



**CITY PLANNING COMMISSION
STAFF REPORT
May 16, 2016**

Zoning Map Amendment

Case #1: Staff Reviewer: Jill Wiedrick

File Number: M-06-15-16

Case Type: Zoning Map Amendment

Applicant: Rev. Jose Marrero, Pentecostal Holiness Church

Address: 127 Flower Street

Zoning District: R-1 Low Density Residential District

Section of Code: 120-190C

Request: To amend the Zoning Map by rezoning the property at 127 Flower Street from R-1 Low Density Residential District to C-2 Community Center District to combine with the existing church property at 937 North Clinton Avenue (AKA 939 North Clinton Avenue); an action requiring City Planning Commission recommendation to City Council.

Analysis:

The applicant is proposing to rezone the property at 127 Flower Street from R-1 Low Density Residential District to C-2 Community Center District. The applicant proposes to rezone the property to facilitate combining 127 Flower Street with the existing church property located at 937 North Clinton Avenue (AKA 939 North Clinton Avenue). Please note that 127 Flower Street will remain green space and will not be used for parking.

It is important to note that if the rezoning is approved, any C-2 use would be permitted on these properties.

Please see the attached list of Permitted and Specially Permitted uses in the C-2 District.

Applicant's statement concerning how request conforms to Zoning Map Amendment Considerations:

See attached.

PROJECT INFORMATION

PLEASE TYPE OR PRINT

939 N. Clinton Ave., Rochester, NY 14621

1. PROJECT ADDRESS(ES): _____

2. APPLICANT: Rev. Jose Marrero COMPANY NAME: Pentecostal Holiness Church

ADDRESS: 939 N. Clinton Ave. CITY: Rochester ZIP CODE: 14621

PHONE: 585 749 9547 FAX: _____

E-MAIL ADDRESS: _____

INTEREST IN PROPERTY: Owner Lessee Other

3. PLAN PREPARER: Louie Carini PE

ADDRESS: 196 Deerfield Drive. CITY: Rochester, NY ZIP CODE: 14609

PHONE: 585 766 8913 FAX: _____

E-MAIL ADDRESS: louiecarini@aol.com

4. ATTORNEY: _____

ADDRESS: _____ CITY: _____ ZIP CODE: _____

PHONE: _____ FAX: _____

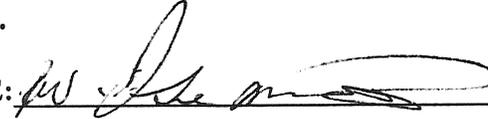
5. ZONING DISTRICT: C-2 & R-1

6. DETAILED PROJECT DESCRIPTION (additional information can be attached): _____

The church wishes to do the following:
1. Demolish a storage building next to the church building and add 2 parking spaces.
2. Purchase 127 Flower St. from the City and get it rezoned from R-1 to C-2. The church will keep this area grass covered and maintain it. If they ever desire to change this area into parking they will submit plans and improve the site per City specifications.

7. LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased): 1 MONTH

APPLICANT: I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed in accordance with the conditions and terms of that approval.

SIGNATURE:  DATE: 5-5-2016

OWNER (if other than above): I have read and familiarized myself with the contents of this application and do hereby consent to its submission and processing.

SIGNATURE: _____ DATE: _____

AMENDMENT CONSIDERATIONS

In making recommendations regarding amendments to the text of the Zoning Ordinance or to the Zoning Map, the Planning Commission shall consider and make findings on the following matters regarding the proposed amendment:

- A. The proposed Amendment conforms with the City's Comprehensive Plan, a Development Plan, and any other adopted special area plans.**

To the best of my knowledge the propose Amendment conforms to all of the above. _____

- B. The proposed Amendment is compatible with the present zoning and conforming uses of nearby property (ies) and with the character of the neighborhood.**

- The proposed Amendment is compatible with the present zoning and conforming uses of _____ nearby properties and with the character of the neighborhood.

- C. The proposed uses are suitable for the property (ies) affected by the Amendment.**

The proposed use is suitable for the property affected by the Amendment. _____

- D. There are available public facilities, services and infrastructure suitable and adequate for the uses allowed under the proposed amendment.**

The proposed use does not require any services or public facilities. _____

City of Rochester, NY
Wednesday, May 4, 2016

Chapter 120. Zoning

Article VII. C-2 Community Center District

§ 120-41. Purpose.

The C-2 Community Center District provides diverse commercial development along gateway transportation corridors and neighborhood or village centers with a dense mixture of uses such as housing, retail and other complementary uses that serve the adjacent neighborhood and the community at large. The C-2 District is preserved through appropriate design elements, amenities or treatments that create, enhance and reinforce the design relationships between the buildings, sites and streets and still establish an ambience that is uniquely urban and pedestrian-oriented.

§ 120-42. Permitted uses and structures.

[Amended 6-17-2003 by Ord. No. 2003-183; 12-20-2005 by Ord. No. 2005-394]

The following uses are permitted in the C-2 District, when conducted entirely within an enclosed building and with hours of operation limited to 6:00 a.m. to 2:00 a.m.:

- A. Single-family attached dwellings.
- B. Multifamily dwellings.
- C. Live-work space, subject to the additional requirements for specified uses in § 120-142.1.
- D. Bed-and-breakfast establishments, subject to the additional requirements for specified uses in § 120-132.
- E. Family and group family day-care homes.
- F. Adult family day-care homes.
- G. Day-care centers, subject to the additional requirements for specified uses in § 120-135.
- H. Animal hospitals when conducted entirely within an enclosed building.
- I. Places of worship.
- J. Convents and rectories.
- K. Public and semipublic uses.

[Amended 7-19-2011 by Ord. No. 2011-247^[1]]

[1] *Editor's Note: This ordinance provided an effective date of 9-1-2011.*

- L. Funeral homes and mortuaries.

- M. Retail sales and service, full-line food store, low-impact, and specialty, subject to the additional requirements for specified uses in § **120-146.1**.
[Amended 9-19-2012 by Ord. No. 2012-363; 2-18-2015 by Ord. No. 2015-39]
- N. (Reserved)^[2]
[2] *Editor's Note: Former Subsection N, regarding low-impact retail sales and services, added 9-19-2012 by Ord. No. 2012-363, was repealed 2-18-2015 by Ord. No. 2015-39. See now Subsection M.*
- O. (Reserved)^[3]
[3] *Editor's Note: Former Subsection O, regarding specialty retail sales and services, added 9-19-2012 by Ord. No. 2012-363, was repealed 2-18-2015 by Ord. No. 2015-39. See now Subsection M.*
- P. Limited adult retail store when conducted entirely within an enclosed building.
- Q. Health clubs and similar facilities.
- R. Theaters.
- S. Office.
- T. Bars, restaurants and banquet facilities, including accessory outdoor seating/assembly areas, provided that the outdoor areas only operate between the hours of 6:00 a.m. and 11:00 p.m., excluding drive-through facilities.
[Amended 9-19-2012 by Ord. No. 2012-363]

§ 120-43. Special permit uses.

The following uses are allowed as special permit uses in the C-2 District:

- A. Any permitted or specially permitted uses open to the public or requiring loading/unloading between the hours of 2:00 a.m. and 6:00 a.m.
- B. Accessory outdoor seating/assembly areas for bars, cocktail lounges, taverns, restaurants and banquet facilities with outdoor areas operating between the hours of 11:00 p.m. and 2:00 a.m.
- C. Amusement center.
- D. Ancillary parking lots, subject to the additional requirements for specified uses in § **120-131**.
[Amended 6-17-2003 by Ord. No. 2003-183]
- E. Animal day care.
- F. Community garages and parking lots.
- G. Drive-throughs, subject to the additional requirements for specified uses in § **120-136**.
[Amended 6-17-2003 by Ord. No. 2003-183]
- H. Motels and hotels.
- I. Private clubs.
- J. Parking lots as a principal use.
- K. Entertainment, not including sexually oriented uses, subject to the additional requirements for specified uses in § **120-137**.
- L. Public utilities, subject to the additional requirements for specified uses in § **120-144**.

- M. Research laboratories including testing facilities.
- N. Residential care facilities, subject to the additional requirements for specified uses in § **120-146**.
- O. Homeless residential facilities, subject to the additional requirements for specified uses in § **120-140**.
- P. Hospice.
- Q. Rooming houses, subject to the additional requirements for specified uses in § **120-147**.
- R. Vehicle service stations, subject to the additional requirements for specified uses in § **120-154**, with no more than eight pumps (defined as a fueling area for an individual vehicle).
- S. Vehicle repair of noncommercial vehicles, excluding bodywork, with two bays or fewer, subject to the additional requirements for specified uses in § **120-152**, providing no storage of unlicensed, partially dismantled or wrecked vehicles and no accessory sales of vehicles occur on site.
- T. Retail sales and service, high-impact, limited to the hours of 6:00 a.m. to 2:00 a.m. and subject to the additional requirements for specified uses in § **120-146.1**.

[Added 9-19-2012 by Ord. No. 2012-363; amended 2-18-2015 by Ord. No. 2015-39]

Flower St

Rochester, New York

Street View - Oct 2015



Navigation controls including a compass, a zoom in (+) button, a zoom out (-) button, and a 'Hide imagery' button with a right-pointing arrow.

Map navigation controls including a 'Back to Map' button and a street view pegman icon. A street grid is visible with labels for 'Gladys St', 'Roth St', 'Lill St', 'Flower St', 'Radio St', and 'Leflore'.



Add a photo

Google



US Parcels: 127 FLOWER ST
City: ROCHESTER
State: NY
Zip: 14621

Date: 04/16/2015 | Level: Neighborhood | Scale: 100%
6.43 Feet | Area: 2432.4 Square Feet

Proposed Rezone
127 Flower Street
R-1 Low Density Residential District to C-2 Community Center District

Flower



Mead

C-2

937-941

R-1

Laforce

Clinton

Radio





**CITY PLANNING COMMISSION
STAFF REPORT
May 16, 2016**

SPECIAL PERMIT

Case #2: Staff Reviewer: Jill Wiedrick

File Number: E-049-15-16

Case Type: Special Permit

Applicant: Marybeth and Al Giglio, Harry G's NY Deli and Cafe

Address: 676-680 South Avenue

Zoning District: C-2 Community Center District

Section of Code: 120-43K, 120-173E

Request: To establish live entertainment in the existing bar/restaurant and to consider an Alternative Parking Plan to address the 17 space parking deficit created by the addition of live entertainment; an action requiring City Planning Commission approval.

Analysis:

The subject property is located on South Avenue, near the intersection of South Avenue and Gregory Street. The building is legal for two sit-down restaurants on the first floor two apartments on the second floor and two apartments on the third floor. Please note that although the building is legal for two sit-down restaurants, they function as one restaurant (Harry G's NY Deli and Café). The occupancy for both sit-down restaurants combined is 80 people.

The applicant wishes to add live entertainment between the hours of 4:30PM and 10:30PM, daily. Harry G's currently operates between the hours of 10:00AM and 9:00PM, Monday through Thursday, 10:00AM and 11:00PM, Friday and Saturday, and 10:00AM and 5:00PM, Sunday.

According to the applicant, live entertainment will consist of low impact entertainment such as wine tastings, karaoke, trivia, wine and painting classes, et cetera.

Code Compliance:

In accordance with Section 120-43K, providing live entertainment requires a Special Permit in the C-2 District, and is subject to the additional requirements for specified uses listed in Section 120-137.

Per Section 120-137 of the Zoning Code, establishments offering entertainment shall be subject to the following requirements:

- a) The portion of the building used for entertainment shall have no openings facing any adjacent residentially zoned or developed property other than stationary insulated glass windows that shall be screened or draped in a manner to prevent the direct glare of beams onto such adjacent property.

The sit-down restaurant has windows that face adjacent mixed use property.

- b) The applicant shall provide a number of off-street parking spaces equal to ½ the maximum allowable occupancy of the use, as determined by the Fire Marshal of the City or a designated agent.

The maximum occupancy of this restaurant is 80 people which requires 40 off-street parking spaces. A variance was granted to waive the off-street parking requirement (23 spaces) associated with the change of use from two store to two sit-down restaurants in 2012. Therefore, a total of 17 parking spaces are required to establish live entertainment. Please see the attached Alternative Parking Plan.

Site Plan and Environmental Review:

Site Plan Review is not required for this proposal. However, the City Planning Commission, as Lead Agency, is required to issue an Environmental Determination prior to considering the Special Use Permit.

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. PROJECT ADDRESS(ES): 678-682 South Ave. Roch. NY 14626

2. APPLICANT: Marybeth A. Gaiglio COMPANY NAME: M²A Food Ent., LLC dba Harry G's NY Deli & Cafe

ADDRESS: 54 River Ferry Way CITY: Boileston ZIP CODE: 14608

PHONE: (585) 281-0281 FAX: _____

E-MAIL ADDRESS harrygsnydeli@gmail.com

INTEREST IN PROPERTY: Owner _____ Lessee Other _____

3. PLAN PREPARER: _____

ADDRESS: _____ CITY: _____ ZIP CODE: _____

PHONE: _____ FAX: _____

4. ATTORNEY: _____

ADDRESS: _____ CITY: _____ ZIP CODE: _____

PHONE: _____ FAX: _____

E-MAIL ADDRESS _____

5. ZONING DISTRICT: _____

6. DETAILED PROJECT DESCRIPTION (additional information can be attached): Entertainment License to allow miscellaneous entertainment such as wine & cheese tastings, Karaoke, Trivia, etc. in a bar and restaurant.

7. LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased): _____

APPLICANT: I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed in accordance with the conditions and terms of that approval.

SIGNATURE: [Signature] DATE: 4/4/16

OWNER (if other than above): I have read and familiarized myself with the contents of this application and do hereby consent to its submission and processing.

SPECIAL PERMIT STANDARDS

A Special Permit will be granted only if evidence is presented establishing conformance with each of these standards. Explain how the proposal conforms to each of these requirements (attach additional pages if necessary):

- A. The proposed building or use will be in harmony with the general purpose, goals, objectives, standards and implementation strategies of the Comprehensive Plan, this chapter and, where applicable, the Subdivision Code.**

The use is in harmony with the Comprehensive Plan
as it is specially permitted.

- B. The proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety and general welfare.**

The proposed use is consistent with the surrounding neighborhood.
It is anticipated no adverse effect will occur to utilities, traffic
patterns, parking or other matters affecting public health, safety and
general welfare.

- C. The proposed building or use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring properties in accordance with the applicable district regulations.**

The proposed use will be consistent with existing
entertainment venues in the neighborhood.

- D. The proposed building or use will be served adequately by essential public facilities and services, such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools, or that the persons or agencies responsible for the establishment of the proposed building or use will provide adequately for such services.**

The building is located at 678-682 South Avenue which
is serviced by publicly owned amenities.

- E. The proposed building or use will not result in the destruction, loss or damage of any natural, scenic, cultural or historic feature of significant importance.**

The use will not change or impact any natural, scenic,
cultural or historic features.

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: <u>ENTERTAINMENT LICENSE</u>			
Project Location (describe, and attach a location map): <u>678-682 SOUTH AVE</u>			
Brief Description of Proposed Action: <u>TO ALLOW MISCELLANEOUS ENTERTAINMENT INCLUDING WINE & CHEESE TASTINGS, KAREOKE, TRIVIA, ETC. IN A BAR & RESTAURANT, HARRY G'S NY DELI & CAFE.</u>			
Name of Applicant or Sponsor: <u>MARYBETH GIGLIO</u>		Telephone: <u>(585) 451-7362</u>	
		E-Mail: <u>HARRYGSNYDELI@GMAIL.COM</u>	
Address: <u>54 RIVERFERRY WAY</u>			
City/PO: <u>ROCHESTER</u>		State: <u>NY</u>	Zip Code: <u>14608</u>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/> YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/> YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<u>NA</u> acres	
b. Total acreage to be physically disturbed?		<u>NA</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>NA</u> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?			
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?			
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____			
	<input type="checkbox"/>	<input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Albert Giglio</u>		Date: <u>4/4/16</u>
Signature: _____		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

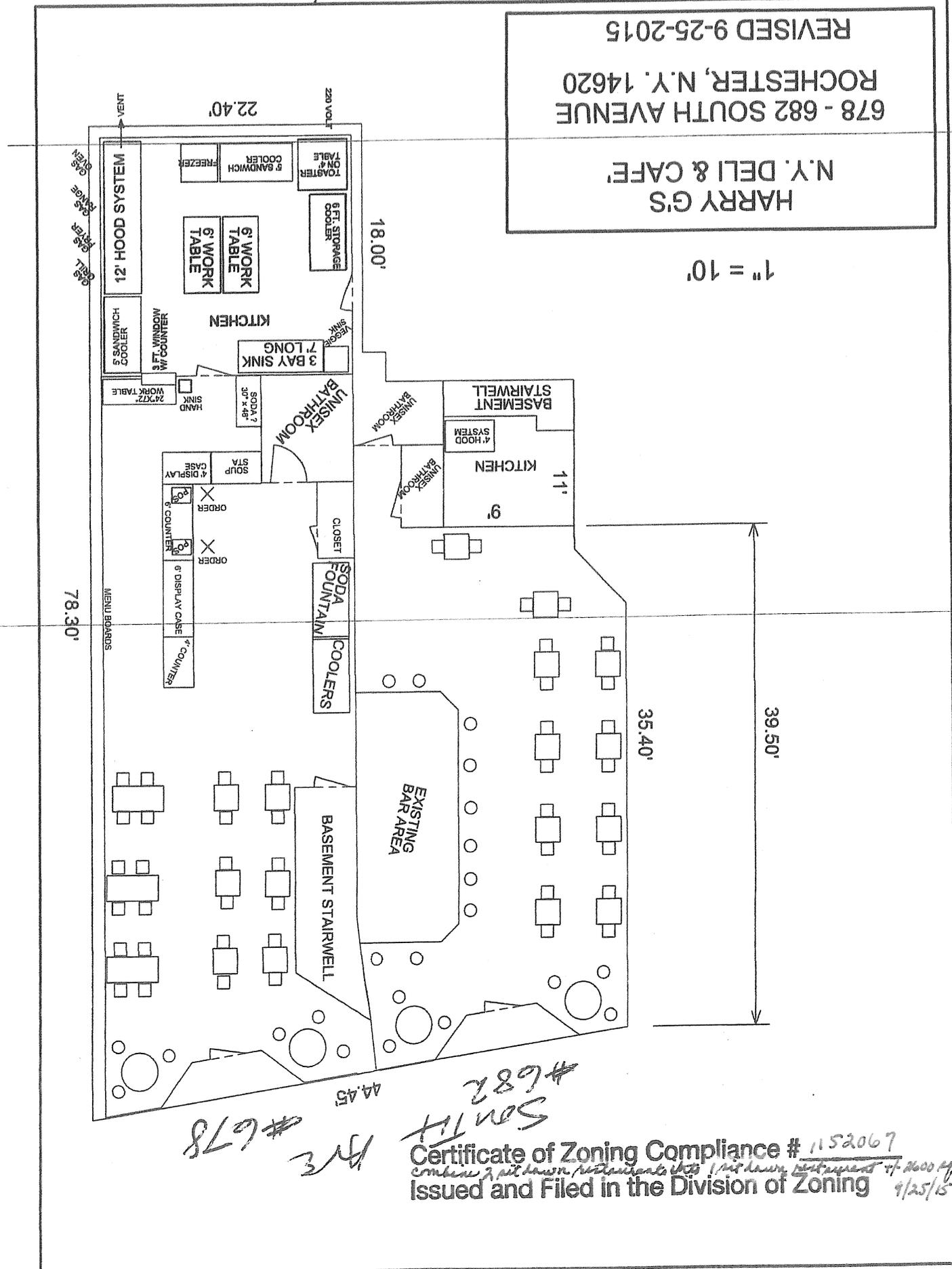
RESET

REVISIED 9-25-2015
 ROCHESTER, N.Y. 14620
 HARRY G'S
 N.Y. DELI & CAFE

1" = 10'

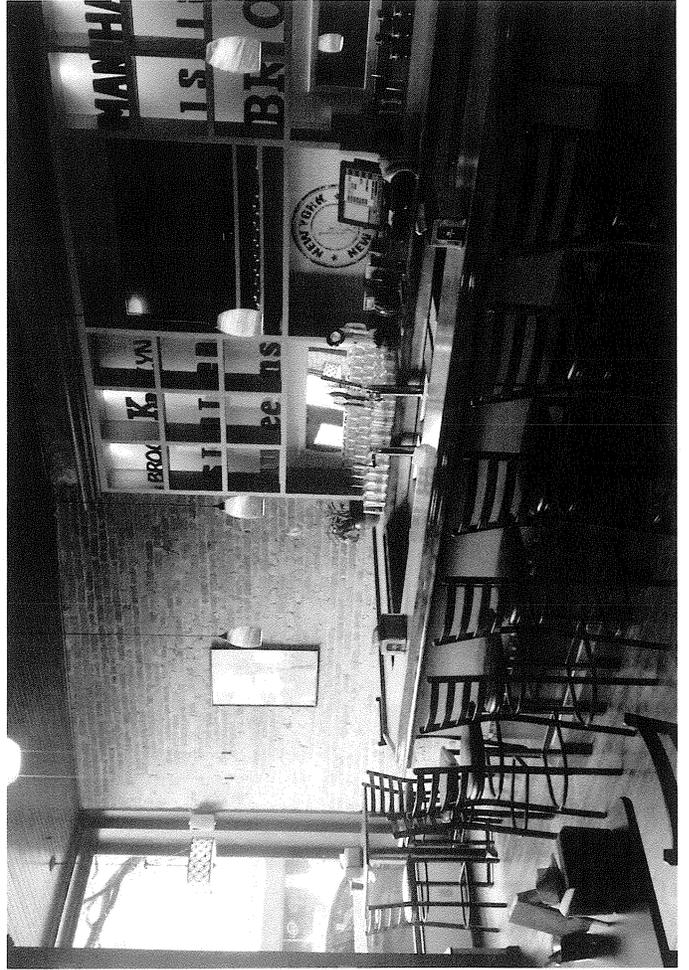
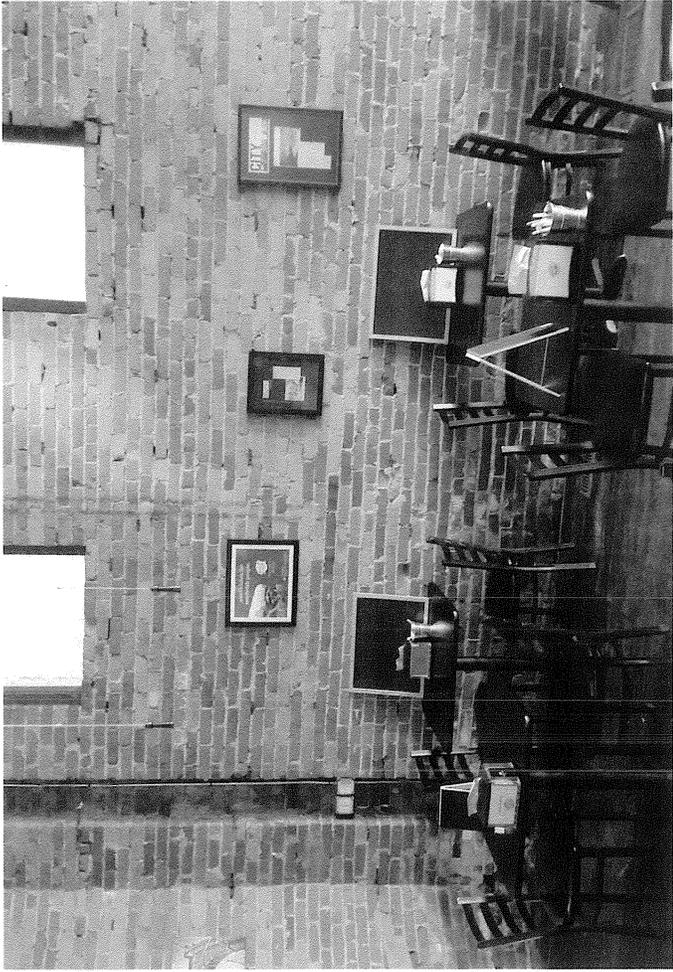
D/AM - 1ST

2



#678
 #682
 Smith
 B/E

Certificate of Zoning Compliance # 1152067
 Issued and Filed in the Division of Zoning
 9/25/15





Harry G's NY Style Deli & Café Alternative Parking Plan

The building itself is a mixed-use building with retail use on the ground floor and 4 residential units above. The prior zoned use of 678 South Avenue as a restaurant, and 682 South Avenue was as a bar/restaurant with live entertainment. The proposed use for both storefronts is a restaurant with tables and chairs for patrons with a total seating capacity of 80 people (678 South Avenue, 42 persons; and 682 South Avenue, 38 persons), which is a complementary use to serve the busy walkable neighborhood. Streetscape City Code provides:

Applicant

Applicant is a restaurateur who currently operates Harry G's NY Style Deli and Café, located at 678 South Avenue, which has thrived in this area of the City since 2012. The opportunity to expand its' customer seating arose when the former Sushi Bar and Restaurant vacated 682 South Avenue in 2015. The two store front areas are adjacent to each other with a common partition wall between the dining areas.

The applicant applied for and received a Beer and Wine License for the premises from the New York State Liquor Authority in March, 2016. The intent of the Entertainment License is to provide low impact entertainment such as wine tastings, beer tastings, Karaoke, Trivia, Wine and Painting classes, etc.

Premises

The premise is located 678-682 South Avenue, Rochester, NY 14620. It is the first floor retail storefront units, located on the ground floor, of a mixed-residential use building with 4 residential units above. The rental unit space consists of a two storefront spaces and an ancillary area in the back (accessed through a rear doorway). The total combined square footage of the storefronts and the back area is approximately 2,600 sq. ft. The combined dining area is approximately 1,200 sq. ft. with a seating capacity of 80 people. The remainder of the patron area (1,400 ft.) consists of an auxiliary kitchen, food ordering and pick up area, counter space for condiments, silverware, napkins, 3 bathrooms, and a bar. The back ancillary area is approximately 400 sq. ft. and consists of a commercial kitchen and food preparation area and is accessible via a rear door access.

