boundary as defined by deed to Monroe County as filed in the Monroe County Clerk's office as liber 9378 page 469.

- 5.) North 39°36'10" West, a distance of 326.02 feet to a point; thence,
- 6.) North 88°31'48" West, a distance of 32.04 feet to a point; thence,
- 7.) North 39°40'41" West, a distance of 93.55 feet to a point; thence,
- 8.) North 26°19'25" West, a distance of 82.73 feet to a point; thence,
- 9.) North 15°09'24" West, a distance of 77.83 feet to a point; thence,
- 10.) North 03°34'25" West, a distance of 187.79 feet to a point; thence,
- 11.) North 08°37'36" East, a distance of 91.53 feet to a point; thence,
- 12.) North 09°31'13" West, a distance of 132.38 feet to a point; thence,
- 13.) North 00°05'03" West, a distance of 87.05 feet to a point; thence.
- 14.) North 21°59'14" West, a distance of 65.97 feet to a point; thence,
- 15.) North 00°59'55" West, a distance of 48.1 feet to the **PLACE AND POINT OF BEGINNING**.

ALSO ALL THAT TRACT OR PARCEL OF LAND situate in Town Lot 16, Township 12, Range 4, Town of Perinton, County of Monroe and State of New York more particularly described as follows:

COMMENCING at a point of intersection of the northerly line of lands now or formerly owned by Bonnie Granger (TM #154.03-1-27) and the easterly highway boundary of Lyndon Road, said point being 24.610 meters right of station 1+651.19 of the 1999 centerline for Lyndon Road Reconstruction as described in deed to Monroe County as filed in the Monroe County Clerk's office as liber 9378 page 469; thence, A.) South 88°53'30" West, a distance of 186.43 feet to the point of **BEGINNING**; thence,

- 1.) South 88°53'30" West, a distance of 205.14 feet to a point; thence,
- 2.) North 00°59'55" West, along a line being 24.75 easterly and parallel to the west line of Town Lot 16, a distance of 301.88 feet to a point; thence,
- 3.) South 35°13'52" East, a distance of 364.66 feet to the **PLACE AND POINT OF BEGINNING**.