In addition to the first floor the basement is used as a food storage and office space.

The neighborhood is primarily mixed use, residential and commercial along South Avenue and residential on the side streets. The hours of operation will be Monday through Sunday, 8 am-11:30 pm. The food will be casual American consisting of subs, wraps, salads, soups and grilled food. The auxiliary kitchen is used to prepare Hors d'oeuvre type food.

The premises are located in a multi-unit building. The commercial building currently has a take-out and eat in restaurant and wishes to provide low impact entertainment. Prior to Harry G's expanding to 682 South Avenue the previous tenant (Banzai's Sushi Bar) operated a Sushi Bar with Live Entertainment.

Mass Transit

Harry G's NY Style Deli & Café Alternative Parking Plan

There are four (7) bus stops within 1000 feet of the building:

Southbound Direction

Hamilton Street (990 ft.);
Cypress Street (968 ft.);
Hickory Street (340 ft.);
Gregory Street (70 ft.);

Northbound Direction

Caroline Street (690 ft.);
Gregory Street (270 ft.);
Averill Avenue (700 ft.)

There are currently more than 300 on-street parking spaces within 1,000 feet of the mixed use building. There are also numerous parking lots in the area which the owners have graciously allowed to be used during non-business hours.

This block has historically been identified as parking deficient in previous traffic/parking studies in the City of Rochester.

The eat-in restaurant/bar will operate primarily Monday through Sunday, 8 am-11:30 pm. There is on street parking available during the weekday and weekend Business hours.

The typical weekday peak-to-daily demand of the proposed use is Monday through Friday, 12pm-2pm and 7pm-9pm.

This long-standing commercial retail space has never had off-street parking. It is along the street of shops on South Avenue, a pedestrian oriented neighborhood. This take-out and eat-in restaurant is a pedestrian friendly use that serves the immediate neighborhood.

There is an absence of eligible shared parking within 1000 feet of the business, bicycle parking in the neighborhood and transit by RTS within 1000 feet.

Applicant understands the need for City Planning to manage the parking in the City, and to avoid burdening residents and businesses with the inconvenience of parking problems. Applicant also points out the City's commitment to supporting businesses in the City and this business has been successful on South Avenue since 2012. Applicant wants to expand in this area of the city with a high pedestrian and multi-modal traffic. This is the type of business the City wants to support. Applicant asks the City officials to include this as a factor in its consideration of this application. Applicant has invested more than \$100,000 in the City and chooses to do business in the City limits.



City of Rochester

Neighborhood and Business Development
City Hall Room 125B, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov



Bureau of Planning
and Zoning

April 26, 2012

Mr. Brandon Greenwald
61 Portsmouth Terrace
Rochester, NY 14607

Mr. Nicolas Grammatico
682 Park Avenue
Rochester, NY 14607

Location: 676-680 South Avenue
Zoning District: C-2 Community Center District
File Number: V-073-11-12

NOTICE OF DECISION

In the matter of the request for an Area Variance to: waive the off-street parking requirement associated with the change of use from 2 stores to 2 sit-down restaurants, please take notice that at the Zoning Board of Appeals meeting held on April 19, 2012, said application was APPROVED.

Please note: The issuance of a Building Permit is required prior to commencement of any work on the property. Please contact Zina Lagonegro, at 428-7054, to schedule an appointment to complete the process.

Marcia Barry
Secretary to the Zoning Board of Appeals

2012 MAY -1 PM 4:53

CITY OF ROCHESTER
CLERK/COUNCIL OFFICE
RECORDED



Resolution and Findings of Fact:

- A. The benefits to the applicant outweigh any detriment to the health, safety, and welfare of the neighborhood or the community by the granting of a variance.**
1. The granting of the variance will allow for the change of use from two vacant storefronts to two sit-down restaurants; small businesses that will compliment the dense, eclectic mix of uses in the neighborhood.
 2. In testimony, the applicant indicated that the area is walkable and supports a "park-once" environment where patrons can visit several neighborhood establishments in a single visit. A parking study of the area indicated that different peak times for nearby uses allowed for a steady flow of on-street parking to support the area businesses, and that walk-up trade is highly likely in this neighborhood. In addition, South Avenue is on a bus line, which provides another means for patrons to come to the area.
 3. The granting of the waiver of the off-street parking was supported by the Business Association of the South Wedge Area (BASWA) and the South Wedge Planning Committee Housing and Structures Committee. Collectively, they noted that few of the businesses located on South Avenue have off-street parking, that there is ample on-street parking, and that a municipal parking lot is available at 713 South Avenue to support the area merchants.
- B. The granting of the variance will not produce an undesirable change in the character of the neighborhood.**
1. The granting of the variance will allow for the establishment of two sit-down restaurants that are in keeping with other commercial establishments along South Avenue, and which are likely to bring new customers to the area. It is anticipated that 30 new jobs will be created and the interior and exterior renovation of the first floor of the subject property will preserve the c.1920's 3-story structure and enhance the character of the neighborhood.
 2. Based on written testimony provided by BASWA, there is ample parking in the area to support the proposed sit-down restaurants.
- C. There is no other means feasible for the applicant to pursue, other than the granting of the variance.**
- The subject structure was constructed in c.1920 with no off-street parking. Attempts to acquire shared-parking agreements with nearby property owners were unsuccessful. There is no other means feasible other than the granting of the variance to waive the off-street parking requirement that will allow for the establishment of the sit-down restaurants.

D. The variance is not substantial.

Given that the South Wedge area is a walkable neighborhood, that there is a municipal parking lot nearby, ample on-street parking, and the area is serviced by RTS, the request to waive the parking requirement to allow for the establishment of sit-down restaurants is not substantial.

E. The variance would not have an adverse effect or impact on the physical or environmental conditions in the neighborhood.

The applicant substantiated that there is ample on-street and bicycle parking in the neighborhood to support the needs of the area businesses by submission of a parking analysis at various times over a 19 day period. In addition, BASWA has indicated that they own and operate a municipal parking lot at 713 South Avenue to benefit the area businesses. Therefore, granting a waiver of the off-street parking requirement will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood.

F. The alleged difficulty is not self-created.

Given that the existing 3-story structure was constructed without off-street parking the alleged difficulty is not self-created.

This decision was based on the following testimony and evidence:

Testimony:

Support:

Brandon Greenwald, Operator of Harry G's N.Y Deli & Café
Nicolas Grammatico, Operator of Sushi Bar

Opposition:

None

Evidence:

Staff Report
Detailed Project Description including a menu
Area Variance Application and Statement of Difficulty
Floor Plans
The Wedge newspaper article dated February/March 2012
Site Map
Survey Map
Photographs of subject property and surrounding properties
Parking Analysis
Letter of Support from Business Association of the South Wedge Area (BASWA) dated 03/16/12

V-073-11-12
676-680 South Avenue
Page 4

**Letter of Support from South Wedge Planning Committee Housing and Structures
Committee not dated**

Letter of support from David Halter dated 04/04/12

Personal Appearance Notice

Affidavit of Notification

Speaker's List

Record of Vote:

R. Khaleel	Approve
E. Van Dusen	Approve
J. O'Donnell	Absent
P. Tobin	Approve
D. Chappius	Approve
E. Bosek	Approve



South Ave
Rochester, New York
Street View - Nov 2015



Back to Map

Google

Image capture: Nov 2015 © 2016 Google Terms Privacy Report a problem

Hide imagery >



City of Rochester, NY
Property Information



676 South Avenue

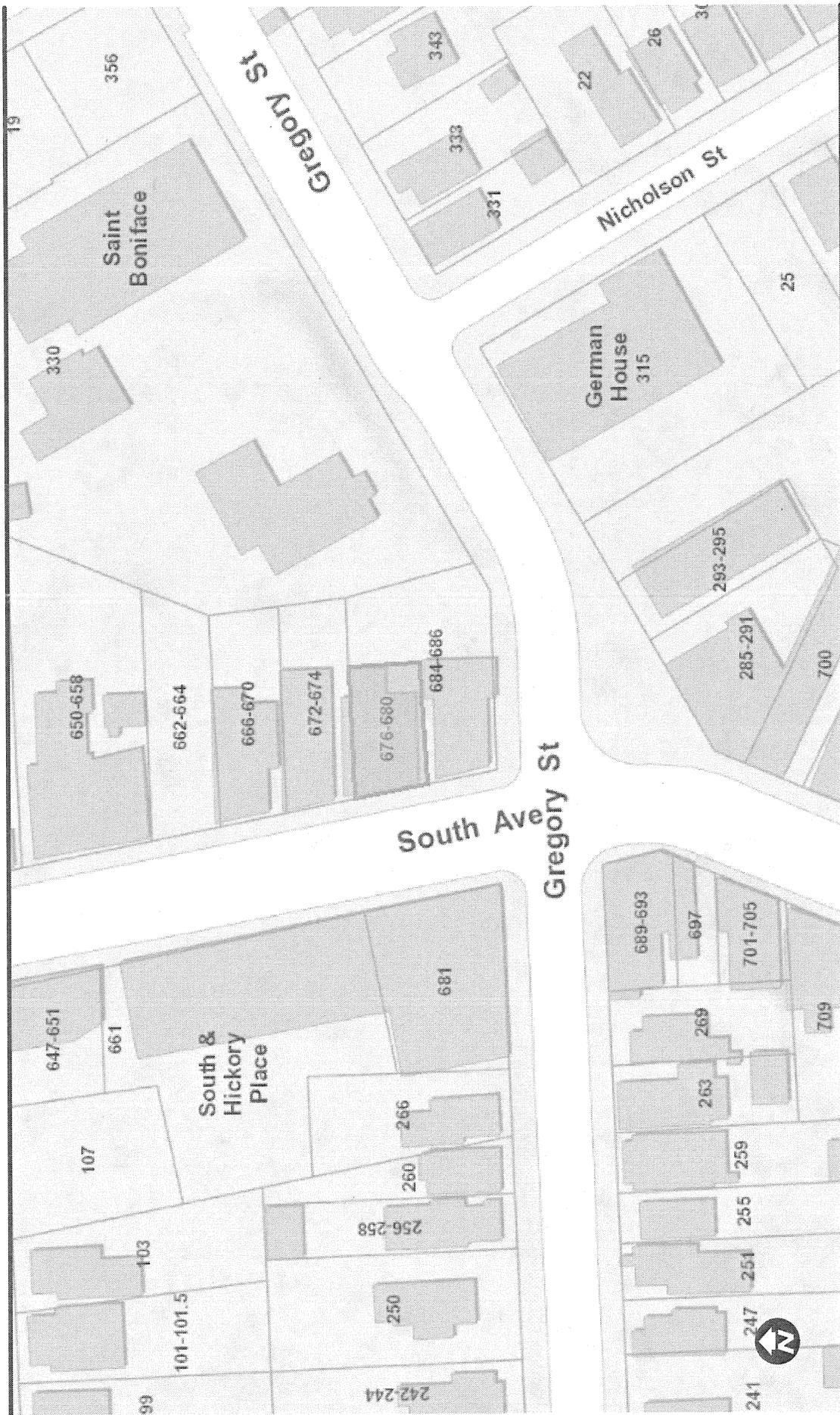
Search By: Address Owner SBL

SBL Address

676 South Ave



676-680 SOUTH AV



May 3, 2016

This map is intended for general reference only.
The City of Rochester makes no representation
as to the accuracy or fitness of the data presented.



City of Rochester, NY
Lovely A. Warren, Mayor

City of Rochester, NY



**CITY PLANNING COMMISSION
STAFF REPORT
May 16, 2016**

Special Permit

Case #3:

Staff Reviewer: Jill Wiedrick

File Number:

E-050-15-16

Case Type:

Special Permit

Applicant:

Jose A. Fontanez

Address:

176 Child Street

Zoning District:

R-2 Medium Density Residential District

Section of Code:

120-191B(4)(C)

Request:

To re-establish a vehicle repair operation with hours of operation between 9:00AM and 6:00PM; an action requiring City Planning Commission approval.

Analysis:

Preliminary Site Plan Review Findings (SP-021-15-16) for the project analysis are attached.

Site Plan and Environmental Review

Site Plan Review is required for this proposal. Preliminary Site Plan Findings are attached. A Notice of Environmental Determination, indicating that there are NOT significant impacts upon the environment, has been issued by the Director of Planning and Zoning.

Applicant's statement concerning how request conforms to Special Permits Standards:

See Attached.

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. PROJECT ADDRESS(ES): 176 Child Street

2. APPLICANT: Jose A. Fontanez COMPANY NAME: _____

ADDRESS: 82 Massey Dr CITY: Roch ZIP CODE: 14611

PHONE: (585)-727-0202 FAX: ⁽⁵⁸⁵⁾ 546-4504

E-MAIL ADDRESS JFComfort@abl.com

INTEREST IN PROPERTY: Owner X Lessee _____ Other _____

3. PLAN PREPARER: Lou Carini

ADDRESS: 1387 Fairport Rd CITY: Fairport ZIP CODE: 14450

PHONE: Suite 560 585-223-6420 FAX: 585-766-8913 (cell)

4. ATTORNEY: _____

ADDRESS: _____ CITY: _____ ZIP CODE: _____

PHONE: _____ FAX: _____

E-MAIL ADDRESS _____

5. ZONING DISTRICT: R-2 medium density residential

6. DETAILED PROJECT DESCRIPTION (additional information can be attached): _____

Vehicle Repair shop

7. LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased): _____

APPLICANT: I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed in accordance with the conditions and terms of that approval.

SIGNATURE: Jose A. Fontanez DATE: 3/28/16

OWNER (if other than above): I have read and familiarized myself with the contents of this application and do hereby consent to its submission and processing.

SPECIAL PERMIT STANDARDS

A Special Permit will be granted only if evidence is presented establishing conformance with each of these standards. Explain how the proposal conforms to each of these requirements (attach additional pages if necessary):

- A. The proposed building or use will be in harmony with the general purpose, goals, objectives, standards and implementation strategies of the Comprehensive Plan, this chapter and, where applicable, the Subdivision Code.

We will be consistent with land use goals. If any changes are foreseen, appropriate measures will be taken but no intention to change our goals for a vehicle repair facility.

- B. The proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety and general welfare.

To avoid any adverse effects, we will be maintaining a limit of two parking spots and hours of operation will be reasonable to avoid conflict with surrounding properties.

- C. The proposed building or use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring properties in accordance with the applicable district regulations.

We are limiting our customers to two outside parking spots and hiring tow services 24 hours a day / 7 days a week as not to dominate immediate vicinity.

- D. The proposed building or use will be served adequately by essential public facilities and services, such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools, or that the persons or agencies responsible for the establishment of the proposed building or use will provide adequately for such services.

We will be maintaining the property by professional services in regards to painting, garbage disposal, outside lighting, parking and landscaping.

- E. The proposed building or use will not result in the destruction, loss or damage of any natural, scenic, cultural or historic feature of significant importance.

There will be no additional work done to the building therefore there will be no destruction, loss or damage of anything of significant importance.



City of Rochester

Neighborhood and Business Development
City Hall Room 125B, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov

Bureau of Planning
and Zoning

March 21, 2016

Mr. Jose A. Fontanez
JF Comfort Heating and Cooling
82 Massey Drive
Rochester, New York 14611

**Re: Preliminary Site Plan Findings
SP-021-15-16, 176 Child Street
Zoning: (R-2) Medium Density Residential District**

Dear Mr. Fontanez:

A preliminary review of your application to reestablish use as a two-bay vehicle repair operation at 176 Child Street has been completed.

The following findings and recommendations have resulted from this review. It is your responsibility to familiarize yourself with the content of this document.

Existing Conditions:

The site is located in the R-2, Medium Density Residential District at the northeast corner of Child Street and Maple Street. The surrounding properties include single-family, two-family, and multi-family homes, as well as mixed-use structures.

The R-2 Medium-Density Residential District provides a mix of housing choices. The inclusion of single-family residential, two-family residential and multifamily residential provides a diversity of housing choices while the bulk and density regulations maintain the lower-density scale of the neighborhoods. These residential areas are located proximate to neighborhood-scale shopping and service opportunities. The district requirements are intended to preserve, promote and protect a quality of urban residential living characterized by unobstructed front yards, pedestrian-scale streetscapes and buildings scaled and designed to be compatible with the neighborhood.

The site includes a vacant one-story, 1,942 sq. ft. concrete block building and a paved front yard parking area that abuts the sidewalk with no separation or barrier (such as landscaping or fencing). Currently, all of the storefront windows are boarded up with T-111 siding.

Permit records indicate that a vehicle repair garage was built in 1919 and in 1923 an addition was constructed. Vehicle repair was often found in residential and commercial districts in the past, as it provided a neighborhood service and employment opportunities for nearby residential uses. No other permits are available to explain what the building was used for after 1923, however in 1973, three underground fuel tanks were removed suggesting the site was used as a gas station for some period of time.

Scope of the Project:

The proposal is to reestablish a two-bay vehicle repair operation in the existing 1,942 sq. ft. building. No changes to the building are proposed. The site plan illustrates two parking spaces in front of the building (to the west) with concrete wheel stops, and two feet of landscaping separating the parking from the neighboring two-family residence to the north.

Nonconforming Use Analysis:

- 1. Reestablishing use as vehicle repair.** The structure was built as a vehicle repair garage, which was permitted at the time, but has not been allowed under previous zoning codes in this area since at least 1957 and perhaps earlier. Because vehicle repair is not permitted in the R-2 district, the past repair operation is considered a nonconforming use, which could have legally remained if it had been continuously operating on-site. A denied application in 2001 to use the building for vehicle repair indicates the use has been abandoned for at least fifteen years. Nonconforming uses are regulated by Article XXIV, Sections 120-198 through 120-201 of the 2003 Zoning Code.

To reestablish vehicle repair at 176 Child Street, a determination needs to be made if the new use is of the same or less intensity than the previous use based on 120-199F.(2) and 120-192B.(1)(b).

Same or Less Intense Use Determination			
	Last Legal Use	Proposed Use	Same or Less Intense?
Use	Vehicle Repair	Vehicle Repair	Same
What zone is the use first permitted?	C-3	C-3	Same
Square feet	1,942 sq. ft.	1,942 sq. ft.	Same
Hours/days of operation	Unknown. Reasonable to assume 7 days/week and traditional 9am-6pm hours to avoid conflict with surrounding residential properties.	Not specified	Same, if hours are limited to 9am-6pm.
Parking available	Two off-street, limited on-street.	Two off-street, limited on-street.	Same, no site changes.
Outdoor activities	None	None	Same
# of employees	Unknown, assumed 1-2.	Similar	Same
Customer and delivery traffic	Unknown, assumed minimal, perhaps UPS size trucks.	Similar	Same

Conclusion:

The reestablishment of a vehicle repair operation at this site with 9 a.m. to 6 p.m. hours of operation would be considered the same or less intense as the existing use, thereby requiring Special Permit approval by the City Planning Commission.

2. **Other potential uses.** It should be noted that reuse of this building is not limited to vehicle repair. The permitted and specially permitted use lists in the R-2 district include office and retail sales and service: specialty, low impact, and full line food.

Code Compliance:

1. **Minor Site Plan Review.** Minor Site Plan Review approval by the Director of Planning and Zoning is required for development or redevelopment of a site devoted to vehicle related uses.
2. **Special Permit.** Special Permit approval by the City Planning Commission (CPC) is required to reestablish a nonconforming use, that is of the same or less intensity than the abandoned previous use based on 120-192B.(1)(b) & 120-199F.(2). In addition, vehicle repair facilities are subject to additional requirements for specified uses, Section 120-152. Where this use fails to meet the requirement, the CPC will need to consider granting a waiver of the following in conjunction with their review of a Special Permit application.

Requirements of 120-152, Vehicle Repair	In Compliance?
A. No such use shall be established on a property located within 50 ft. of any residential district.	No. Property is within a residential district.
B. All repairs shall be performed within an enclosed principal building.	Yes. Building has two interior repair bays.
C. No outdoor storage of materials, merchandise, and equipment shall be permitted during nonbusiness hours.	Yes. None proposed.
D. Perimeter landscaping shall be a minimum of 10 ft. along street frontage(s).	No. No landscaping proposed along the street frontages. The area between the right-of-way and building is paved.
E. Sufficient screening shall be provided along all lot lines abutting or adjacent to residentially zoned or developed property to block any view of repair operations from the residential property from ground level.	No. Residential properties are located to the north, east, and across the street to the west. The only perimeter landscaping proposed is on the northern lot line. Repair operations will not be visible from the property to the east. See Finding 1.
F. Accessory sales of vehicles are permitted only in C-3 and M-1 Districts.	Not applicable.
G. No partially dismantled, wrecked or unlicensed vehicle shall be stored for more than 72 hours outside of a completely enclosed building.	Yes. Even though no outdoor storage is proposed, the Site Plan Review Committee recommends that the prohibition of it be made a condition of the Special Permit.

3. Area Variances. Area Variances will be required from the Zoning Board of Appeals (ZBA) to waive certain parking design requirements found in Section 120-173 below:

Requirements of 120-173, Off-Street Parking:	Variances Needed
F.(1)(d) Parking is not permitted between a building and the sidewalk on the street. Front yards shall not be converted to parking.	Parking is proposed in the front yard between the building and sidewalk. The front yard was paved at some point in the past. See Finding 1.
F.(1)(f) Parking for nonresidential uses shall not be located within 10 ft. of any residential district or use, except where a solid screening wall at least four feet in height is placed on the lot line with vehicle stops or a bumper, in which case no setback shall be required.	Parking is proposed within 10 ft. of the residential use to the north. Vehicle stops are proposed but a solid screening wall is not. See Finding 1.
F.(3)(a) Design standards. Traditional 90 degree parking requires 9 ft. x 18 ft. spaces with a 24 ft. aisle to back up.	A 24 ft. aisle is not possible without crossing onto the sidewalk right-of-way by approximately 5ft. See Finding 1.
F.(5)(b) Maneuvering space shall be designed to prevent any vehicles from backing into the public right-of-way.	While a 24 ft. backup aisle is not feasible, there appears to be sufficient space on-site to turn around before exiting over the sidewalk and street. A pipe bumper rail should be installed along the property line between the right-of-way and parking. DES does not have significant concerns regarding encroachment on the right-of-way. See Finding 1.

SEQR/Chapter 48 Compliance:

In accordance with Article 8 of the New York State Conservation Law and Chapter 48 of the Rochester City Code, this project has been classified as an Unlisted Action. A Negative Declaration was issued on January 27, 2016 indicating that the proposed action is one which will not have a significant impact on the environment.

Findings:

1. Parking.

- a. **Required spaces.** Two off-street parking spaces have been proposed. A two bay vehicle repair station requires four off-street parking spaces, but because the existing use had a two space deficiency, only two spaces are required. On-street parking is prohibited on Maple Street and on Child Street to the north, however some on-street parking is available on Child Street approximately 120 ft. to the south. Parking for employees and customer vehicles awaiting repair or pickup could become an issue due to the limited availability of parking.
- b. **Right-of-way.** If the available parking is not sufficient, the site could become over parked, which can cause a negative visual impact on the neighborhood. A recent site visit revealed five vehicles parked on-site, including two entirely on the sidewalk, which is prohibited. The Site Plan Review Committee recommends that a

pipe bumper rail be installed (between curb cut entrances) on the lot line to separate the parking area from the sidewalk to reduce the potential for vehicular and pedestrian conflicts.

- c. **Design.** Two parking spaces are proposed in the front yard parallel to the building (on Child Street) with vehicle stops. These spaces could interfere with site circulation as they block access to the overhead door and could prevent access to the site from Child Street. The Site Plan Review Committee recommends rotating the spaces so that they are perpendicular to the building. The existing site cannot accommodate the required 24 ft. aisle behind the parking spaces (regardless of orientation), however there appears to be enough maneuvering space on-site to turn around before crossing over the sidewalk.
 - d. **Screening.** A four foot tall solid screening wall is required between the parking area and the adjacent residential use. The applicant instead proposes two feet of landscaping in this area consisting of 12 Yew bushes (one foot tall at planting). The Site Plan Review Committee recommends maintaining the existing four foot tall hedgerow in this area to provide better screening than the proposed landscaping.
2. **Window transparency.** Between 2012 and 2014 the existing windows on-site were covered with T-111 wood paneling, which is prohibited. The storefront windows shall be restored or an alternate design must be submitted for review.
 3. **Dumpster & refuse location.** All refuse areas shall be in the side or rear yard. Dumpsters are not permitted in the front yard or in the public right-of-way, therefore if a dumpster is needed it shall be stored inside of the building and rolled out for pickup.
 4. **Drainage.** No storm drains are present on-site or proposed, but the existing paved area is relatively small (1,227 sq.ft.) and no additional pavement is proposed. Both lot lines adjacent to residential properties have landscaped or grass borders, which should help stormwater runoff from leaving the site. The site plan was reviewed by Tom Mann, Permit Office Manager, Bureau of Planning and Zoning who did not have significant concerns regarding drainage.
 5. **Signage.** A request for business signage was not included in the site plan application. Any proposed business signage will require additional review and approval.
 6. **DES review.** The Site Plan was referred to the City of Rochester Department of Environmental Services for review. No significant concerns were raised regarding the site or infringement on the public right-of-way.

A copy of these findings will be provided to the CPC and ZBA upon filing of the appropriate applications so that they may be taken into consideration while making a determination on your request for Special Permit and Area Variance approval. Final Site Plan Review approval will not be issued until the Notice of Decisions have been issued, and all conditions imposed by the CPC and ZBA have been addressed, as well as any additional requirements as noted in these findings.

Preliminary Site Plan Findings
SP-021-15-16
176 Child Street
Page 6

Please contact Tom Kicior, Senior City Planner at 428-7762 or Thomas.Kicior@cityofrochester.gov to begin the process of applying for the required special permit and variances or if you have any other questions regarding these preliminary findings.

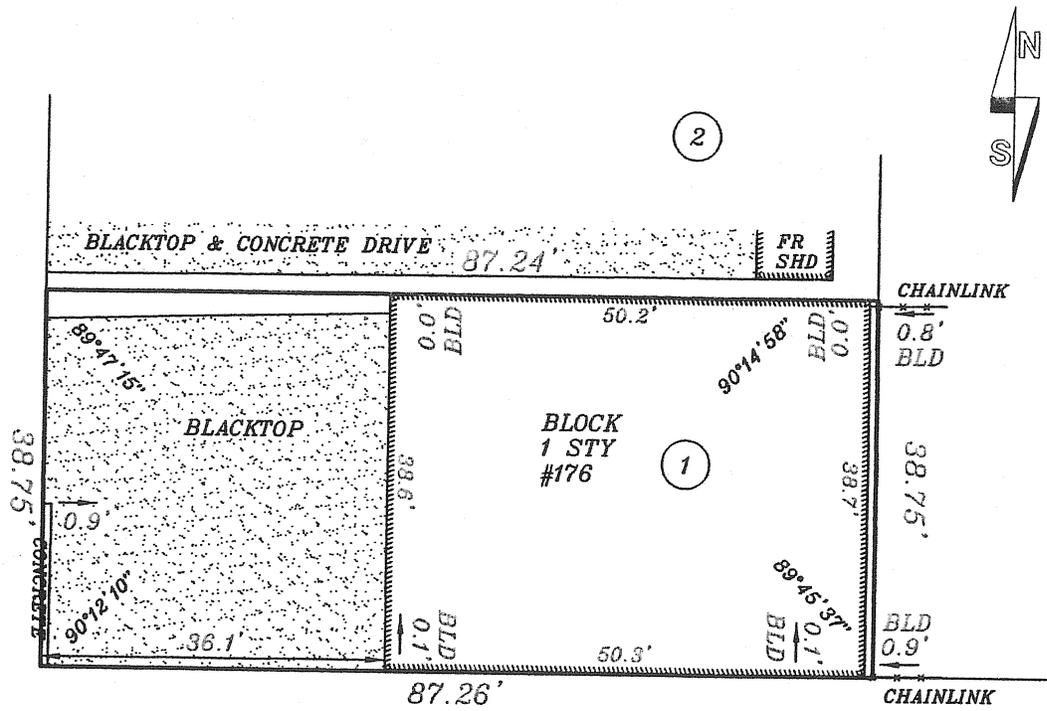
Sincerely,



Zina Lagonegro, AICP, EIT
Director of Planning and Zoning

xc: Peter Siegrist, Bureau of Planning and Zoning

CHILD STREET (63')



MAPLE STREET (66')

REFERENCE

- 1.) LIBER 11217 OF DEEDS, PAGE 275
- 2.) ROCHESTER CITY SURVEY DISTRICT 19 MAP 19
- 3.) T.A.#120.26-2-68

LOUIE CARINI
P.E.
186 BERRFIELD DRIVE
ROCHESTER, NY 14609
TEL: (585) 786-8513
LOU@CARINI.COM

Use of this plan indicates understanding and agreement with the following:
It is a violation of Section 7208 (2) of the Engineering Law if any person, unless acting under the direct supervision and control of a duly licensed Professional Engineer to alter any item in these drawings without the written consent of the Engineer. Any licensee who alters these drawings without the written consent of the Engineer shall be liable to the public for any and all damages and shall be subject to a specific description of charges under the Engineering Law.
Louis Carini P.E. has not been retained for construction. The contractor shall obtain all necessary permits, approvals, and clearances from the appropriate authorities. The contractor shall be responsible for obtaining all necessary permits, approvals, and clearances from the appropriate authorities. The contractor shall be responsible for obtaining all necessary permits, approvals, and clearances from the appropriate authorities. The contractor shall be responsible for obtaining all necessary permits, approvals, and clearances from the appropriate authorities.

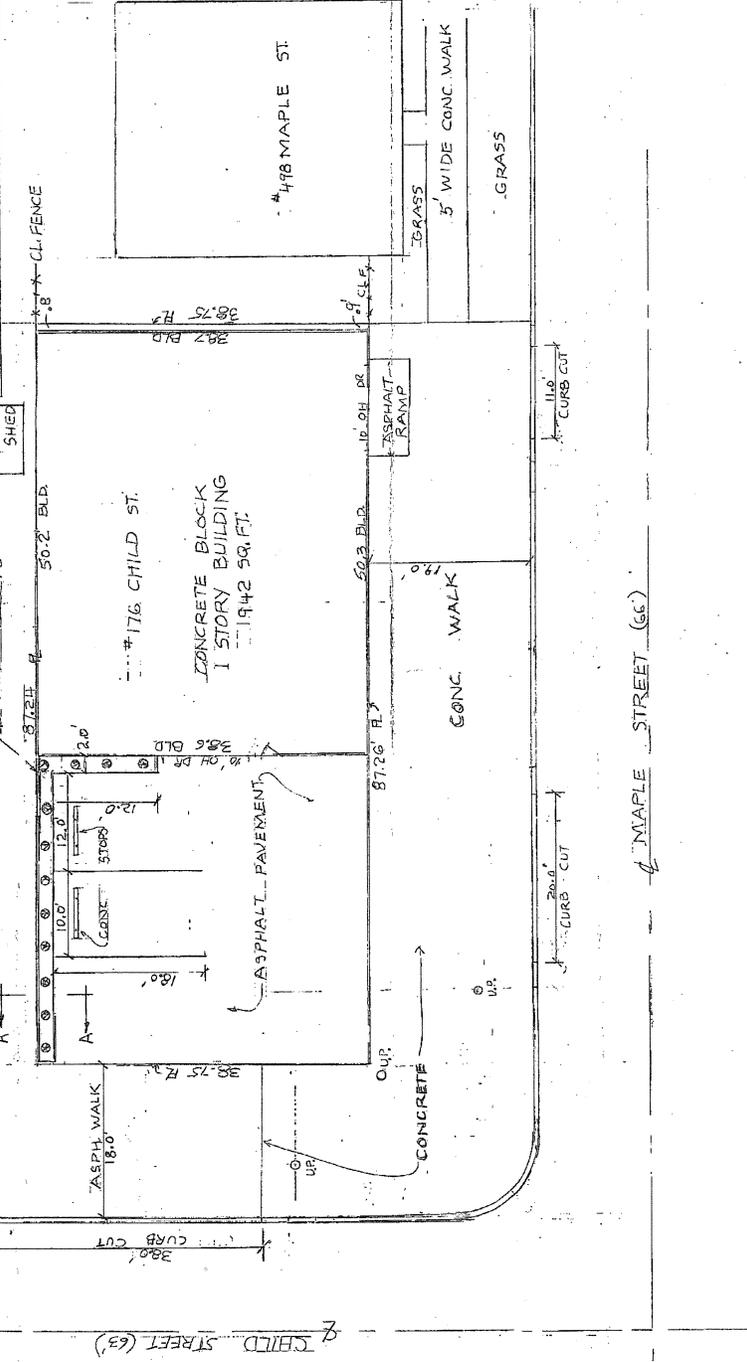
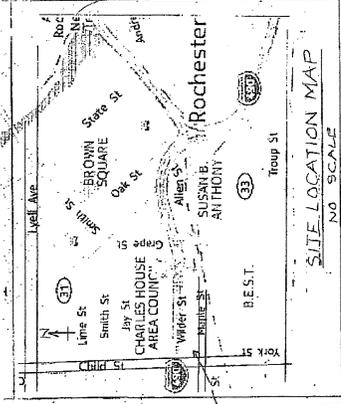
The contractor is responsible for checking all dimensions and elevations before the start of construction. The contractor shall be responsible for obtaining all necessary permits, approvals, and clearances from the appropriate authorities. The contractor shall be responsible for obtaining all necessary permits, approvals, and clearances from the appropriate authorities. The contractor shall be responsible for obtaining all necessary permits, approvals, and clearances from the appropriate authorities. The contractor shall be responsible for obtaining all necessary permits, approvals, and clearances from the appropriate authorities.

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Project	SITE PLAN
Client	JOSÉ FONTANEZ
Job Location	176 CHILD ST. ROCHESTER, NY
Drawing Title	SITE PLAN
Drawn By	LC
Checked By	LC
Date	AUG. 2014
Job No.	14333
Sheet	1 of 3



NOTES

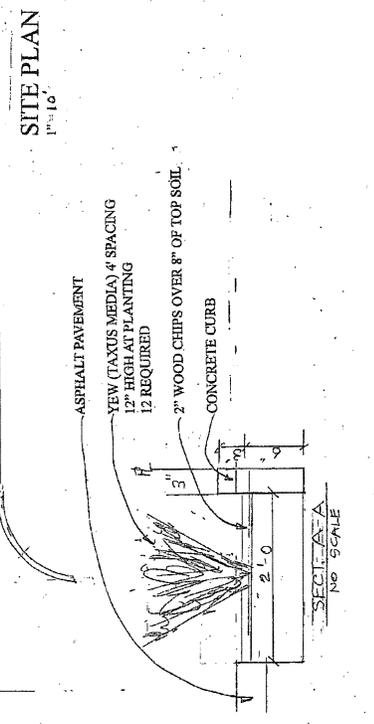
INFORMATION FOR THIS SITE PLAN WAS TAKEN FROM AN INSTRUMENT MAP MADE BY WILLIAM A. SEYMOUR, LSH050465 DATED JULY 15, 2014.

PAINT PARKING LAYOUT WITH WHITE PAINT. LINES ARE TO BE 4 INCHES WIDE.

T.A. #120.26-2-68

ZONING DISTRICT: R-2

PROPERTY AREA = 3,381 SQ. FT. (0.78 ACRE)

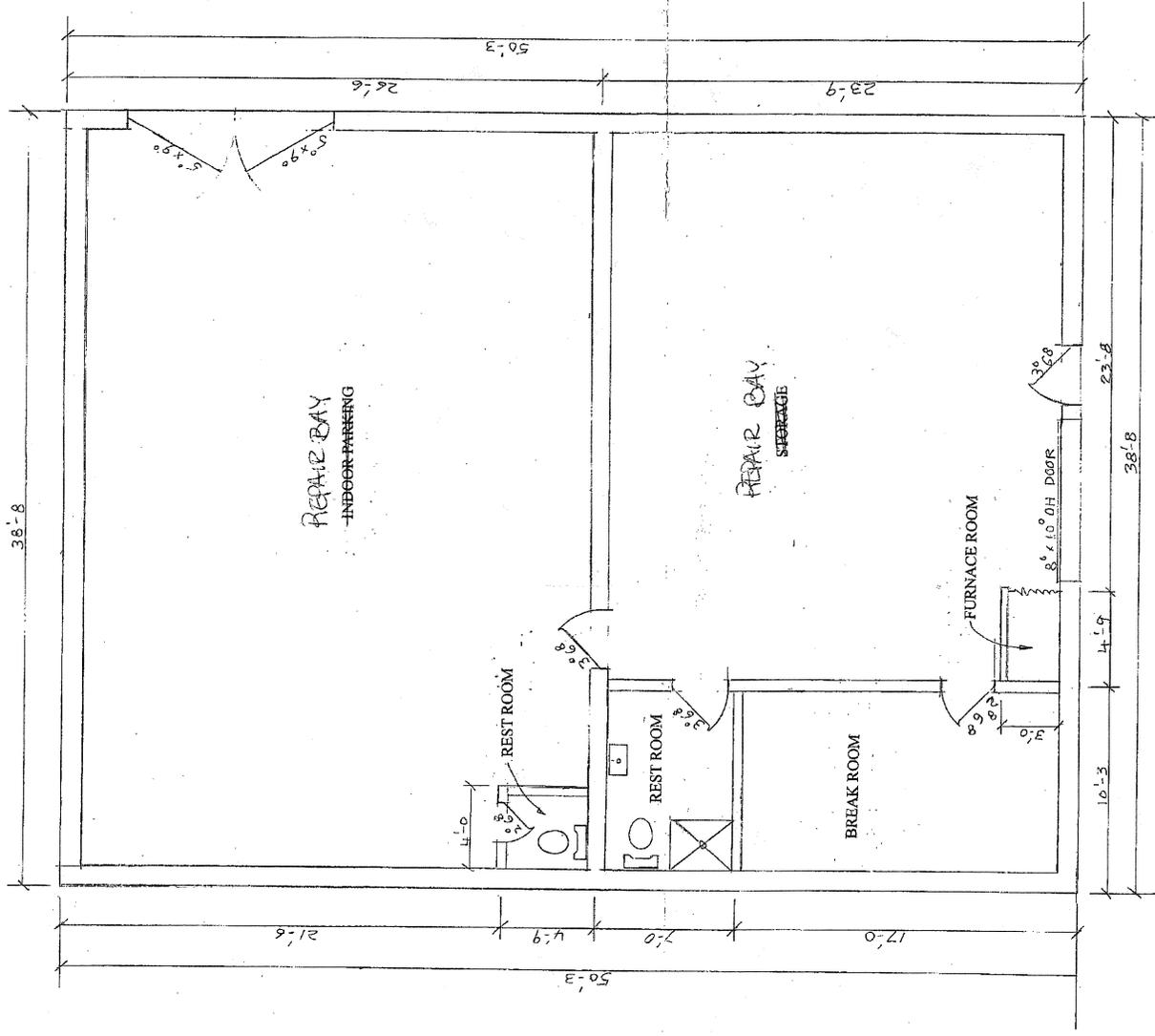


LOUIE CARINI P.E.
 186 DERFIELD DRIVE
 ROCHESTER, NY 14609
 TEL: (585) 455-1111
 LOU@CARINIAD.COM

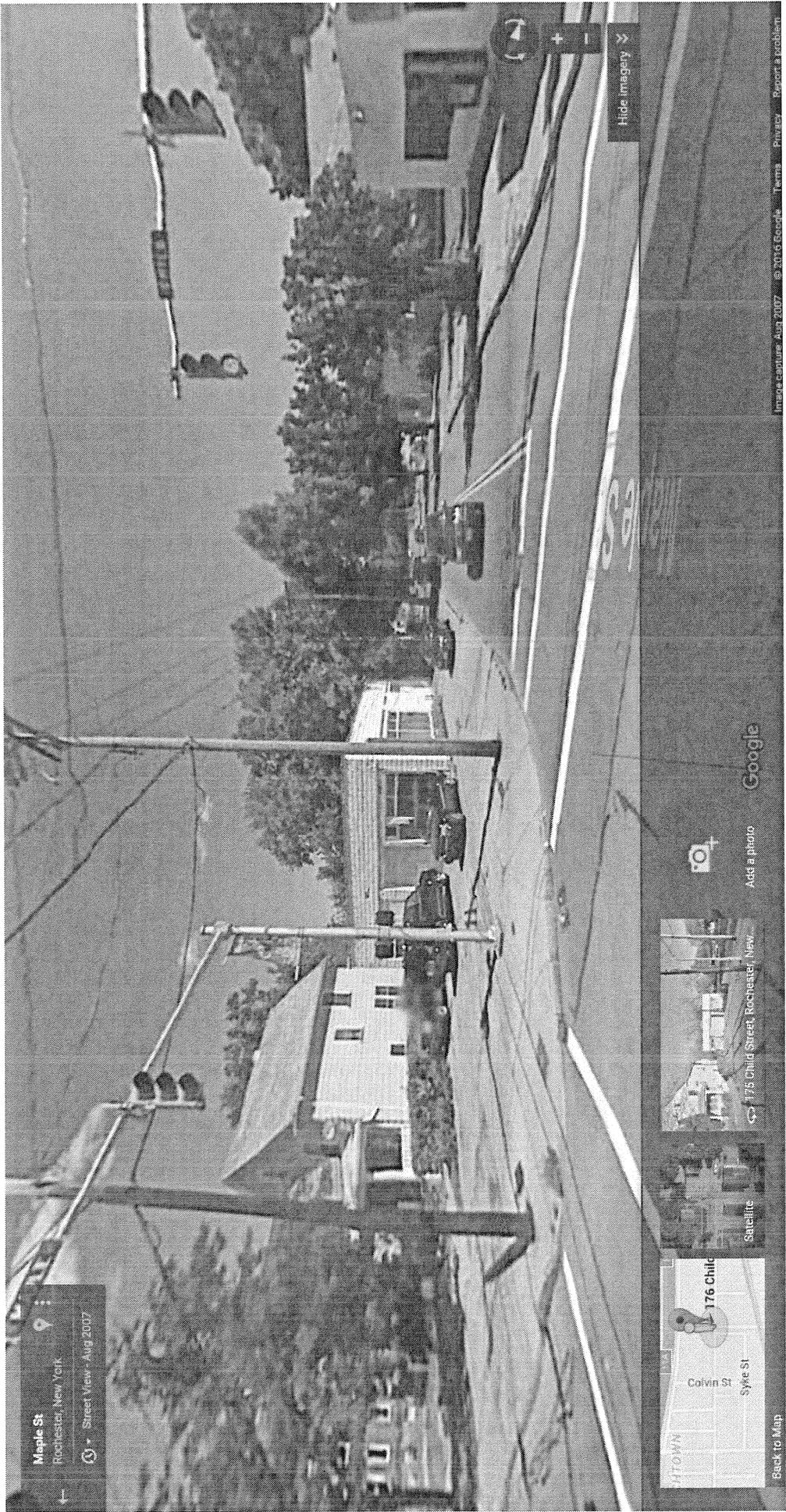
One of the main objectives of understanding and appreciating the value of a professional seal is to be able to identify the seal as a symbol of the public trust. It is a violation of Section 209 (2) of the Executive Law for any person who knowingly or recklessly uses the seal of a licensed professional in any way that is not intended to identify the seal as a symbol of the public trust. Any license holder who is found to have violated this section shall be subject to disciplinary action. The seal shall be used only in connection with the professional services for which it was issued. The seal shall not be used in any other way. The seal shall not be used in any way that is not intended to identify the seal as a symbol of the public trust. The seal shall not be used in any way that is not intended to identify the seal as a symbol of the public trust. The seal shall not be used in any way that is not intended to identify the seal as a symbol of the public trust.



Project	LEGALIZE FOR HVAC STORAGE
Client	JOSE A. FONTANEZ
Job Location	176 CHILD ST ROCHESTER, NY
Drawn By	LC
Checked By	LC
Date	9-23-2014
Job No.	14445
Sheet	3 of 3



FLOOR PLAN
 1/4" = 1'-0"
 CHILD ST.



←
Meple St
Rochester, New York
📍 Street View - Aug 2007

176 Child
Calvin St
Sye St

Satellite

📷 Add a photo
📍 175 Child Street, Rochester, New York

Google

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US Parcels: 176 CHILD ST
City: ROCHESTER
State: NY
Zip: 14611

Pictometry Map Auto
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9 Feet | Area: 3386.36 Square Feet | Date: 04/16/2015 | Level: Neighborhood | Scale: 75%



City of Rochester, NY
Property Information

176 child

Search By: Address Owner SBL

SBL Address

120.26-2-68 176 Child St





**CITY PLANNING COMMISSION
STAFF REPORT
May 16, 2016**

Special Permit

Case #4: Staff Reviewer: Jill Wiedrick

File Number: E-051-15-16

Case Type: Special Permit

Applicant: Bhim Biswa, Bhim Jewelry and Repair House

Property Address: 695 South Clinton Avenue

Zoning District: C-2 Community Center District

Section of Code: 120-43T; 120-146.1

Request: To add high-impact secondhand jewelry to an existing jewelry store; an action requiring City Planning Commission approval.

Analysis:

The subject property is a mixed use building at South Clinton Avenue and Gregory Street. The building is legal for a store on the first floor, four families on the second floor and three families on the third floor.

The applicant currently operates a jewelry store on the first floor of this building. The applicant wishes to add the ability to buy, sell and trade jewelry at his store. The hours of operation are currently Monday through Sunday from 9:00AM to 6:00PM and are not proposed to change. Parking is located in the back of the building.

Code Compliance:

Pursuant to the definitions of Retail Sales and Service, High-Impact, as well as Sections 120-43T and 120-146.1 of the Zoning Code:

- 1) High-impact retail sales and service uses **MUST NOT** be located within 500 feet of any other high-impact use or within 500 feet of any protected use (i.e. private schools, and public and semi-public uses, except police and fire stations.)

Currently, the buffer map shows that the proposed use is within 500 feet of one other high-impact retail sales and service uses.

999 Market

709 South Clinton Avenue

- 2) The hours of operation for high-impact retail sales and service uses in a C-2 District are to be determined by the Planning Commission.

The applicant's hours of operation are 9:00 AM to 6:00 PM, Monday through Saturday, within the hours usually permitted in a C-2 District.

- 3) In new construction, as well as re-occupancy of an existing building, areas of transparency shall be provided along the primary street frontage and shall be equal to 70% of the wall area between the height of two feet and eight feet from the ground. In addition, no interior shelving may block these windows.

The applicant is aware of this requirement and has been instructed to not block the windows. The existing storefront windows meet the intent of the transparency requirement.

Site Plan and Environmental Review:

Site Plan Review is not required for this proposal. However, the City Planning Commission, as Lead Agency, is required to issue an Environmental Determination prior to rendering a decision.

Applicant's statement concerning how request conforms to Special Permit Standards:
See attached.

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. PROJECT ADDRESS(ES): 699 S. Clinton Ave

2. APPLICANT: Bhim Biswa COMPANY NAME: Bhim Jewelry & Repair House
 ADDRESS: 699 S. Clinton Ave CITY: Rochester ZIP CODE: 14620
 PHONE: 585-285-9524 FAX: _____
 E-MAIL ADDRESS bhim-lagun31@yahoo.com

INTEREST IN PROPERTY: Owner _____ Lessee Other _____

3. PLAN PREPARER: _____
 ADDRESS: _____ CITY: _____ ZIP CODE: _____
 PHONE: _____ FAX: _____

4. ATTORNEY: _____
 ADDRESS: _____ CITY: _____ ZIP CODE: _____
 PHONE: _____ FAX: _____
 E-MAIL ADDRESS _____

5. ZONING DISTRICT: _____

6. DETAILED PROJECT DESCRIPTION (additional information can be attached): The sole purpose of this project is to obtain a license to buy used Gold from my customers. They often times Ask to trade items and also seek cash for used items

7. LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased): _____

APPLICANT: I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed in accordance with the conditions and terms of that approval.

SIGNATURE: [Signature] DATE: 04/11/2016

OWNER (if other than above): I have read and familiarized myself with the contents of this application and I hereby consent to its submission and processing.

[Signature] Omishi Corp 04/11/2016

SPECIAL PERMIT STANDARDS

A Special Permit will be granted only if evidence is presented establishing conformance with each of these standards. Explain how the proposal conforms to each of these requirements (attach additional pages if necessary):

- A. The proposed building or use will be in harmony with the general purpose, goals, objectives, standards and implementation strategies of the Comprehensive Plan, this chapter and, where applicable, the Subdivision Code.**

The proposed use of the building will in harmony and compliance.

The transition will transparent not disrupting said

There is no physical change to the building or it's surroundings.

- B. The proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety and general welfare.**

The proposed use of the building will not have a

or undue adverse effect upon the traffic ,

- C. The proposed building or use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring properties in accordance with the applicable district regulations.**

No change to the building. Normal traffic.

- D. The proposed building or use will be served adequately by essential public facilities and services, such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools, or that the persons or agencies responsible for the establishment of the proposed building or use will provide adequately for such services.**

Building is currently adequately equipped

with necessary services

- E. The proposed building or use will not result in the destruction, loss or damage of any natural, scenic, cultural or historic feature of significant importance.**

The proposed use will not result in the destruction , loss or damage , natural, scenic or historic features.

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Secondhand dealer, buy + sell Gold			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
699 Clinton Ave. S.			
Brief Description of Proposed Action:			
Buy and re sell of gold.			
Name of Applicant or Sponsor:		Telephone: 585 2859524	
Bhim B. Biswa		E-Mail:	
Address: 697 S. Clinton Ave Apt# 6			
City/PO: Rochester		State: NY	Zip Code: 14620
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

18: Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Bhim B. Biswa</u>	Date: <u>04/12/2016</u>	
Signature: <u></u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

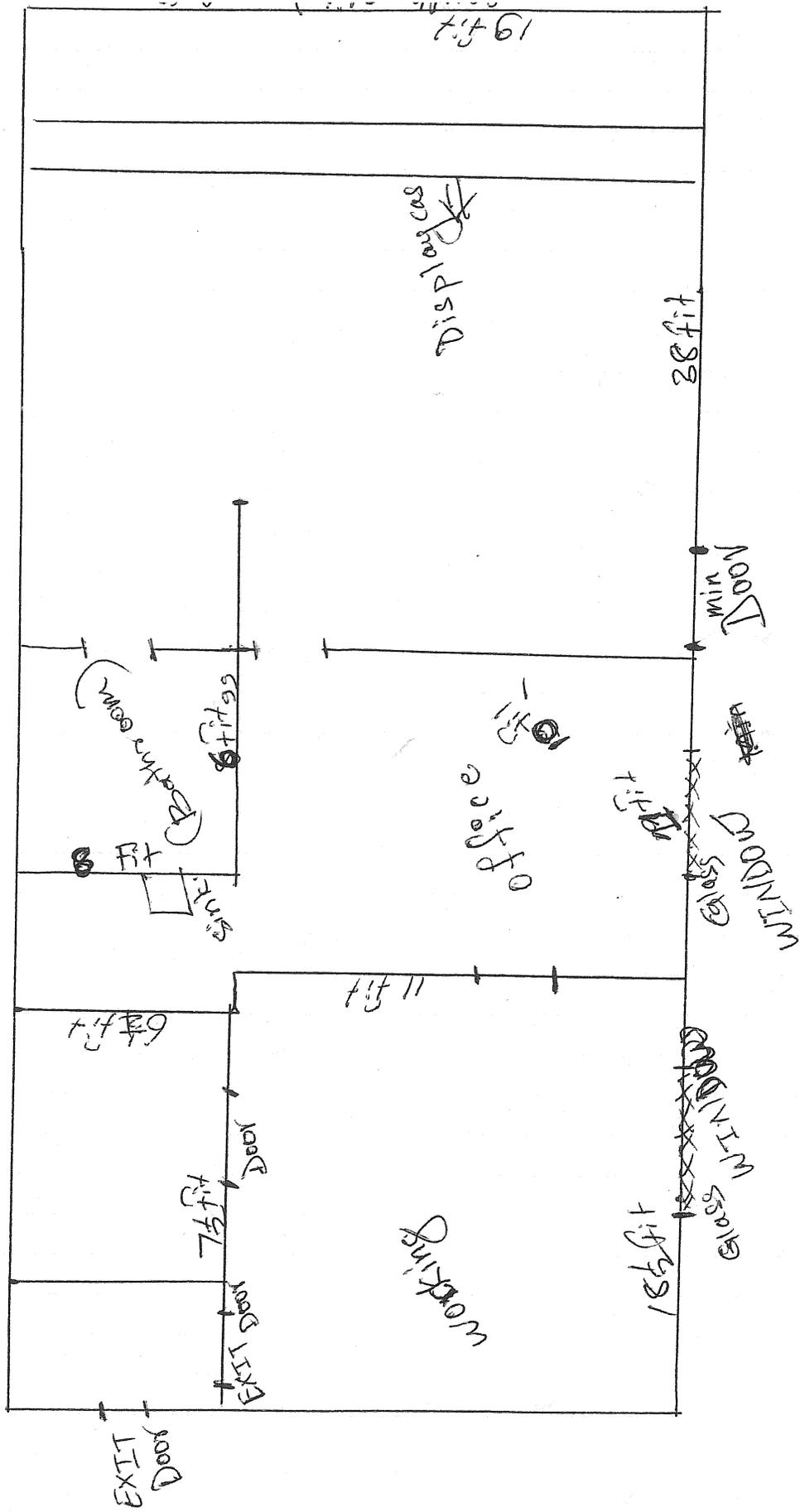
	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

RESET



Gregory + s





Blum











High Impact Buffer Map

Retail Sales/Service, Secondhand/Pawn, and Protected Uses

High Impact Buffers



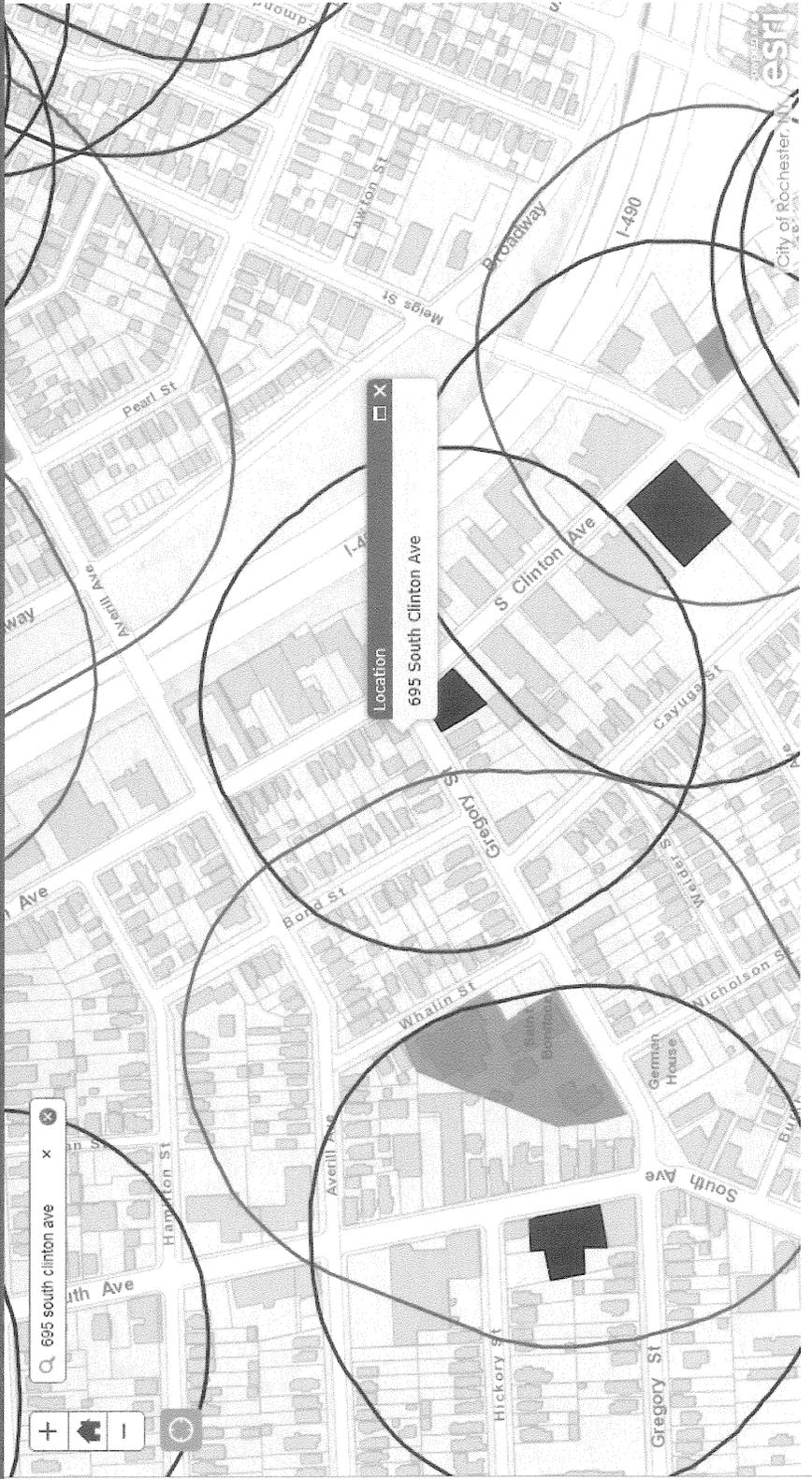
High Impact Locations

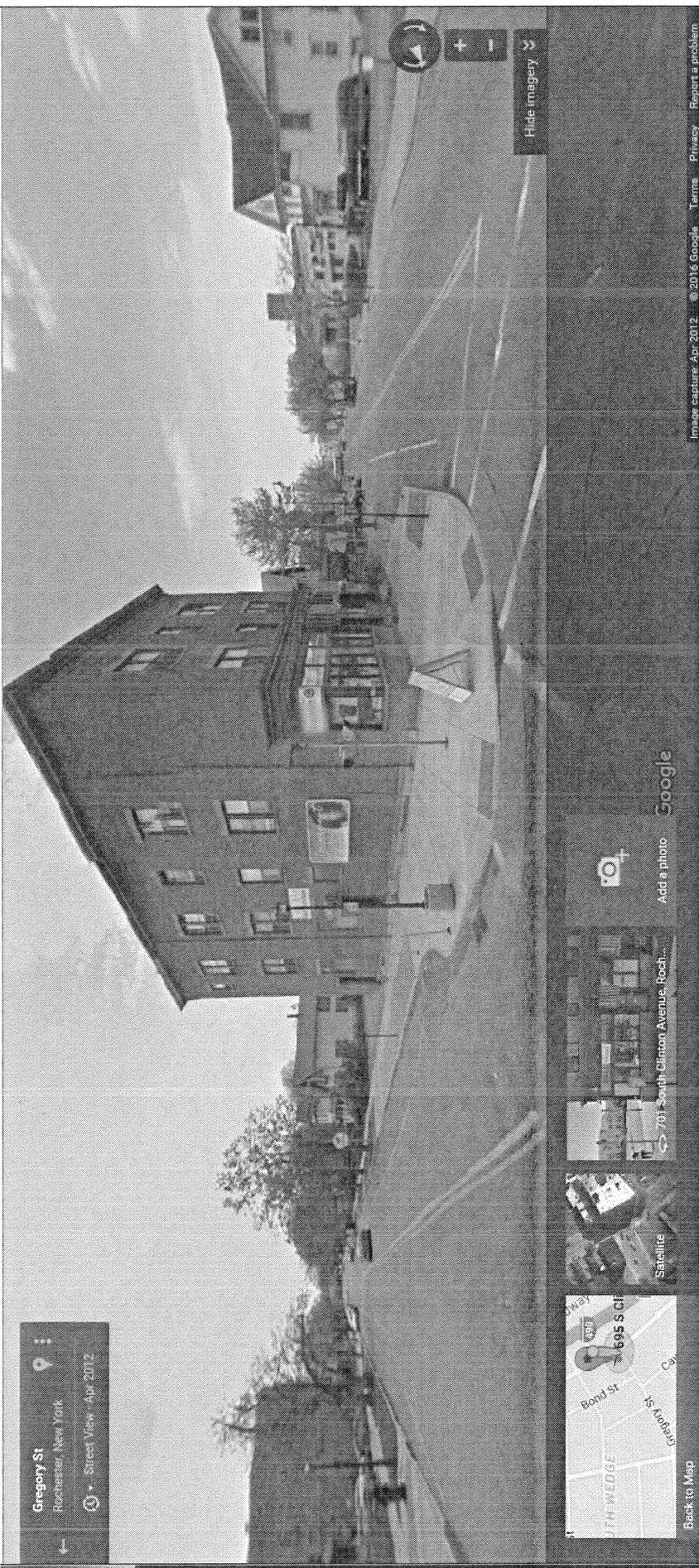


Protected Uses



Protected Uses - 500 Foot Buffer of Parcels





Gregory St
Rochester, New York
Street View - Apr, 2012

Hide imagery



Back to Map



Satellite



Add a photo

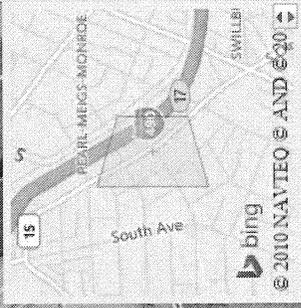
Google

Image capture: Apr, 2012 © 2012 Google Terms Privacy Report a problem



US Parcels: 695 CLINTON AVE S
City: ROCHESTER
State: NY
Zip: 14620

Date: 04/16/2015 | Level: Neighborhood | Scale: 50%



bing
© 2010 NAVTEQ © AND © 2015



City of Rochester, NY
Property Information



695 South Clinton Ave

Search By: Address Owner SBL

SBL Address

695 South Clinton Ave



695-699 S CLINTON AV



April 11, 2016

This map is intended for general reference only.
The City of Rochester makes no representation
as to the accuracy or fitness of the data presented.



City of Rochester, NY

City of Rochester, NY
Lovely A. Warren, Mayor



**CITY PLANNING COMMISSION
STAFF REPORT
May 16, 2016**

Special Permit

Case #5:

Staff Reviewer: Jill Wiedrick

File Number: E-052-15-16

Case Type: Special Permit

Applicant: Yvette Reed

Address: 27 Reed Park

Zoning District: R-1 Low Density Residential District

Section of Code: 120-9F, 120-146

Request: To establish a residential care facility for a maximum of seven young women; an action requiring City Planning Commission approval.

Analysis:

The subject property is located on Reed Park. The house is currently legal as a two family. One family is located on the first floor and one family is located on the second floor. There is no third floor occupancy.

The applicant wishes to establish a residential care facility for a maximum of seven young women. Yvette's House of Destiny is proposed to be a home for young ladies that are at risk or being homeless and dropping out of school due to challenges associated with their current environment. Please see the attached description provided by the applicant.

Code Compliance:

Pursuant to Section 120-146, no residential care facility shall be located within $\frac{1}{4}$ mile of any other existing residential care facility, regardless of municipal boundary lines. There is one other facility within $\frac{1}{4}$ mile of the subject site, and one just outside the $\frac{1}{4}$ mile boundary: (See the attached map for the locations of these facilities.)

- **239 Alphonse Street – East House** (Group Home for 24 adults)

If approved, the Planning Commission will need to grant a waiver of the $\frac{1}{4}$ mile distance separation.

The following facility is just outside of the $\frac{1}{4}$ mile boundary of the subject site:

- **786-796 Clifford Avenue** (Site Selection, Group Home)

E-052-15-16
27 Reed Park
Page 2

Site Plan and Environmental Review:

Site Plan Review is not required for this proposal. However, the City Planning Commission, as Lead Agency, is required to issue an Environmental Determination prior to rendering a decision.

Applicant's statement concerning how request conforms to Special Permit Standards:

See attached.

PROJECT INFORMATION

PLEASE TYPE OR PRINT

- 1. PROJECT ADDRESS(ES): 27 Reed Park
- 2. APPLICANT: Yvette Brown COMPANY NAME: _____
ADDRESS: 19 AINSWORTH LANE CITY: Rochester ZIP CODE: 14624
PHONE: (585) 978-1695 FAX: _____
E-MAIL ADDRESS _____
- INTEREST IN PROPERTY: Owner Lessee _____ Other _____
- 3. PLAN PREPARER: Same "
ADDRESS: _____ CITY: _____ ZIP CODE: _____
PHONE: _____ FAX: _____
- 4. ATTORNEY: _____
ADDRESS: _____ CITY: _____ ZIP CODE: _____
PHONE: _____ FAX: _____
E-MAIL ADDRESS _____
- 5. ZONING DISTRICT: _____
- 6. DETAILED PROJECT DESCRIPTION (additional information can be attached): See Attachment
To provide
- 7. LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased): _____

BUILDING BUREAU
Rochester, NY
11:57AM May 26/16
01-0002 001 870
#23896
Zoning
INFO
CHECK 10350.00

APPLICANT: I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed in accordance with the conditions and terms of that approval.

SIGNATURE: [Signature] DATE: 1/27/16

OWNER (if other than above): I have read and familiarized myself with the contents of this application and do hereby consent to its submission and processing.

SPECIAL PERMIT STANDARDS

A Special Permit will be granted only if evidence is presented establishing conformance with each of these standards. Explain how the proposal conforms to each of these requirements (attach additional pages if necessary):

- A. The proposed building or use will be in harmony with the general purpose, goals, objectives, standards and implementation strategies of the Comprehensive Plan, this chapter and, where applicable, the Subdivision Code.

The Housing unit is designed to house young woman looking to achieve a better quality of life, young woman transitioning for job readiness, career training, and also life skills

- B. The proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety and general welfare.

The Housing unit will not have any adverse effect on the property or the character of the neighborhood, traffic conditions or any other change to the environment

- C. The proposed building or use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring properties in accordance with the applicable district regulations.

The Project is an existing structure that needs none to very little Building Design; in any case, this will not interfere with the neighborhood,

- D. The proposed building or use will be served adequately by essential public facilities and services, such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools, or that the persons or agencies responsible for the establishment of the proposed building or use will provide adequately for such services.

The Building presently uses refuse disposal services, water, school and taxes, which is being used facilitate the structure

- E. The proposed building or use will not result in the destruction, loss or damage of any natural, scenic, cultural or historic feature of significant importance.

No! The Building will not result in destruction of any natural or historic features, nor will loss or damage be a result of the operation of this project

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Destiny House			
Project Location (describe, and attach a location map): 27 Reed Pk			
Brief Description of Proposed Action: TO provide a ^{quality} suitable housing with structure that helps strengthen and assist young girls that is at risk of being homeless and dropping out of school. These girls will learn life skills, job readiness; Career opportunity; Organizational skills, how to budget; Personal Money Management, and Spirituality; Moral Values. They must be at least 18 yrs old and hold a high school diploma.			
Name of Applicant or Sponsor: Yvette Brown		Telephone: (585) 998-1695	
		E-Mail: Sunshineybrown@yahoo.com	
Address: 19 Ainsworth Lane			
City/PO: Rochester		State: NY	Zip Code: 14624
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<u>0.15</u> acres	
b. Total acreage to be physically disturbed?		<u>0</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>0.15</u> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

RESET

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:			
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESET

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Yvette Brown</u>	Date: <u>4/12/14</u>	
Signature: <u>[Signature]</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

RESET

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

_____ Date _____

_____ Title of Responsible Officer in Lead Agency _____ Title of Responsible Officer

_____ Signature of Responsible Officer in Lead Agency _____ Signature of Preparer (if different from Responsible Officer)

PRINT

RESET

Yvette's House of Destiny Residential Care

Mission

To provide a quality structure safe and secure haven environment for young ladies, who are at risk of becoming homeless and dropping out of school.

Vision

To help strengthen, support and empower young ladies so that they graduate from high school successfully, without getting pregnant and to live a drug free lifestyle. Also to encourage and assist them in furthering their education after graduation, so they will fulfill their divine purpose and destiny. By teaching & implementing: morale values and ethics to them, they will be purpose driven and well educated around the importance & benefits of being highly educated so that they will live healthier lives with great outcomes. As they get imparted more in-depth of wisdom, knowledge and understanding it will support them to live practical successful lifestyles in our society.

Regulations

Yvette's House of Destiny is available to young ladies that is at risk of being homeless and dropping out of school due to the home environment. The candidates must demonstrate the desire and motivation to benefit from and make maximum use of all services offered. There are certain restrictions and considerations:

- Individuals must understand that Yvette's House of Destiny is a transitional, drug-free program. It is not emergency housing. The maximum stay is two years. During your stay, you will receive a number of support services. Support services will remain available to the individuals after graduation as long as she in need of them.
- Individuals must be at least 18 years old.
- Must have the ability to pay the monthly rent and be able to document it sources of income (DSS allowance, earnings).
- Every applicant must be enrolled in an educational/vocational program or have a combination of both to equal full-time participation.
- Must participate once a month in our Women Life Skills Workshop.
- Must meet with the Life Coach /social worker at least TWICE a month.
- Must meet with the Career Development Coordinator at least ONCE a month.
- Must maintain current mental health treatment plan if applicable.
- Must pay rent on time.
- Must pass monthly housing inspections.
- Residents must follow all rules and policies of Yvette's House of Destiny.

Description of House: It is a two family dwelling. Upstairs & down stairs has full kitchens with appliances; stove, refrigerators/freezer fully furniture eat in dining room and family room, enclose porches the entire house has been completely renovated with all new floors and painted.

Upstairs has three bed rooms & 1 full bathroom; eat-n-kitchen; formal dining room & living room; Downstairs has 3 bedrooms and two bathrooms; formal dining room & living room; huge backyard with additional lot.

The maximum capacity of women that can be house is seven from ages 18-23 years old. There is off street parking for drivers. This residential care facility availability will have 24 hours of supervision and care. I will be accessible to receive calls. Destiny House will have 4 staff: two full timers for evening shift and two full-timers over night, as well as volunteers. There is a strong commitment to helping the young ladies achieve their dreams and reach their full potential in a positive atmosphere of encouragement and achievement.

VOLUNTEER

We cannot touch the lives of the young ladies without the help of others. Yvette's House of Destiny will welcome a diverse of volunteers to assist our young ladies in achieving their goals. Therefore, we will have volunteer positions available.

Volunteer Positions Available:

Career and Educational Volunteer:

Our Career Development Volunteer will assist residents with formulating job search strategies, creating resumes, and providing support in the area of interview skills for professional advancement.

Life Skills Volunteer:

The Life Skills Volunteer will assist the Community and Volunteer Coordinator with planning and organizing workshops on health and wellness, job search, money management and budgeting skills and personal growth.

WHAT THE PROGRAM WILL OFFER:

Residents to receive the following services:

- Safe and secure overnight accommodations
- Three meals a day; all residents receive nutritious meals, as monitored by Staff, which will provide high quality protein sources such as milk, low fat dairy products, and lean meats as well as fruits, vegetables and multi-grain products

- To provide Job Readiness Skills
- Community Resources to increase their knowledge in what the community has to offer them in getting their needs met;
- To provide monthly empowerment sessions to keep them motivated and focus on achieving their goals that will enhance their mind, soul and spirit.
- Finances learn how to manage and budget money, so the individuals will be able to live within their means. Also it will allow them to be good stewards and eventually save some money and open a savings or checking account with goals in mind for spending their money wisely. This teaching will help the young ladies to have a better understanding of how to utilize money wiser.
- maintain focus with clear goals and success in obtaining their purpose and destiny.
- To set realistic goals and stay focus in obtaining goals within a reasonable time frame.

Housing assistance

ELIGIBILITY CRITERIA

Referrals to be received from Rochester City Schools District, Private Schools, Monroe County Department of Human Services (DHS) Community Agencies, self-referrals and others. Clients must be enrolled in school and at risk of homelessness.

INTAKE PROCESS

Intakes are performed on site after arriving at the residential care. Intake Specialists complete an intake for individuals once completed a room is assigned to individuals.

PROGRAM COST

There is no cost to the client if placed by DHS. Self-referrals and referrals from another program are considered on a case by case basis, and the fee is based on a sliding scale as appropriate.

The Board will consist of Mrs. Susen Hart, Principal of All City School; Her role will be to work collaborative with Yvette's House of Destiny with resources and referrals. Jennifer Reid, Physician Assistant, her role is to educate on Health & Wellness make sure the young ladies needs are met by doing variety of work shop on health & wellness. Yvette Brown the Executive Director to work collaborative with all our sources to make sure the young ladies get their needs met.

Brief history of Yvette Brown, work experience for over 30 years she has worked with children and families in the community. From 1994- 2000 worked as a Community Outreach Health Educator for Monroe County Health Department, taught prenatal and parenting to mostly young adults from ages 16 and up in a home base setting, also worked collaboratively with Rochester City School and Medical facilities as well with other agencies in the community to assist the young adult in getting their needs meet.

Please see resume that is attached for other experiences and education background.

Susen Hart
37 Crossbow Drive
Penfield, New York 14526
Phone: (585) 749-7077
E-Mail: susenhart@live.com

EDUCATION: Saint John Fisher College, Rochester, NY December 2003
Masters of Science in Education – Educational Administration

State University of New York at Brockport, NY August 2001
Masters of Science in Education – Secondary Science Education

Saint John Fisher College May 1996
Bachelor of Arts Summa Cum Laude
Major in Chemistry/Minor in Education

CONTRIBUTION: Currently work with a young adults ages 17-21 and have a thorough understanding of their struggles and needs that put them at risk of dropping out of school

EXPERIENCE: ROCHESTER CITY SCHOOL DISTRICT

Academy Director July 2006 – Present

Acting Principal April 2008 – June 2008

District-wide Lead Science Teacher July 2005 – June 2006

Science Teacher Spring 1997 – June 2005

Science Department Liaison August 2003 – June 2005

Mentor August 2003 – June 2005

UNIVERSITY OF ROCHESTER

Lecturer in Physics Summer 1999 – Present

OTHER: SAANYS member, ACSD member, Leadership Team, School Based Planning Team (served as chairperson and facilitator), Math and Science Club Supervisor, Basketball Coach, XQ Robotics Team volunteer, AAPT member, NSTA member

REFERENCES: Available upon request

Curriculum Vitae

Jennifer Elseta Reid EdD, RN, MS, GNP-BC
396 Chestnut Ridge Road
Rochester, New York 14624
Cellular: 585-261-5904

E-mail address: Jennifer.reid396@gmail.com

Education

- 5/2008-8/2010 **Ed.D in Executive Leadership**—ST. John Fisher College
Rochester, New York
- 8/2004-12/2006 **Master of Science**---Gerontological Nurse Practitioner
Nazareth College
Rochester, New York
- 6/1990-12/1991 **Bachelor of Science**--- Nursing
Alfred University
Alfred, New York
- 1/1974-6/1979 **Bachelor of Science**--- Health Sciences
Brooklyn College
Brooklyn, New York

Licensures

National Certification
American Nurses Credentialing Center Gerontological Nurse
Practitioner

Registered Professional Nurse, State of New York
License # 441397-1

Registered Professional Nurse, Commonwealth of Virginia
License # 0001236978

Professional Experiences

- 8/2013-Present Assistant Professor of Nursing
Nazareth College
Rochester, NY
- 6/2013-Present Nurse Practitioner (Perdiem)
Complexcare Solutions
Rochester, New York
- 5/2013-8/2013 Adjunct Instructor
Nazareth College
Rochester, New York
- 6/2012-2/2013 **Vice President of Academic Affairs**
Global Health College
Alexandria, Virginia
- 8/2010-6/2012 **Assistant Professor of Nursing**
State University of New York at Brockport
Brockport, New York
- 7/2010-5/2012 **Nurse Practitioner**-Matrix Health (Part time)
Phoenix, Arizona
Perform in-home health history and physical assessments on elderly clients
- 9/2009-9/2010 **Nurse Practitioner**-EMSI Health Services (Part time)
Performed in-home health history and physical assessments on elderly patients
- 1/2008-9/2010 **Nurse Practitioner**- (Perdiem)
Episcopal SeniorLife Communities
Rochester, New York
- 8/2007-8/2010 **Lecturer**- (Full time faculty)
State University of New York at Brockport, Brockport, New York
- 1/2007-1/2008 **Nurse Practitioner**- (Part-time)
Episcopal SeniorLife Communities
Rochester, New York

1/2007-6/2007 **Adjunct Instructor- (Part time)**
State University of New York at Brockport
Brockport, New York

1/2006-1/2007 **Registered Nurse/Supervisor-(part time) 182 bed Skilled/Rehab**
Facility at The Episcopal SeniorLife Communities
Rochester, New York

9/2006-1/2007 **Registered Nurse- Doctors Office (perdiem staff nurse)**
Unity Geriatrics Associate, Unity Health System
Rochester, New York

3/1998-9/2006 **Clinic Coordinator/Administrator**
Department of Health and Human Services
County of Monroe
Rochester, New York

9/1999- 12/2002 **Registered Nurse/Supervisor-(part time) 182 bed Skilled/Rehab**
Facility at The Episcopal SeniorLife Communities
Rochester, New York

1/1997-3/1998 **Community Health Nurse**
HCR Rochester, New York

3/1995-12/1996 **Program Coordinator- Community Health Worker Program**
Monroe County Health Department
Rochester, New York

3/1993-3/1995 **Community Health Nurse**
Monroe County Health Department
Rochester, New York

1/1992-3/1993 **Registered Nurse—Critical Care**
St. Mary's Hospital
Rochester, New York

Related Educational Experiences

660 Hours of Clinical Experience

1/05-12/06

Gerontological Nurse Practitioner Student Clinical Practicum
Long Term Care Facility
Octavia Waight Center Nursing Home
Belize, Northeastern Central America

Long Term Care/Rehabilitation Facility
Department of Veterans Affairs, Canandaigua VA Medical Center
Canandaigua, New York

Acute Care/Emergency Department
Rochester General Hospital, Rochester, New York

Skilled Care/Rehabilitation Units
The Shore Winds Nursing Home
Strong Health
Rochester, New York

Skilled Care/Rehabilitation Units
The Friendly Home, Rochester, New York

Continuing Education

1/2012

The Future of Nursing: Leading Change Advancing Health:
The IOM Report
The Finger Lakes Health, Rochester, New York

4/2012

Progress on the Institute of Medicine (IOM) Recommendations
and Workforce Issues for New York State
Sponsored by Sigma Teta Tau & Genesee Valley Nurses
Association, Rochester, New York

8/2011

Creative Teaching Strategies for the Nurse Educator
Cheektowaga, New York

10/2011

Exploring the World of Transcultural Nursing: Coming Together
to Transform Health Care
Transcultural Nursing Society 37th Annual Conference
Las Vegas, NV

- 3/2011 Caring For Elders
Cultural Diversity
Highland Hospital Department of Education
University of Rochester Medical Center Division of Geriatrics
- 4/2011 Nursing Research and Leadership Conference
Bullying, Harassment and Horizontal Violence in Magnet
Facilities: An Oxymoron?
Rochester, New York
- 4/2010 Nursing Research and Leadership Conference
Health & Humor through Harmony
Rochester, New York
- 6/2010 Innovations in Teaching: Impact of Technology & Global
Perspectives on Education for Health Care Professionals
Rochester, New York
- 6/2008 “STD and HIV Disparities in Monroe County”
Rochester, New York
- 3/2008 Caring For Elders
Highland Hospital Department of Education
University of Rochester Medical Center Division of Geriatrics
- 9/2006 National Conference of Gerontological Nurse Practitioners
25th Annual Conference
Ponte Veda Beach, Florida
- 9/2006 Understanding Rituals of Death and Dying in World Religions
Pi PSI Chapter of Sigma Theta Tau International Honor Society
Nazareth College Genesee Valley Nurses Association
- 3/2005 Nephrology: A Renal Rainbow
Rochester, New York

Certifications

- 9/2009-12/2009 EMSI certification-Leprechaun Diabetic In-home Member Assessment Training
- 9/2009-12/2009 EMSI Provider Portal Training and Certification Program
- 3/2013-3/2017 **CPR Certified/First Aid: Adult and Child**
American Red Cross
Upstate NY Territory New York

Scholarships/Awards

- 2005-2006 Nurse Traineeship (competitive) Scholarship, Health and Human Services
Nazareth College, Rochester, New York
- 2005-2006 Senator Patricia K McGee Nursing Faculty (competitive) Scholarship
New York State Higher Education Services
Albany New York

Publications/Presentations

- 12/2012 Designed a Conceptual Framework and wrote a Bachelors of Science and RN to BSN Curriculum for a college in the state of Virginia
- 10/2011 Presenter: NAACP "Obesity and Type2 Diabetes in Adolescence"
Middle School 334, 1224 Park Place, Brooklyn, New York
- 8/2011 Creative Teaching Strategies for the Nurse Educator
- 5/2011 Integrated doctoral thesis research results in the SUNY Brockport Curriculum on "Impact of a Cultural Competence Educational Learning Unit intervention on First- semester Bachelor of Science Nursing Students"
- 3/2011 **Presenter:** Caring For Elders Cultural Diversity
Highland Hospital Department of Education
University of Rochester Medical Center Division of Geriatric
- 4/2011 **Presenter:** Sigma Tata Tau Annual Spring Dinner
Cultural Competence in the Nursing Profession

- 11/2006 **Home Based Primary Care Fall Prevention**
Program/ Policy and Procedure: Developed and wrote a Falls Risk Prevention Program including the Policy and Procedure for the Program Department of Veterans Affairs, Medical Center Canandaigua, New York
- 12/2006 **Poster Presentation: Advocacy Project:** Appropriate Pain Management in Cognitively Impaired Elderly Patients
Episcopal SeniorLife Communities, Rochester, New York and Nazareth College, Rochester, New York
- 10/2006 **Poster Presentation:**
Cultural competence: An Ethical Dilemma
Focus: Disparity of Health Care in Elderly African Americans
Nazareth College, Rochester, New York
- 10/2006 **Article: "A Time to be Thankful"**
Publisher: Genesee Valley Nurses Association, Rochester, New York

Community/Volunteer Service

- 2015-present Director of Health Ministry, New Life Ministries Incorporated
Rochester New York
- 2014-present Chair, Curriculum Committee, Nazareth College
Rochester, NY
- 2000-present Ministry Team Leader/Educator: Marriage Ministry
Developed Curriculum for Seminar Instructional Course
New Life Ministries Incorporated
Rochester New York
- 1996-present Licensed Minister/Elder, New Life Ministries Incorporated
Rochester New York

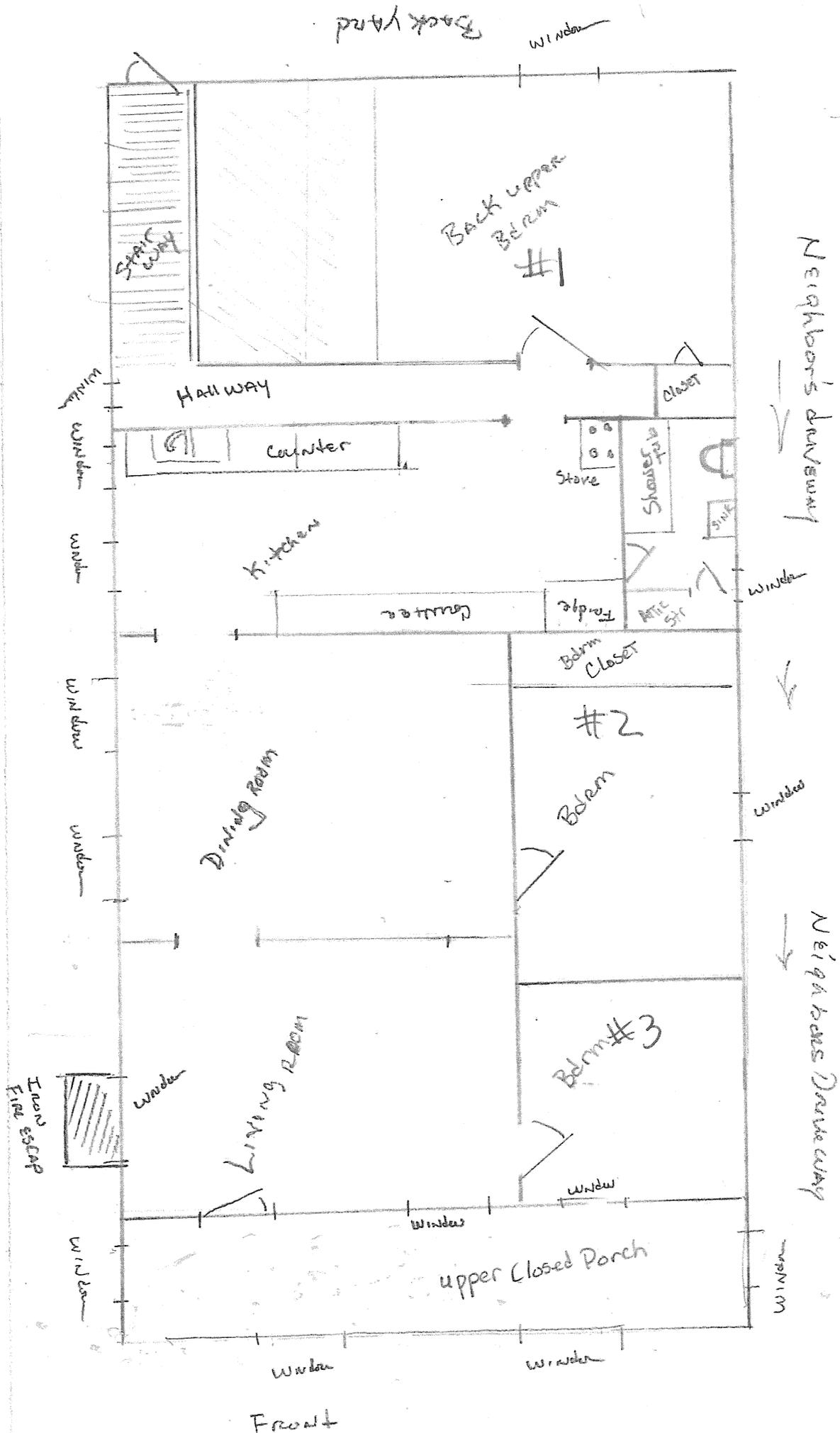
Memberships

- 2011-Current Transcultural Nursing Society

2009-Current	Kappa Delta Pi International Teachers Honor Societ
2008-Current	Chie Eta Phi Sorority, Inc. Beta Chi Chi, Inc
2006- Current	National Conference of Gerontological Nurse Practitioners'
2005-Current	Sigma Theta Tau International Nursing Honor Society – Pi Psi Chapter
2005-Current	Gerontological Nurse Practitioners' of Greater Rochester New York
2005-Current	Genesee Valley Nurses Association

87 Road PK Upstairs
Yard
↓

DRIVEWAY



Street Post Park

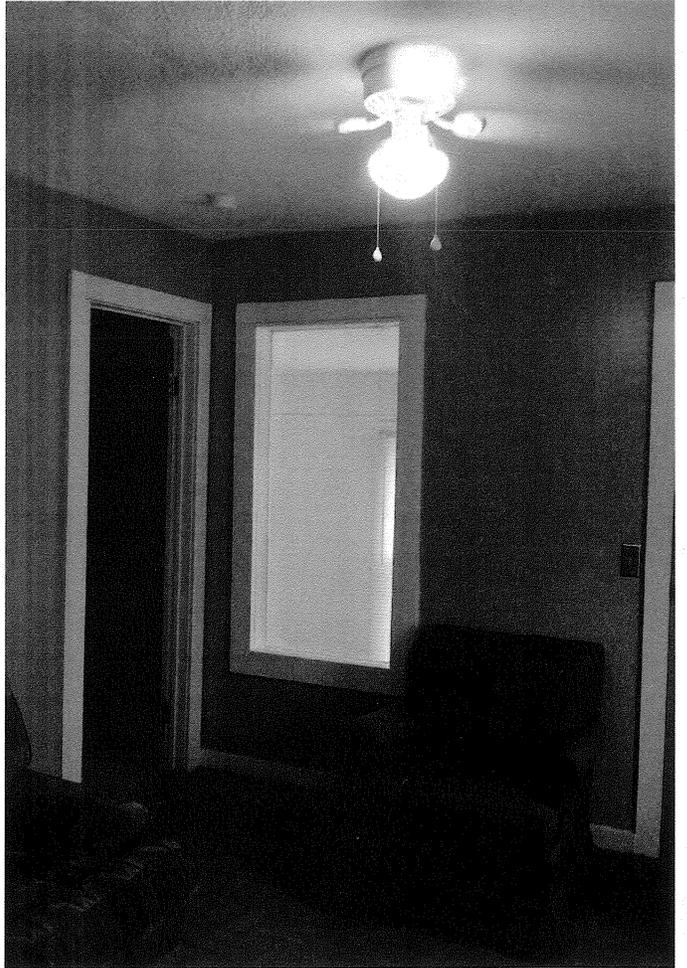
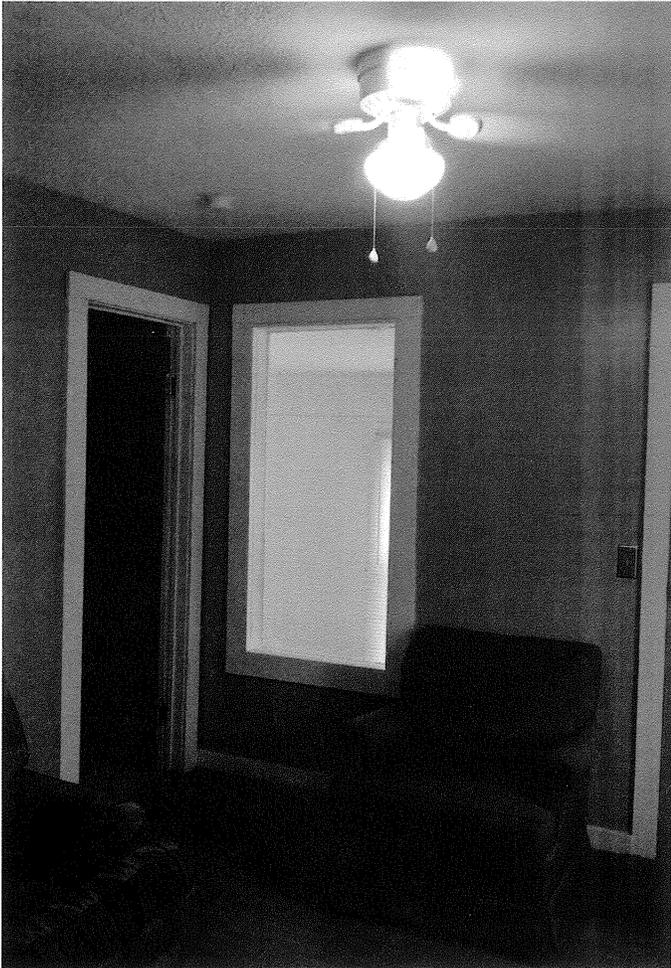


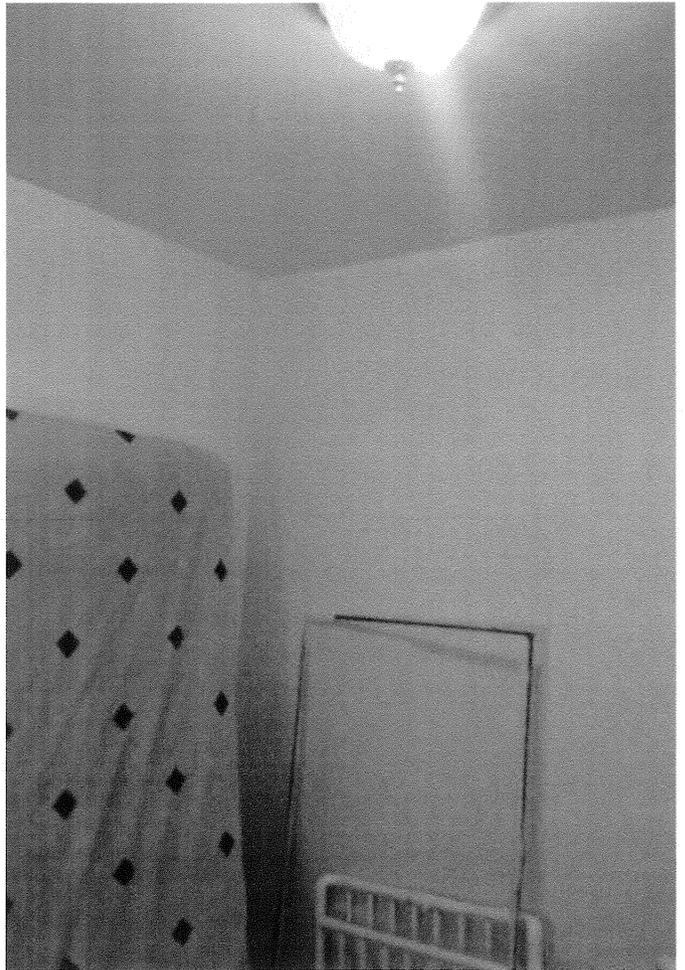
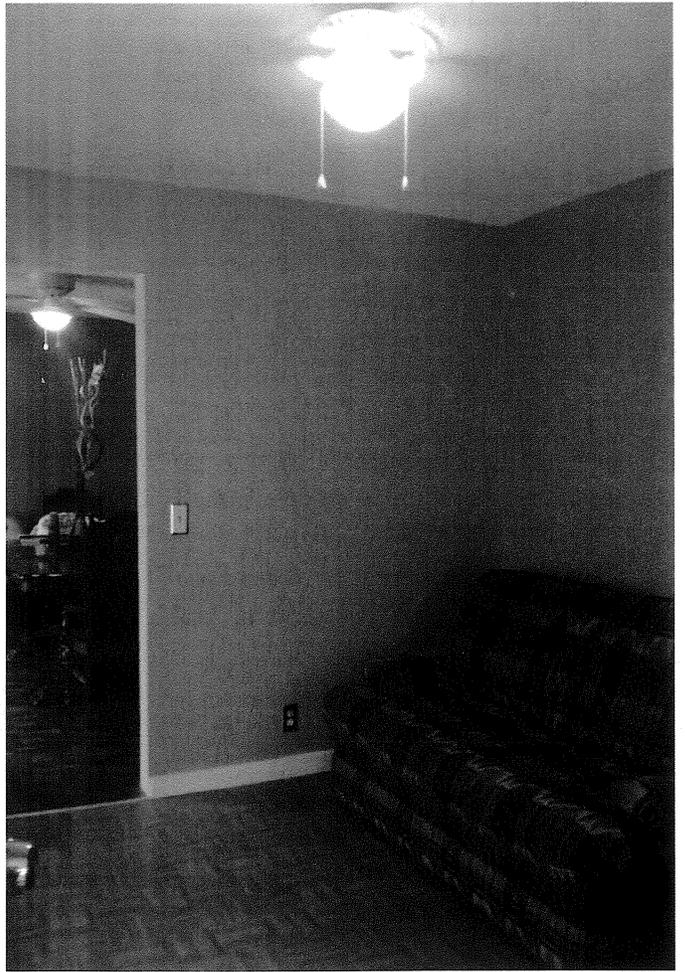
Neighbors Driveway

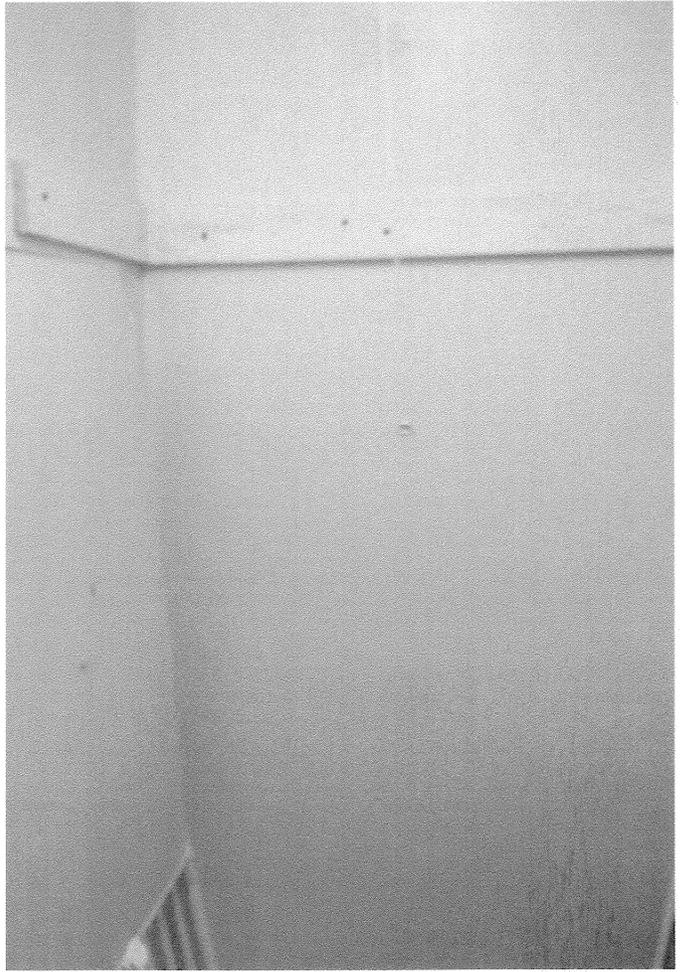
27 Radd Pk Floor Plan

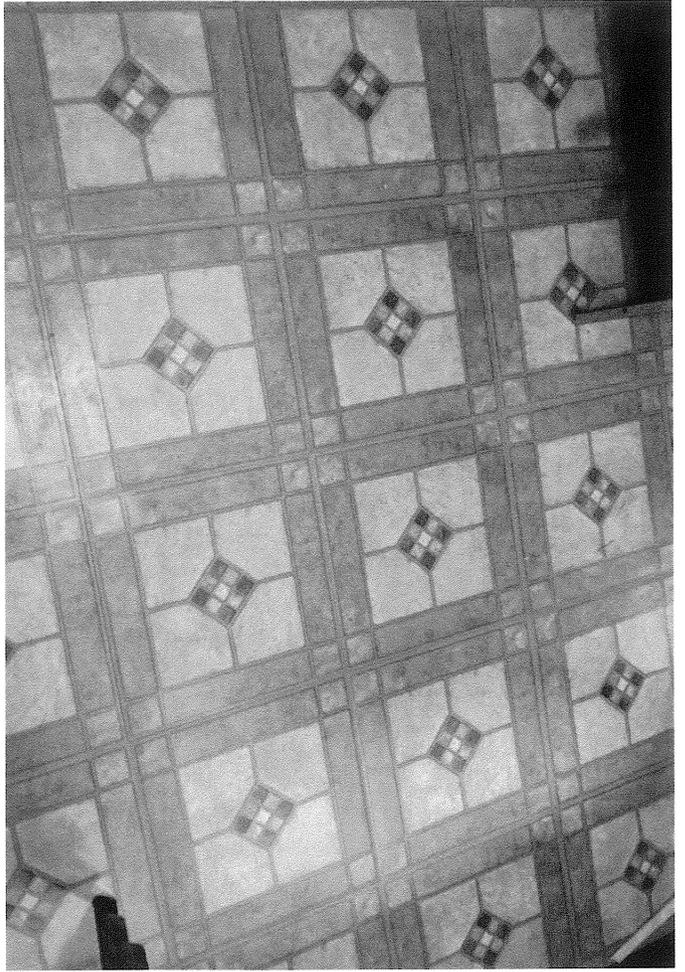
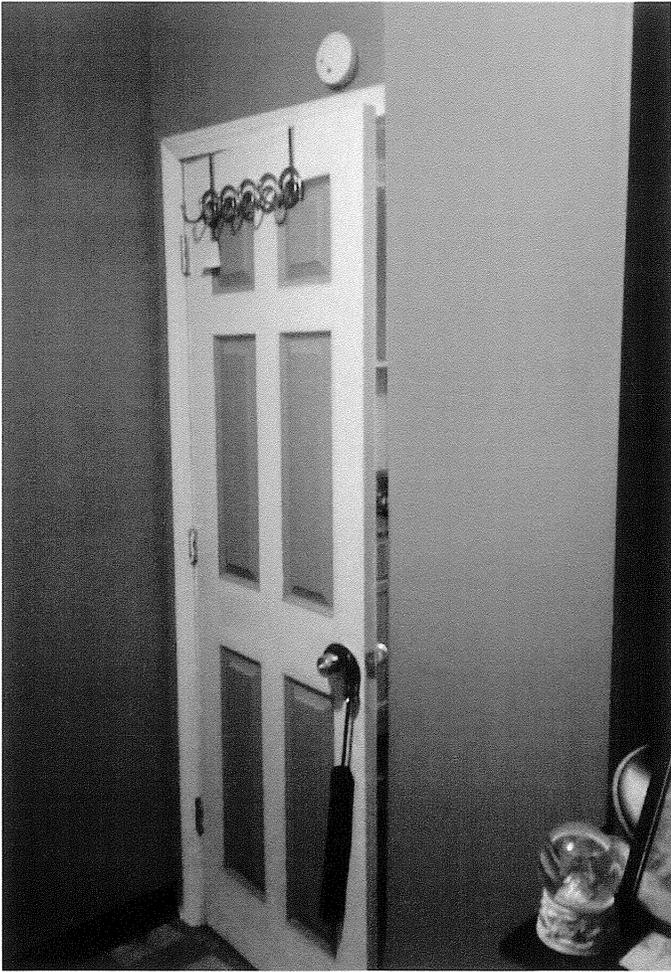
3/15/16

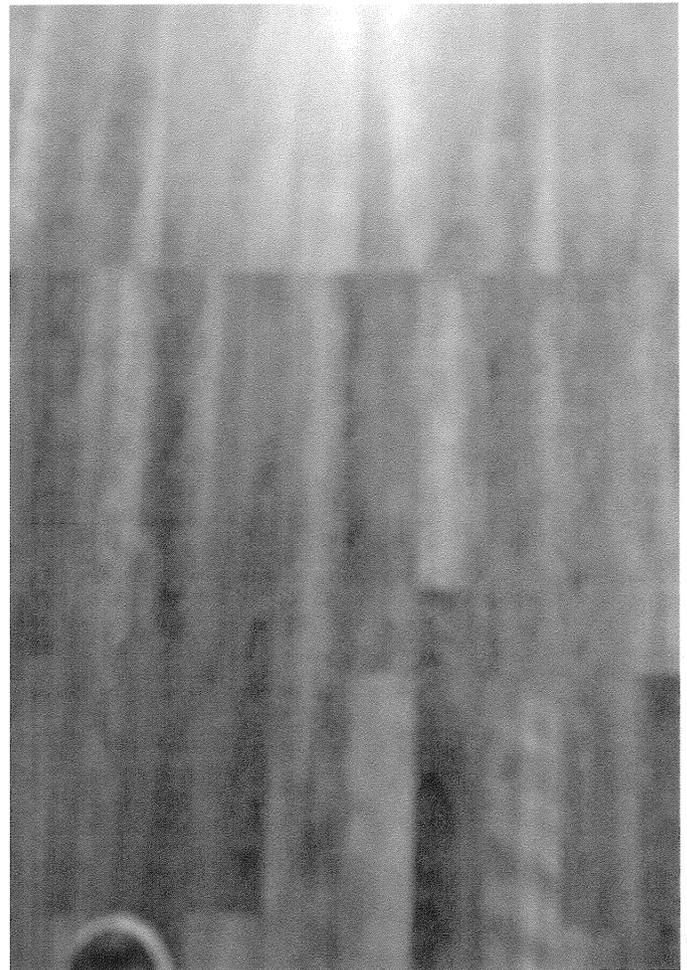
main stairs





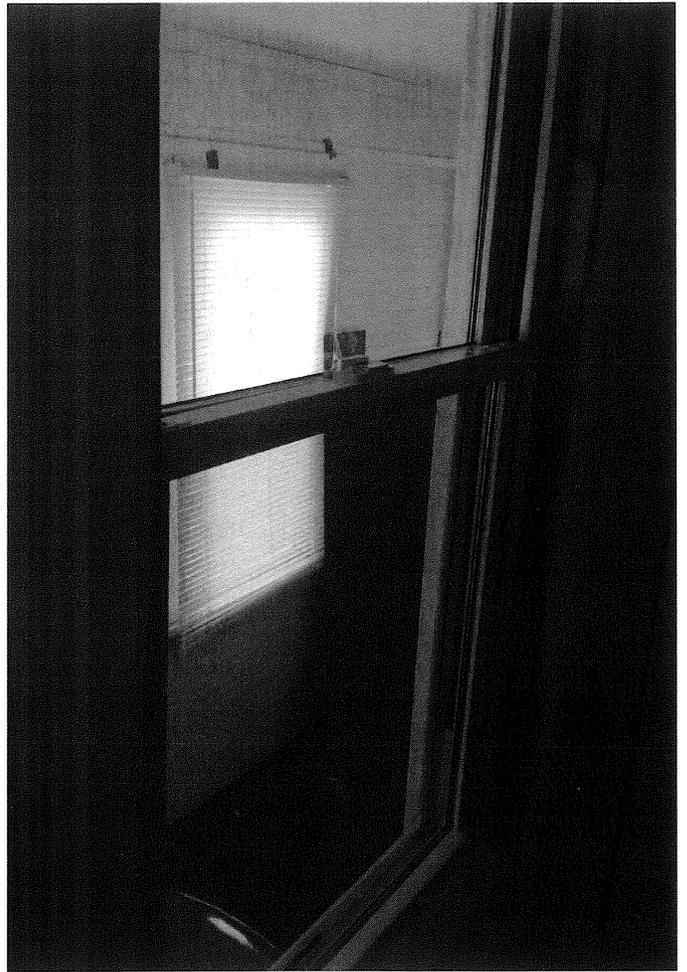










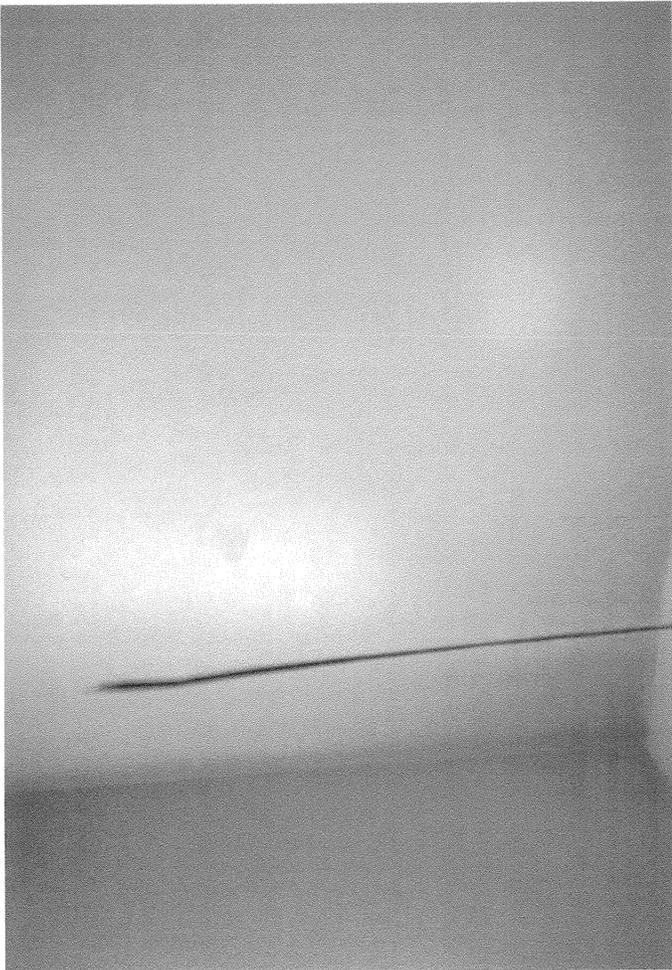
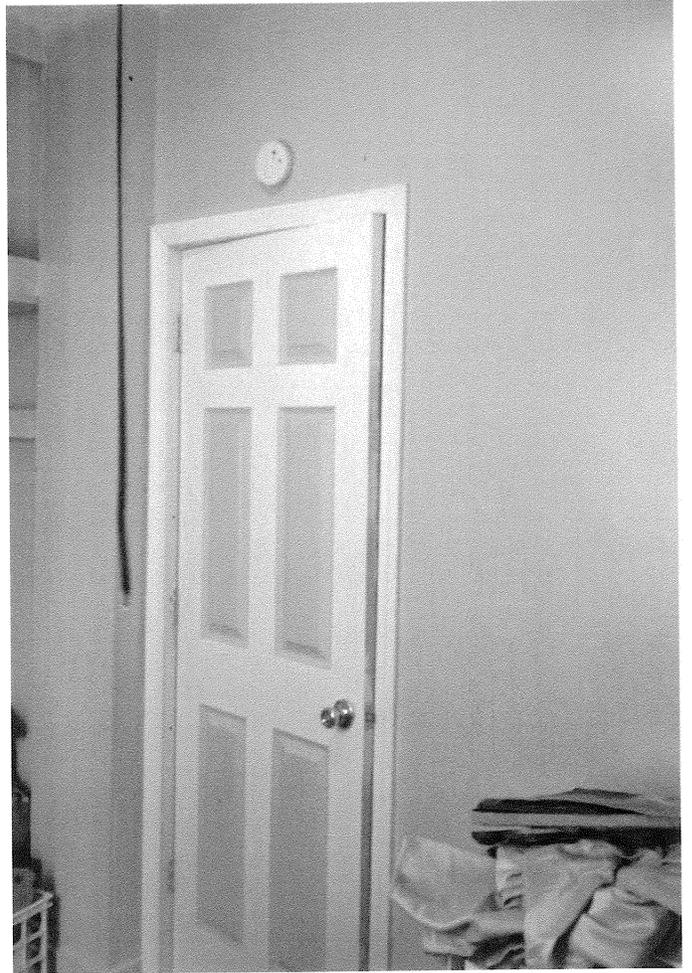




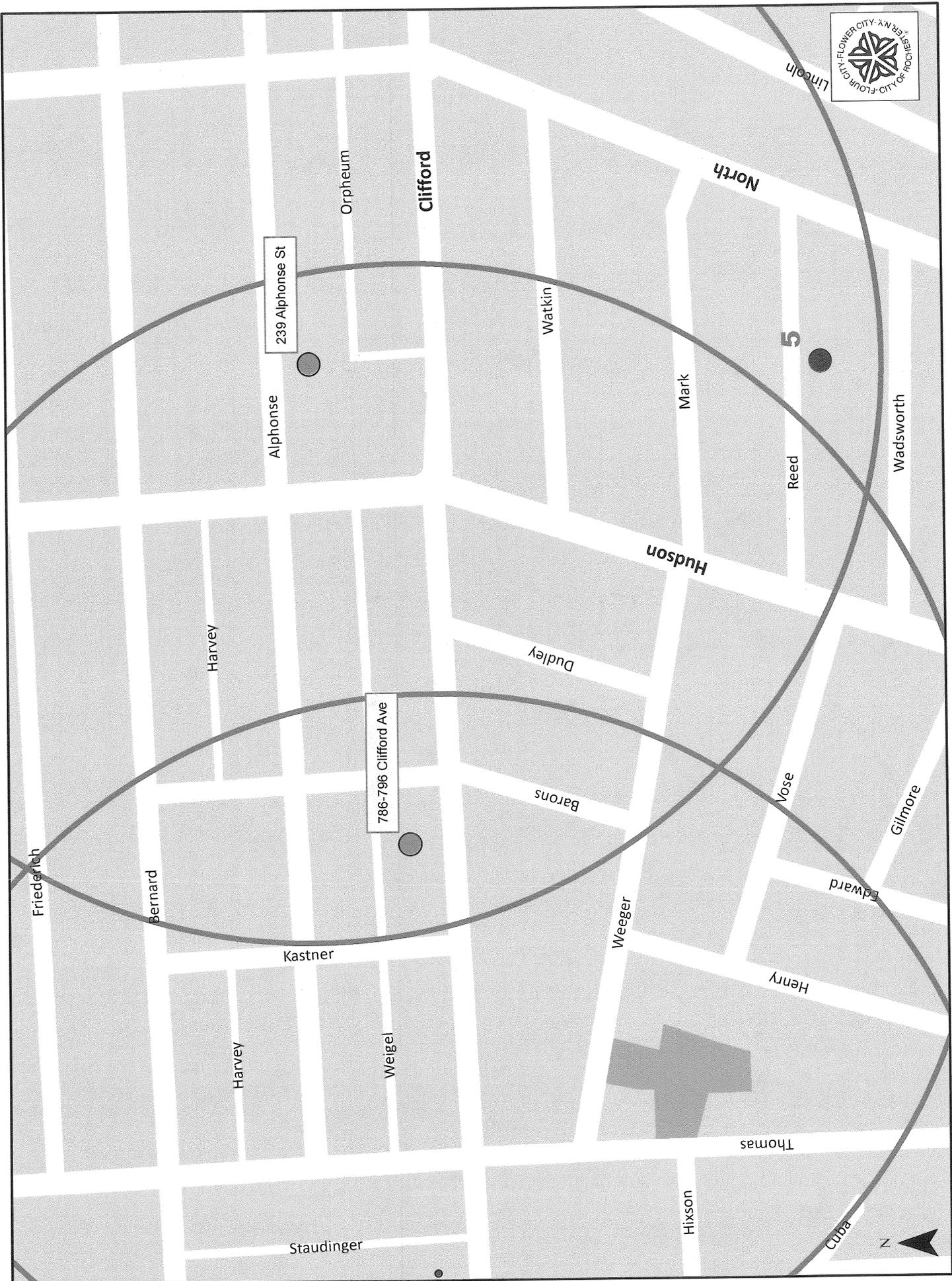


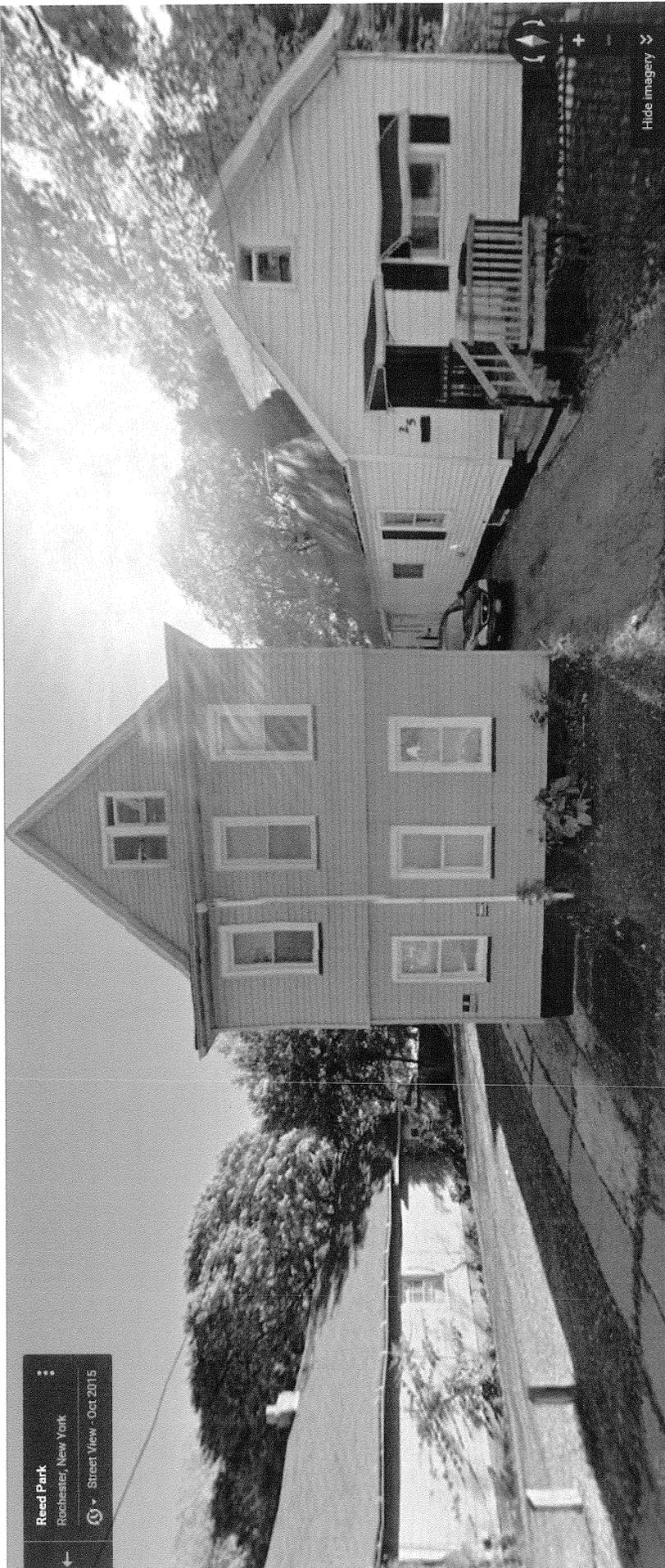




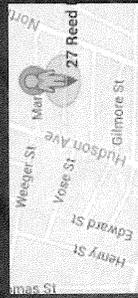








Reed Park
Rochester, New York
Street View - Oct 2015



Google



Hide Imagery

Image capture: Oct 2015 © 2016 Google Terms Privacy Report a problem



US Parcels: 27 REED PARK
City: ROCHESTER
State: NY
Zip: 14605

100 Feet | Area: 3232.78 Square Feet
© 2016 Pictometry
Date: 04/15/2015 | Level: Neighborhood | Scale: 75%



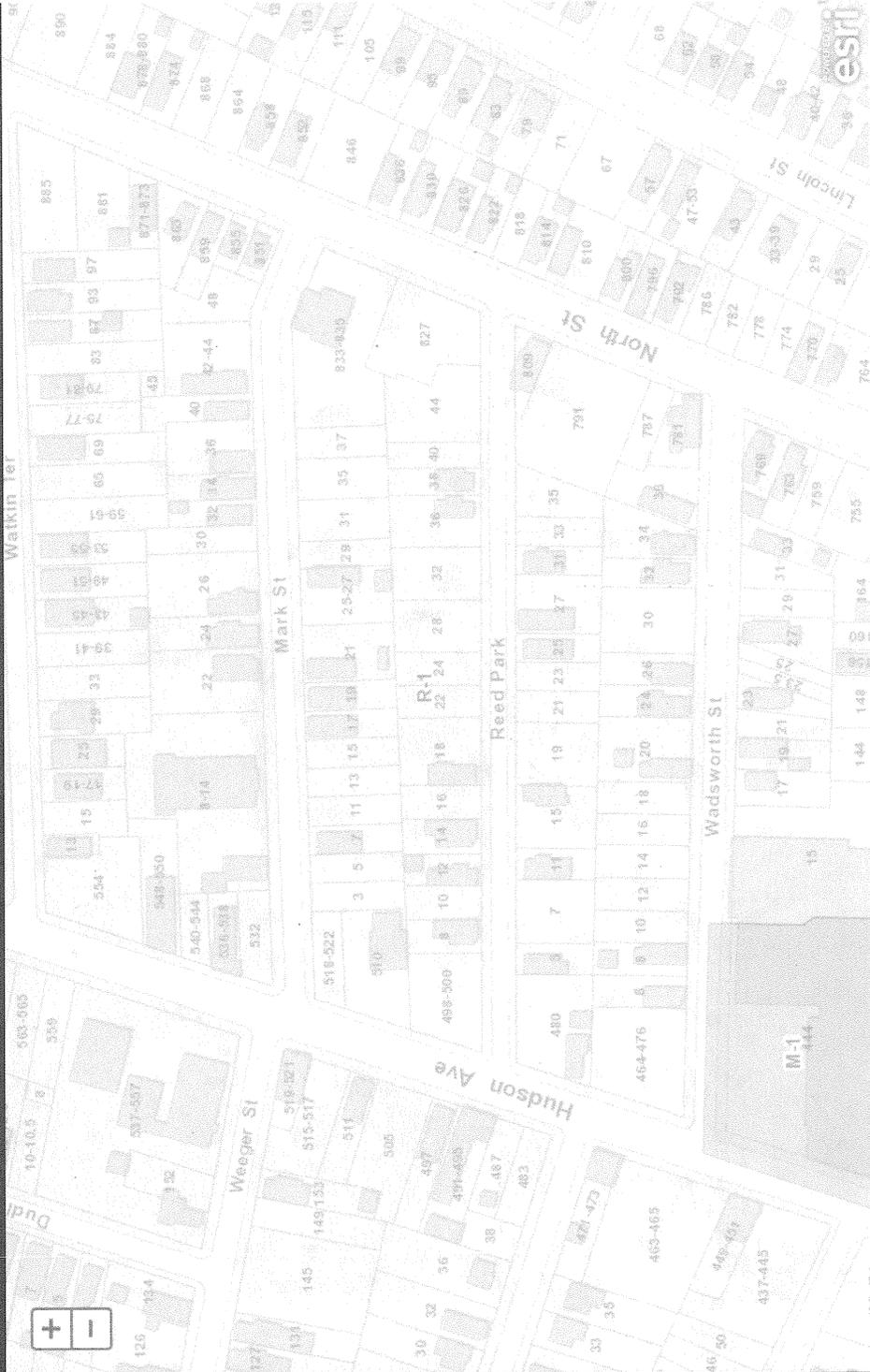
City of Rochester, NY
Property Information

27 reed park

Search By: Address Owner SBL

SBL Address

106-41-4-14.001 27 Reed Park

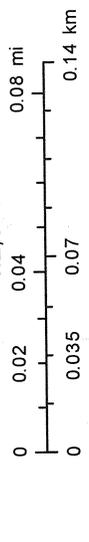


27 REED PK



May 2, 2016

1:2,629



City of Rochester, NY



**CITY PLANNING COMMISSION
STAFF REPORT
May 16, 2016**

Special Permit

Case #6:

Staff Reviewer: Jill Wiedrick

File Number: E-053-15-16

Case Type: Special Permit

Applicant: William O'Dell, Romig's Tavern

Address: 18 Bennington Drive

Zoning District: C-2 Community Center District

Section of Code: 120-43B

Request: To establish an accessory outdoor seating/assembly area for the existing bar/restaurant with the outdoor area operating until 2:00AM, daily; an action requiring City Planning Commission approval.

Analysis:

The subject property is an existing bar/restaurant located on Bennington Drive, near Dewey Avenue. The current occupancy is 162 people.

The applicant wishes to add outdoor seating to the established bar/restaurant. The outdoor area is proposed to operate until 2:00AM, daily. The applicant has indicated that there will be no music in the outdoor area. This area will be for patrons to eat and drink. The Buildings Division has noted that the addition of the outdoor area will not increase the occupancy posting for the bar/restaurant.

Please see the attached drawings and photographs provided by the applicant.

Site Plan and Environmental Review:

Site Plan Review is not required for this proposal. However, the City Planning Commission, as Lead Agency, is required to issue an Environmental Determination prior to rendering a decision.

Applicant's statement concerning how request conforms to Special Permit Standards:

See attached.

E-055-15-16
629 Oak Street
Page 2

Site Plan and Environmental Review:

Site Plan Review is not required for this proposal. However, the City Planning Commission, as Lead Agency, is required to issue an Environmental Determination prior to rendering a decision.

Applicant's statement concerning how request conforms to Special Permit Standards:

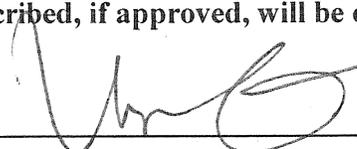
See attached.

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. PROJECT ADDRESS(ES): 18 BENNINGTON DRIVE
2. APPLICANT: WILLIAM O'DELL COMPANY NAME: ROMIGS TAVERN
ADDRESS: 18 BENNINGTON DRIVE CITY: ROCHESTER ZIP CODE: 14616
PHONE: 954-599-3340 FAX: _____
E-MAIL ADDRESS romigsfaavern@gmail.com
- INTEREST IN PROPERTY: Owner _____ Lessee Other _____
3. PLAN PREPARER: N/A
ADDRESS: _____ CITY: _____ ZIP CODE: _____
PHONE: _____ FAX: _____
4. ATTORNEY: N/A
ADDRESS: _____ CITY: _____ ZIP CODE: _____
PHONE: _____ FAX: _____
E-MAIL ADDRESS _____
5. ZONING DISTRICT: C-2
6. DETAILED PROJECT DESCRIPTION (additional information can be attached):
Establish an accessory outside seating area for
the tavern
7. LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased:) 2 weeks

APPLICANT: I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed in accordance with the conditions and terms of that approval.

SIGNATURE:  DATE: 4-11-16

OWNER (if other than above): I have read and familiarized myself with the contents of this application and do hereby consent to its submission and processing.

William A. O'Dell

SPECIAL PERMIT STANDARDS

A Special Permit will be granted only if evidence is presented establishing conformance with each of these standards. Explain how the proposal conforms to each of these requirements (attach additional pages if necessary):

- A. The proposed building or use will be in harmony with the general purpose, goals, objectives, standards and implementation strategies of the Comprehensive Plan, this chapter and, where applicable, the Subdivision Code.

YES

- B. The proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety and general welfare.

YES, No effect, south side is Holy Sepulchre Cemetery, west ontario plastics, north is Apartments mainly, 300' mainly our customers. East - aturpaiz

- C. The proposed building or use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring properties in accordance with the applicable district regulations.

Correct, The property controlled by Tamen is an acre, proposed Seating Area is 726 sq. ft. No interference

- D. The proposed building or use will be served adequately by essential public facilities and services, such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools, or that the persons or agencies responsible for the establishment of the proposed building or use will provide adequately for such services.

Correct, adequately served, bus stop in front on Dewey Ave #10 Bus.

- E. The proposed building or use will not result in the destruction, loss or damage of any natural, scenic, cultural or historic feature of significant importance.

Correct, We are currently in our 66th year of successful business, we plan on being there at least 100 years, Maybe one day we will be considered historic.

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Name of Action or Project: ROMIGS TAVERN ACCESSORY OUTSIDE SEATING							
Project Location (describe, and attach a location map): 18 BENNINGTON DRIVE, ROCHESTER, NY 14616							
Brief Description of Proposed Action: ESTABLISH AN ACCESSORY OUTSIDE SEATING FOR THE TAVERN.							
Name of Applicant or Sponsor: WILLIAM R O'DELL		Telephone: 954-599-3340					
Address: 18 Bennington Drive		E-Mail: romigsstavern@gmail.com					
City/PO: Rochester		State: NY	Zip Code: 14616				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">NO</td> <td style="width: 50%; text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: First city approval then NY State Liquor authority approval			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">NO</td> <td style="width: 50%; text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3. a. Total acreage of the site of the proposed action? 1/3 acres							
b. Total acreage to be physically disturbed? 726 Sq. FT. acres							
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 1 acres							
4. Check all land uses that occur on, adjoining and near the proposed action.							
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>William R. O'Neil</u>		Date: <u>4-11-16</u>
Signature: <u>[Handwritten Signature]</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

RESET

Find: 18 Bennington Drive, Rochester, NY 14616

18 Bennington Dr
Rochester, NY 14616
Directions

SAVE NEARBY SHARE

Add a missing place

Street View

At this location

Romig's Tavern
4.3 ★★★★★
Bar • Bennington Dr

Map 18 Bennington Drive, Rochester Add a photo

Imagery ©2016 DigitalGlobe, New York City, NY. Map data ©2016 Google. 3D Earth view is not available. Terms Privacy Send feedback 50 ft

18 Bennington Dr Calculator ORIGINAL WORKER Google Earth 2:17 PM 1/20/2016

BENNINGTON DRIVE

MAP OF A SURVEY
 PART OF TOWN LOT 66 OF THE FIRST DIVISION
 TOWNSHIP 2, SHORT RANGE
 CITY OF ROCHESTER
 MONROE COUNTY, NEW YORK

CLIENT
 MRS. KAREN O'DELL

SCALE
 1" = 20'

DATE
 04/08/2016

PROJECT NO.
 2016-0286-2

O'NEILL-RODAK
 LAND SURVEYING ASSOCIATES, P.C.
 LAND SURVEYORS - PLANNERS
 BOUNDARY CONSULTANTS
 FLOOD ZONE DETERMINATIONS
 ALTA/ACSM SURVEYS

6 SOUTH FITZHUGH STREET
 ROCHESTER, NY
 14614

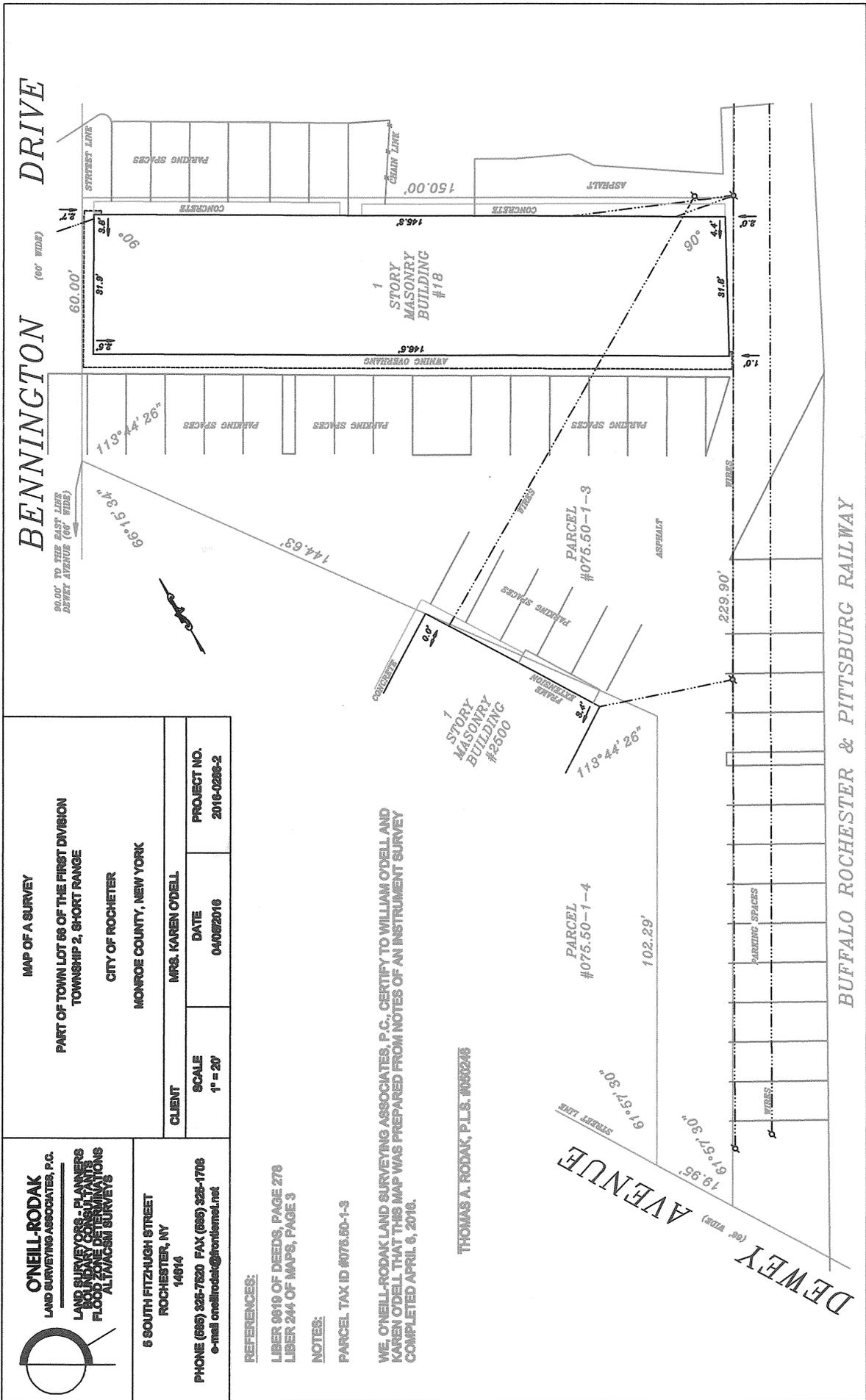
PHONE (685) 325-7520 FAX (685) 325-1705
 e-mail onerodak@frontiernet.net

REFERENCES:
 LIBER 9819 OF DEEDS, PAGE 278
 LIBER 244 OF MAPS, PAGE 3

NOTES:
 PARCEL TAX ID #075.50-1-3

WE, O'NEILL-RODAK LAND SURVEYING ASSOCIATES, P.C., CERTIFY TO WILLIAM O'DELL AND KAREN O'DELL THAT THIS MAP WAS PREPARED FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED APRIL 6, 2016.

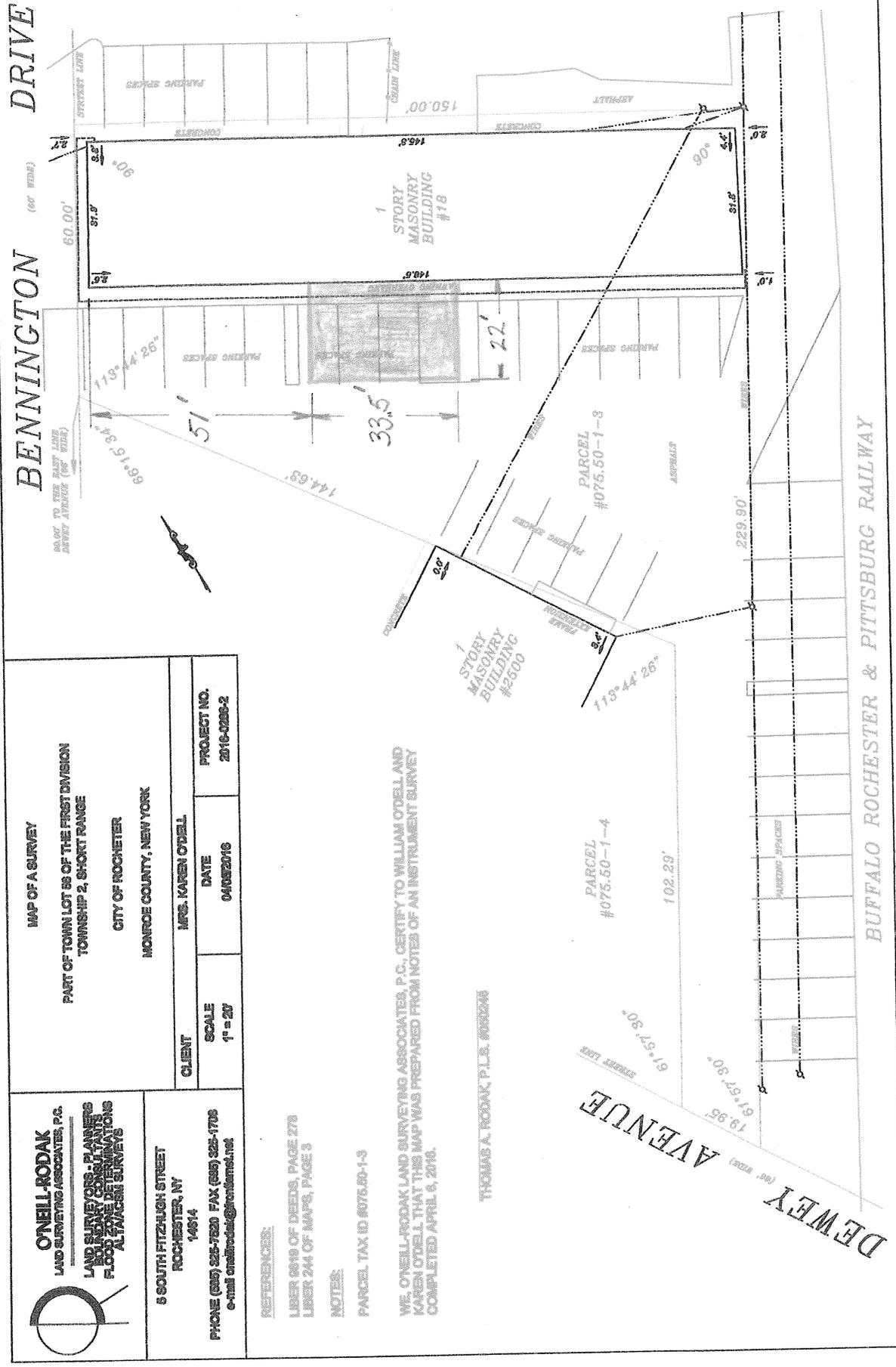
THOMAS A. RODAK, P.L.S. #050246



BUFFALO ROCHESTER & PITTSBURG RAILWAY

DEWEY AVENUE

SHADED BLUE AREA
 DENOTES ENCLOSURE
 LOCATION



O'NEILL-RODAK LAND SURVEYING ASSOCIATES, P.C. LAND SURVEYORS - PLANNERS FOUNDATION CONSULTANTS FLOOD DAMAGE CONSULTANTS ALL TYPES OF SURVEYS		MAP OF A SURVEY PART OF TOWN LOT 58 OF THE FIRST DIVISION TOWNSHIP 2, SHORT RANGE CITY OF ROCHESTER MONROE COUNTY, NEW YORK	
8 SOUTH FITZBUGH STREET ROCHESTER, NY 14614 PHONE (585) 325-7820 FAX (585) 325-1770 e-mail onerodak@roctelnet.net		CLIENT MRS. KAREN ODELL	PROJECT NO. 2016-0209-2
SCALE 1" = 20'		DATE 04/02/2016	PARCEL TAX ID #075.50-1-3

REFERENCES:
 LIBER 2619 OF DEEDS, PAGE 278
 LIBER 244 OF MAPS, PAGE 3

NOTES:
 WE, O'NEILL-RODAK LAND SURVEYING ASSOCIATES, P.C., CERTIFY TO WILLIAM ODELL AND KAREN ODELL THAT THIS MAP WAS PREPARED FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED APRIL 6, 2016.

THOMAS A. RODAK, P.L.S. #0662046

BUILDING

POST LOCATIONS

000

14" — (1'2")

75" — (6'3")

136" — (11'4")

197" — (16'5")

258" — (21'6")

000



(32'6")

390"

(27'1")

325"

(21'8")

260"

(16'3")

195"

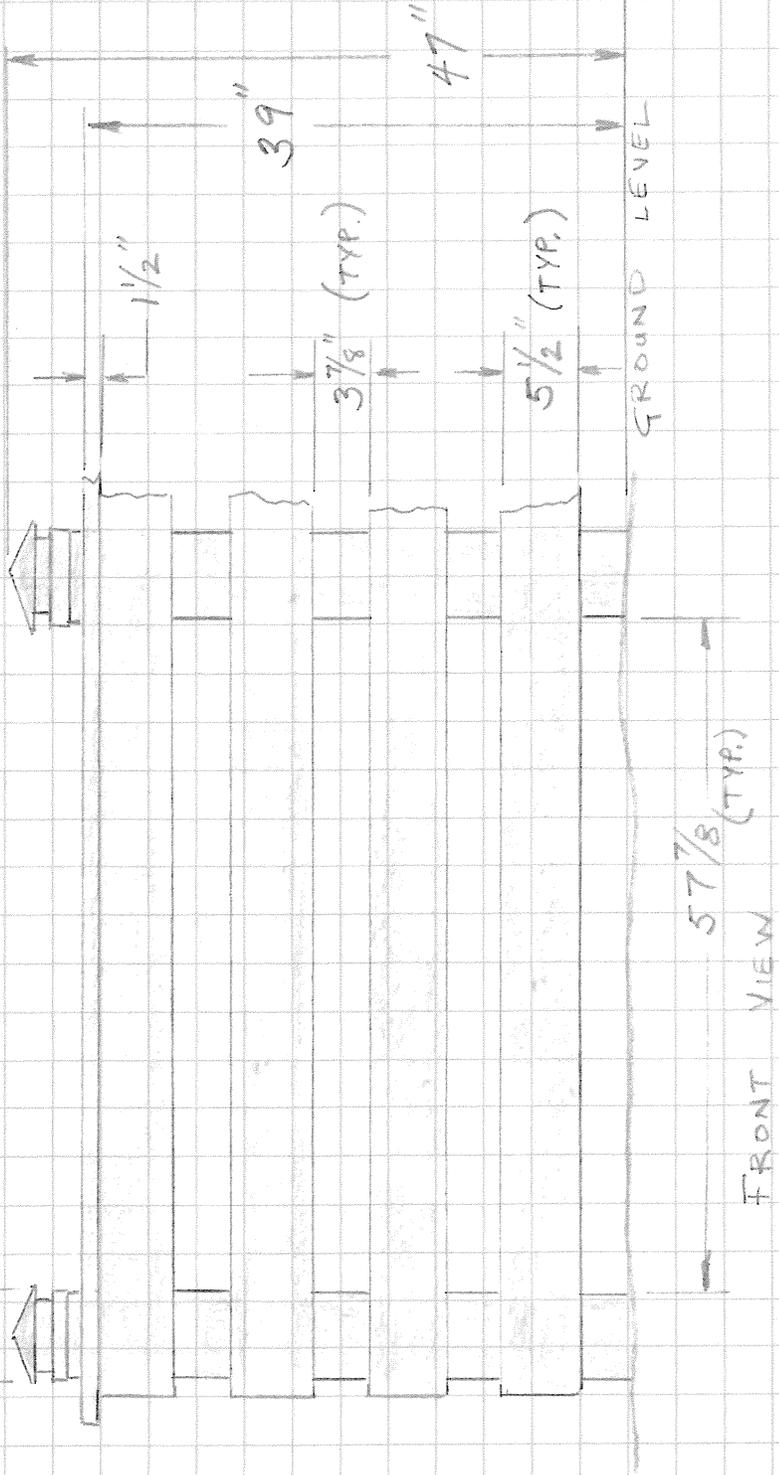
(10'10")

130"

(5'5")

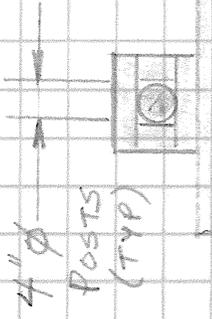
65"

TOP VIEW

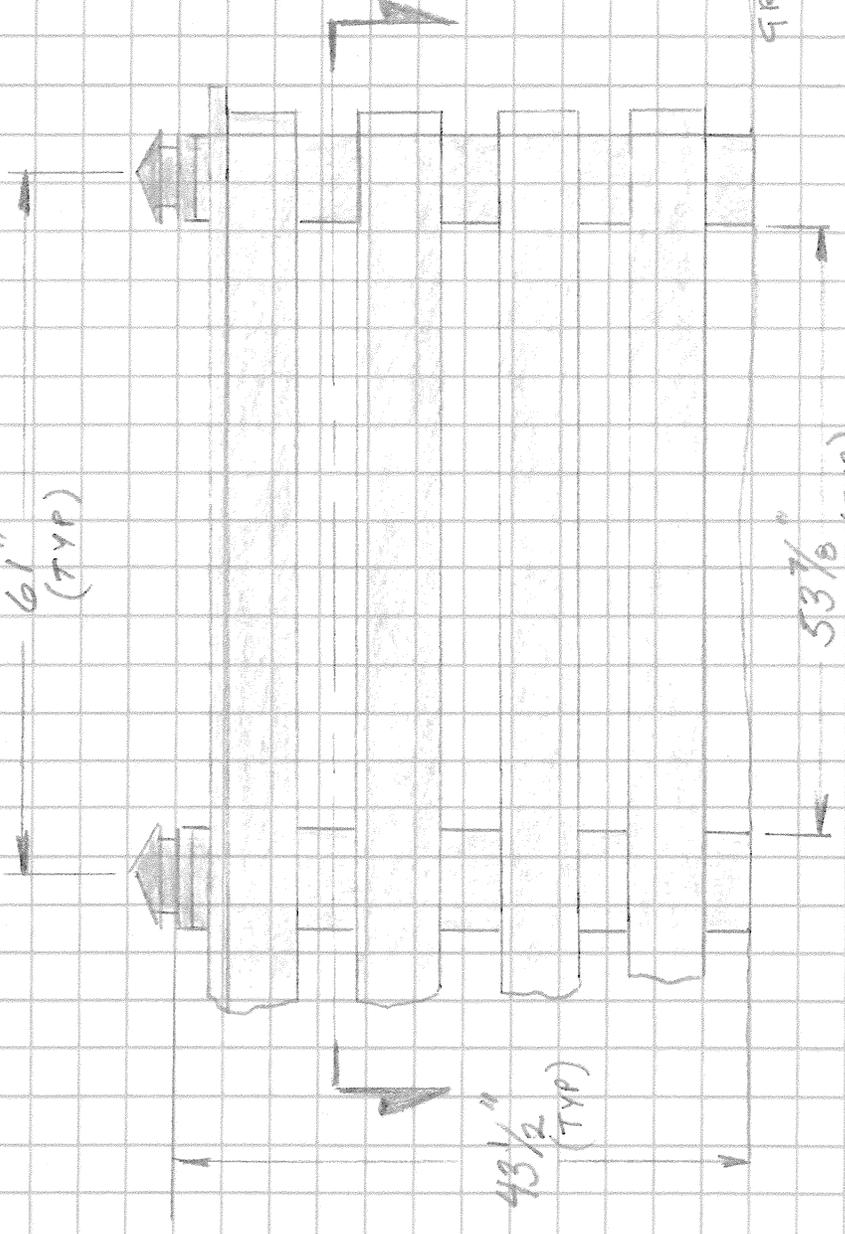


FRONT VIEW

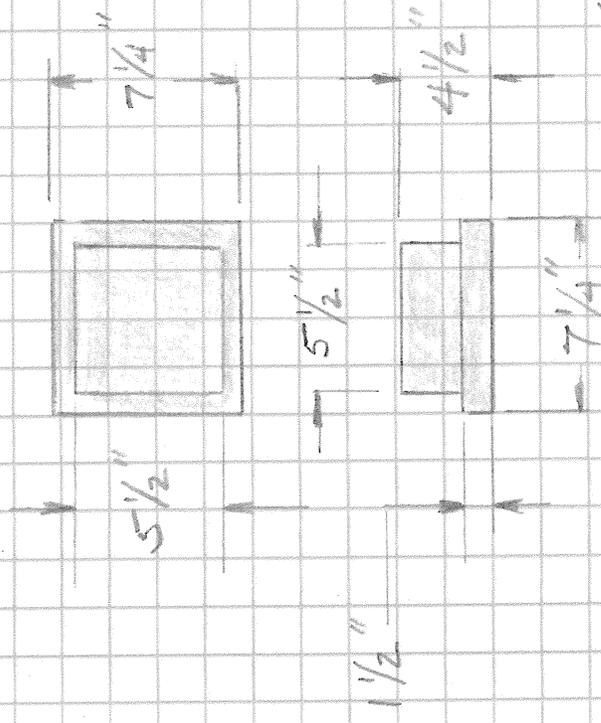
TOP SECTION VIEW



61" (TYP)



SIDE VIEW

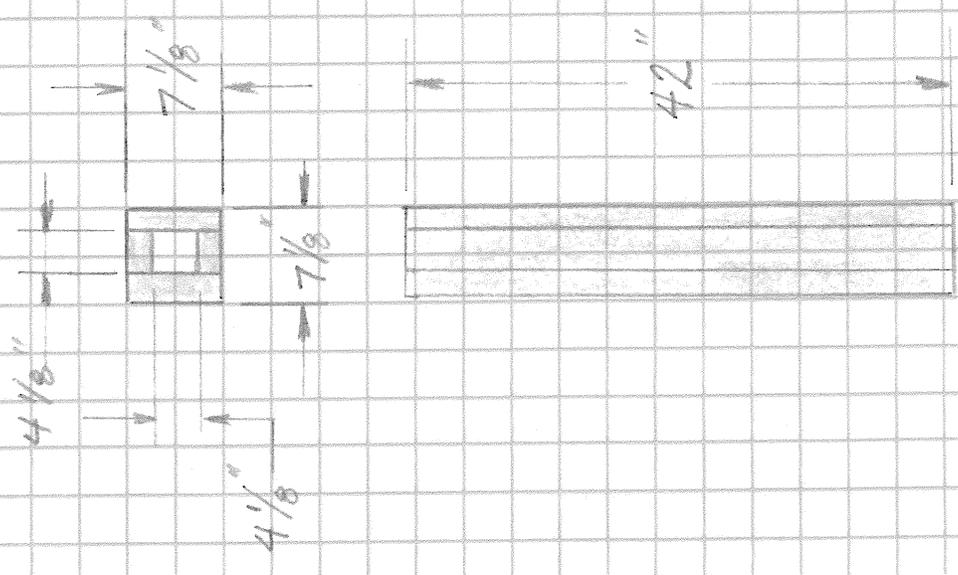


(LARGER SCALE)

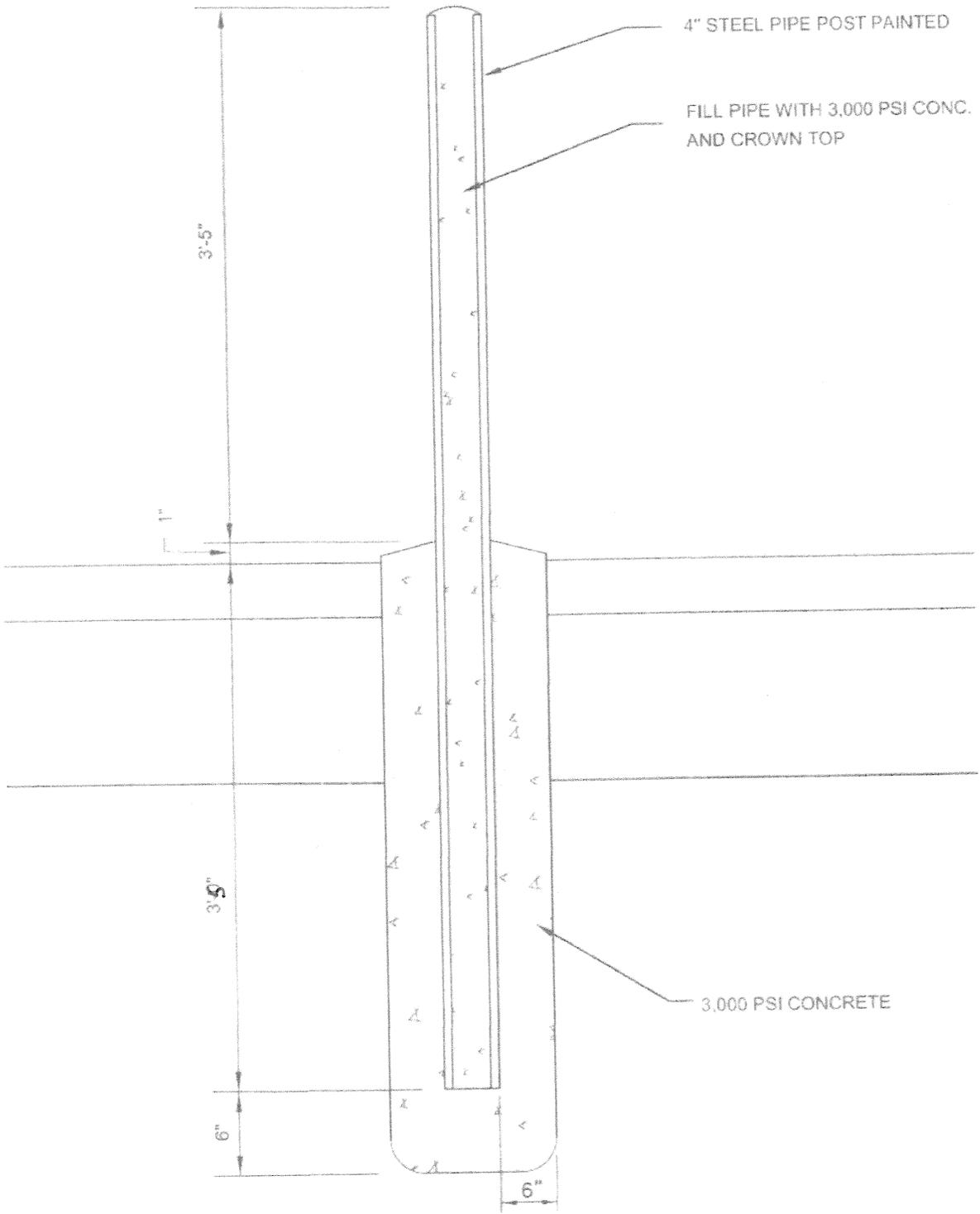
POST CAP ASSEMBLY
IS REQ'D
PRESSURE TREATED LUMBER



POST CAP FOR 6x6
IS REQ'D
PURCHASE - PLATED STAINLESS



POST SLEEVE ASSEMBLY
IS REQ'D
PRESSURE TREATED LUMBER



NOTE: PROVIDE PLASTIC COVER (COLOR BY OWNER)

7

STEEL BOLLARD

OVERALL FINISHED DIMENSIONS AT LARGEST
OR NARROWEST POINTS

- RAILING HEIGHT 39"
- POST HEIGHT 47"
- OUTSIDE LENGTH 33'4"
- OUTSIDE WIDTH 21'11"
- INSIDE LENGTH 31'11"
- INSIDE WIDTH 21'2"

MATERIAL LIST

QTY	DESCRIPTION	APPROX COST
7	2x4x12' P.T.	\$ 50
22	2x6x12' P.T.	220
6	2x6x14' P.T.	75
4	2x6x16' P.T.	50
1	2x8x8' P.T.	10
4	2x8x16' P.T.	75
1	4x6x8' P.T.	30
15	GREEN POST CAPS	200

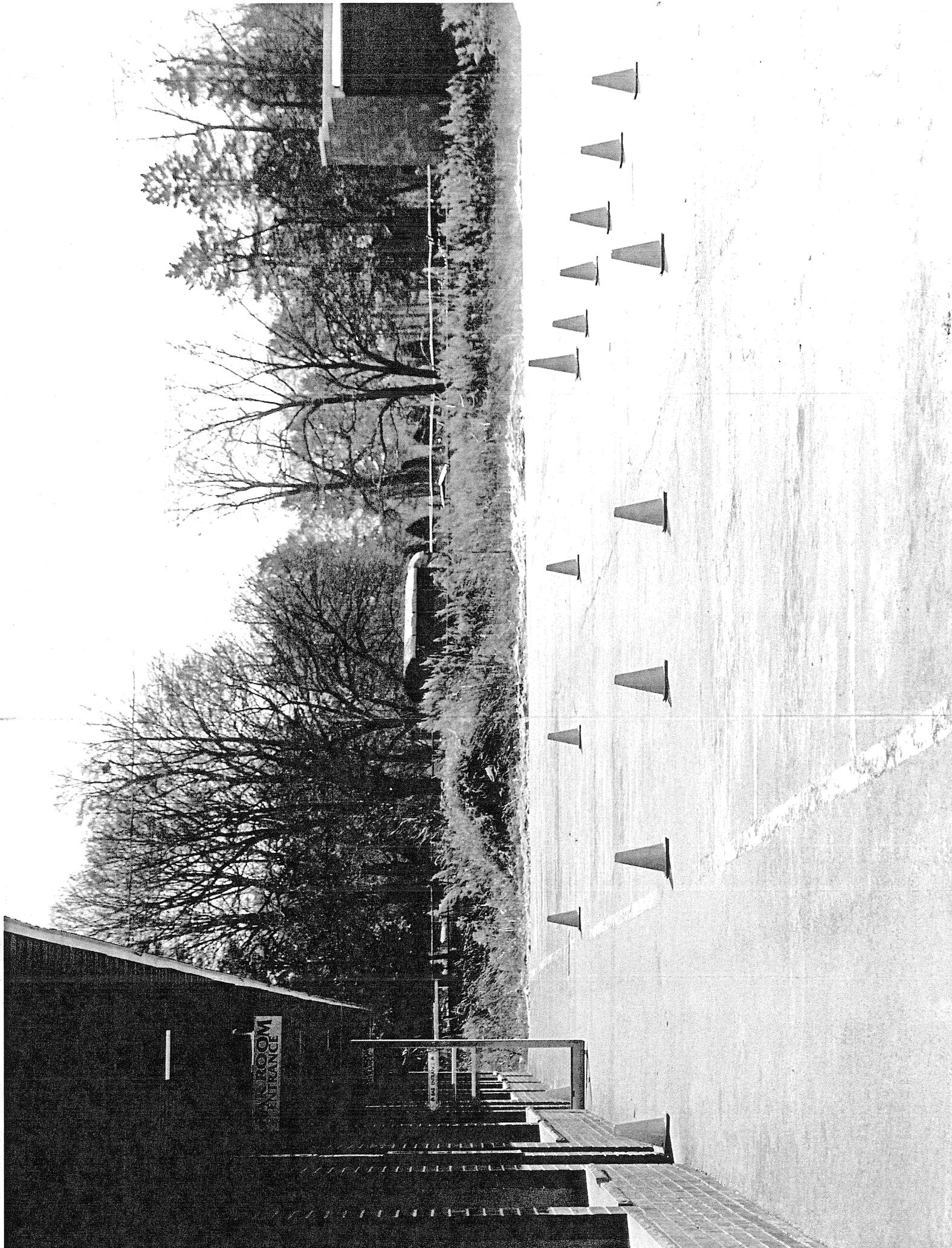
FASTENERS

175	3/8" X 3" LONG GALV LAG BOLTS	300
175	3/8" GALV. FLAT WASHERS	40
5LB	3" LONG DECK SCREWS	35
1LB	2 1/2" LONG DECK SCREWS	10
4	TUBES OF ADHESIVE - EXTERIOR	20

APPROXIMATE
MAT'L'S TOTAL \$ 1,115

APPROXIMATE LABOR COST \$ 1,700
(NOT INCLUDING POST WORK)

APPROXIMATE
TOTAL \$ 2,815



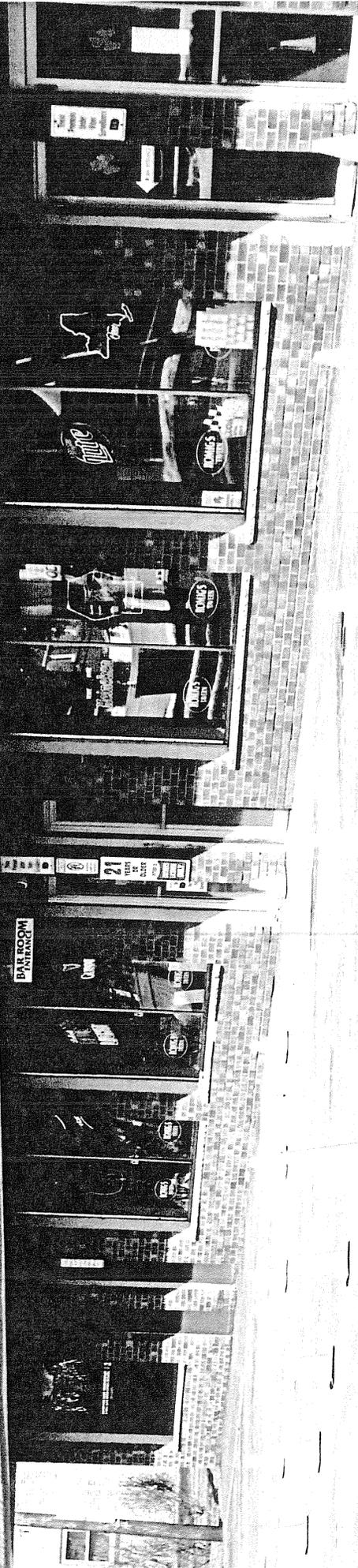
GYM ROOM
ENTRANCE

GYM ROOM
ENTRANCE



BAR ROOM
ENTRANCE

ROMIGS TAVERN & GRILL



BAR ROOM ENTRANCE

21 YEARS OF AGE

PUB

ROMIGS TAVERN & GRILL

ROMIGS TAVERN & GRILL

ROMIGS TAVERN & GRILL



ROMIGS TAVERN

GUINNESS

21
21+ ONLY
NO OPEN ALCOHOL

Pabst

ROMIGS TAVERN

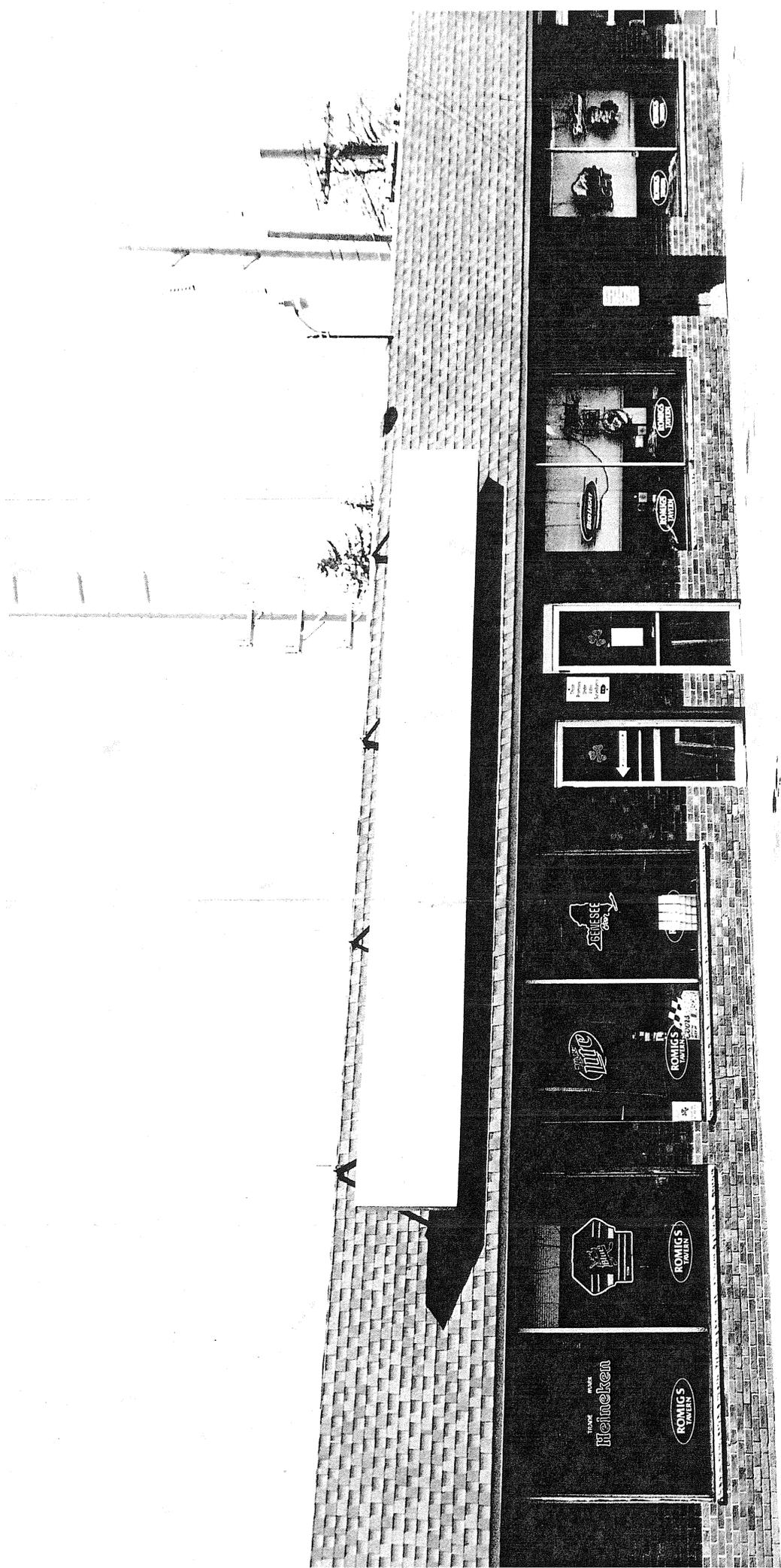
ROMIGS TAVERN

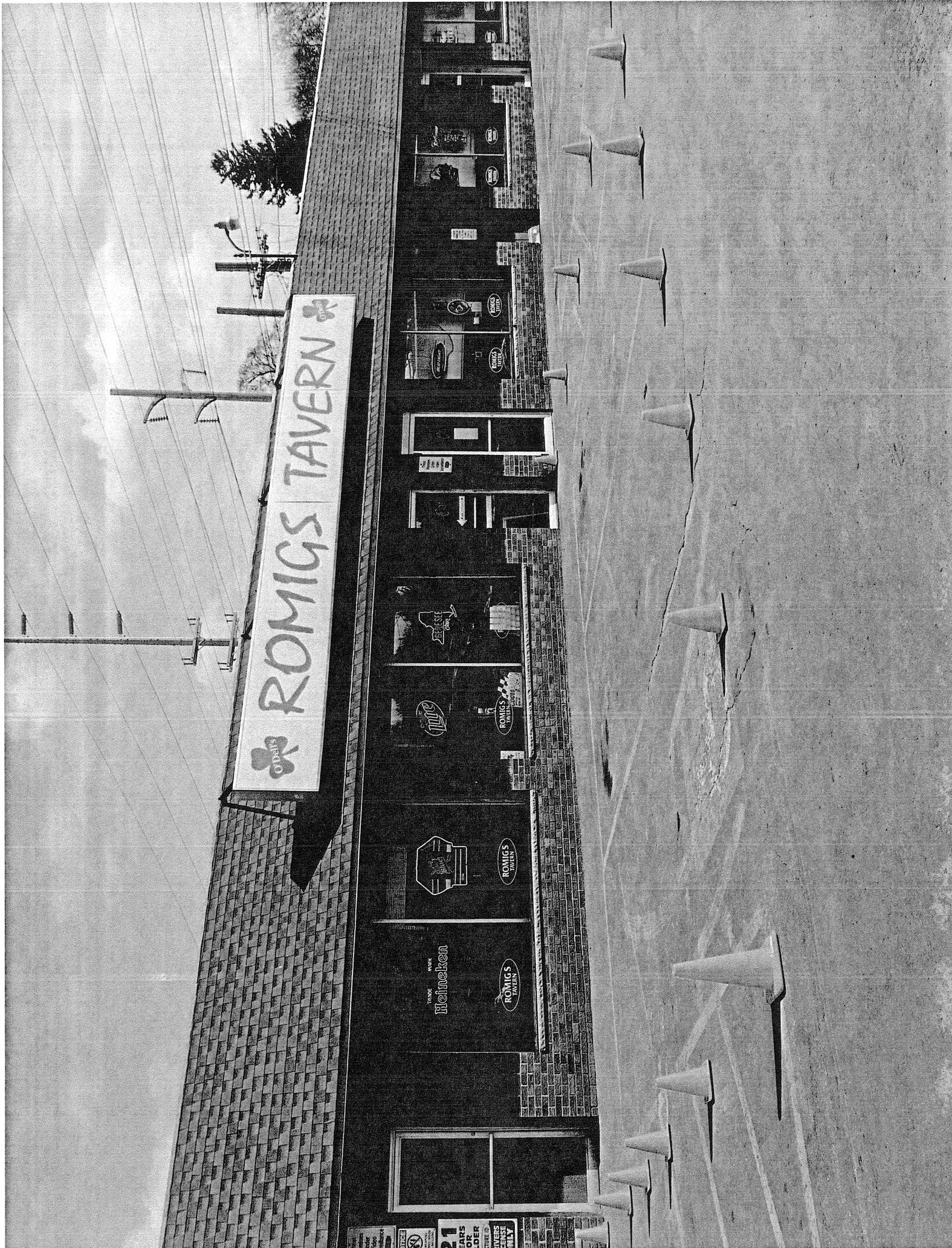
ROMIGS TAVERN

←

ROMIGS TAVERN

ROMIGS TAVERN





ROMIG'S TAVERN

Heineken
Life
ROMIG'S PAINTS
ROMIG'S PAINTS

21 YEARS OR OLDER
DRINK RESPONSIBLY
NO ALCOHOL SALES MONDAY



Bennington Dr
Rochester, New York
Street View - Oct 2015

Back to Map

Satellite

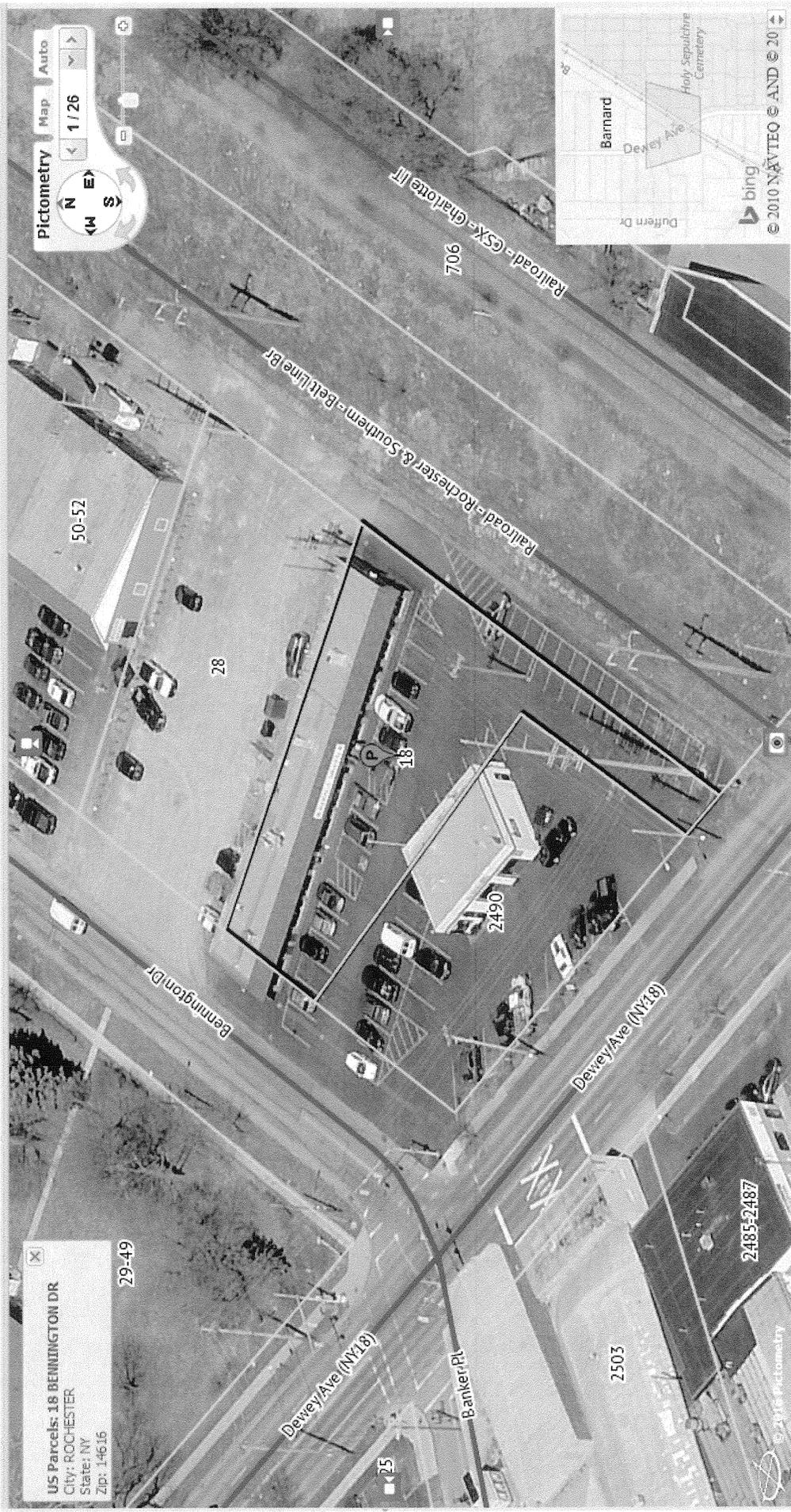
16 Bennington Drive, Rochester, ...

Add a photo

Google

Hide imagery

Image capture: Oct 2015 © 2016 Google Terms Privacy Report a problem



US Parcel: 18 BENNINGTON DR
City: ROCHESTER
State: NY
Zip: 14616

29-49

50-52

28

18

2490

2503

2485-2487

706

25

Date: 04/15/2015 | Level: Neighborhood | Scale: 100%
16.76 Feet | Area: 15893.17 Square Feet



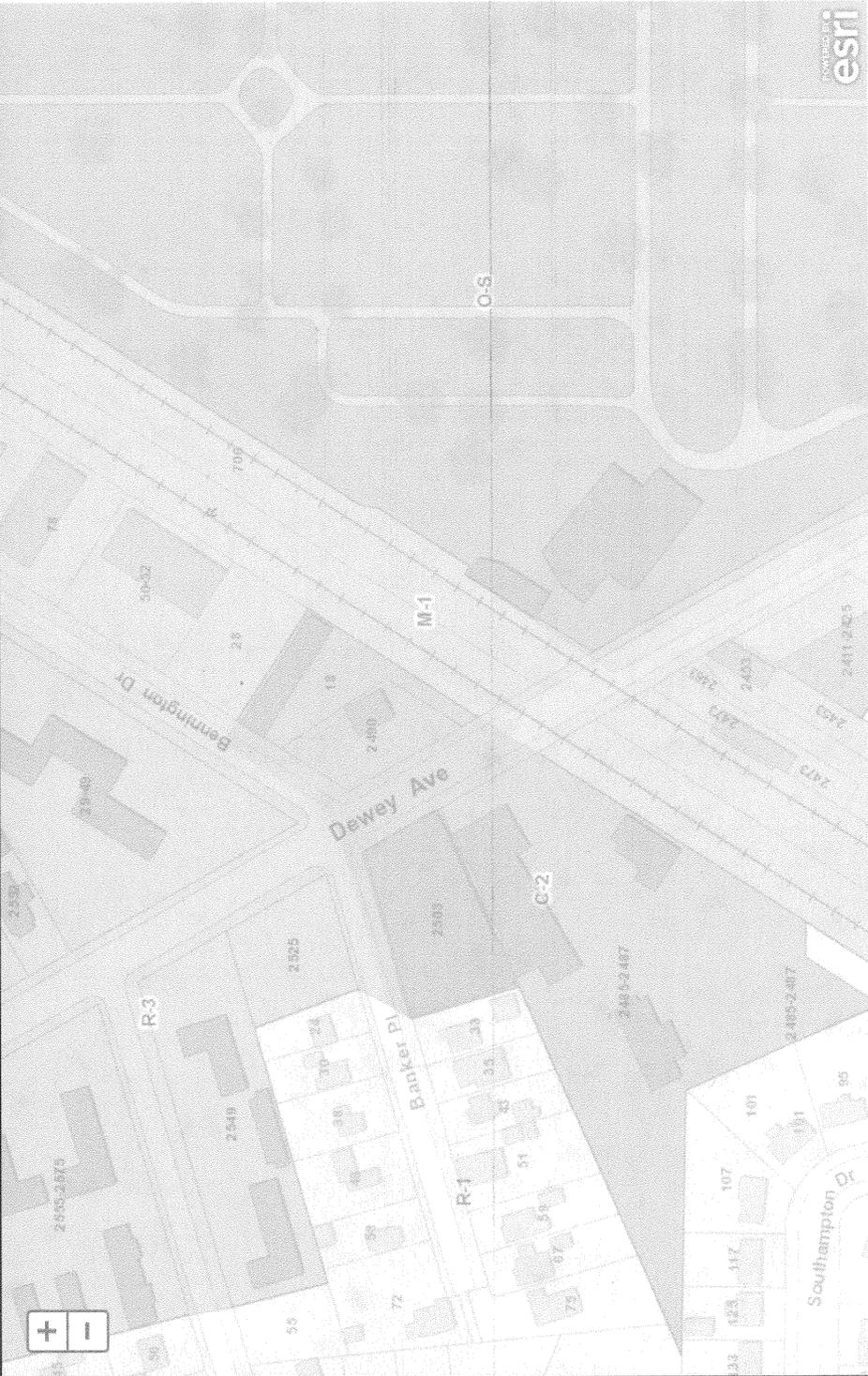
City of Rochester, NY
Property Information

18 Bennington

Search By: Address Owner SBL

SBL Address

075.50-1-3 18 Bennington Drive





**CITY PLANNING COMMISSION
STAFF REPORT
May 16, 2016**

Special Permit

Case #7: Staff Reviewer: Jill Wiedrick

File Number: E-054-15-16

Case Type: Special Permit

Applicant: Solar Liberty Energy Systems, Inc.

Address: 1655 Lexington Avenue

Zoning District: M-1 Industrial District

Section of Code: 120-83R, 120-148.2

Request: **To install a ballasted, ground-mounted solar array on a decommissioned landfill; an action requiring City Planning Commission approval.**

Analysis:

Please see the attached documents.

Code Compliance:

In accordance with Section 120-83R, solar energy systems are specially permitted, subject to a marketability analysis, and subject to the requirements for specified uses in Section 120-148.2.

Solar energy systems shall be subject to the following requirements:

Please note the applicant's responses in italics.

A. The application for any approval of a solar energy system under this chapter shall include:

- (1) A screening/landscaping plan that specifies the locations, elevations, height, plant species, and/or materials that will comprise the structures, landscaping and/or grading used to screen and/or mitigate any adverse aesthetic effects of the system; and

The array will be fenced. Landscaping is to be determined by City of Rochester and Solar Liberty.

(2) A detailed safety plan specifying the measures that will be used to prevent public access to unsafe areas and to provide for emergency response, including but not limited to the location, height, materials, and colors of fencing and other barriers to access and a safety signage plan that contains the location, sizes, and text of signs that will be used to warn the public away from unsafe areas and that shall include the name and phone number of an official of the owner or operator who can be contacted in the event there is an emergency or any other question about safety.

Per OSHA and Solar Liberty, standards safety manual will be provided

B. No element of the system shall reflect sunlight or glare onto a neighboring property, public right-of-way, or aircraft flight path.

Panels are meant to absorb light, not reflect it. A glare analysis can be provided if requested.

C. All solar energy system structures shall meet the district setbacks, provided that the setback from areas zoned or used residentially and from public rights-of-way shall be no less than 50 feet.

The solar array is located on a non-residential lot in a non-residential area. The decommissioned landfill is the perfect location for a solar array, as homes are not closely located near the decommissioned landfill. The 50 feet zoning law will not be an issue.

D. No grid-tied solar energy system shall be installed until evidence is provided that the owner is approved by the utility company to install the system.

The solar array is currently in the Final CESIR study in the interconnection process. There have been no foreseen issues moving forward with interconnection shown in the Preliminary CESIR study conducted the utility company. However, should there be an issue with the interconnection, those issues will be remedied to comply with the utility's requests to move forward.

E. The solar energy system shall be removed, at the owner's or operator's expense, within 180 days of determination by the Director of Planning and Zoning that the system is no longer being maintained in an operable state of good repair or no longer supplying solar power.

(1) Removal shall include solar collectors, cabling, electrical components, accessory structures, and any associated facilities below grade.

This will be agreed upon by the City of Rochester and Solar Liberty Energy Systems, Inc. in the terms of Power Purchase Agreement which will meet or exceed this requirement.

(2) Disturbed earth shall be graded and reseeded, unless the Director of Planning and Zoning approves a written request by the property owner that internal roads or other site improvements are not to be restored.

Operation and Maintenance is provided in Power Purchase Agreement, which will meet or exceed this expectation.

Site Plan and Environmental Review:

Site Plan Review is not required. However, the City Planning Commission, as Lead Agency, will need to issue an Environmental Determination prior to making a decision on the Special Permit.

Applicant's statement concerning how request conforms to Special Permits Standards:
See Attached.

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. PROJECT ADDRESS(ES): 1665 Lexington Ave., Rochester, NY

2. APPLICANT: Solar Liberty Energy Systems COMPANY NAME: Solar Liberty Energy System

ADDRESS: 6500 Sheridan Dr., Suite 120 CITY: Buffalo, NY ZIP CODE: 14221

PHONE: 716-634-3780 FAX: 716-634-3756

E-MAIL ADDRESS katie@solarliberty.com

INTEREST IN PROPERTY: Owner Lessee Other

3. PLAN PREPARER: Solar Liberty Energy Systems, Inc. (ask for Katie Jablonicky)

ADDRESS: 6500 Sheridan Dr., Suite 120 CITY: Buffalo ZIP CODE: 14221

PHONE: 716-634-3680 FAX: 866-807-3639

4. ATTORNEY: Paul Lavoie, Solar Liberty General Cousil

ADDRESS: 6500 Sheridan Dr., Suite 120 CITY: Buffalo ZIP CODE: 14221

PHONE: 716-634-3680 FAX: 866-807-3639

E-MAIL ADDRESS plavoie@solarliberty.com

5. ZONING DISTRICT: _____

6. DETAILED PROJECT DESCRIPTION (additional information can be attached): _____

Ballested ground-mounted solar array, details attached

7. LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased:) 60 days

APPLICANT: I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed in accordance with the conditions and terms of that approval.

SIGNATURE: *Michael Jablonicky* DATE: *4/13/16*

OWNER (if other than above): I have read and familiarized myself with the contents of this application and do hereby consent to its submission and processing.

X Anne Epand 5/5/16 *Katherine Sheets 5/5/16*
City of Rochester

SPECIAL PERMIT STANDARDS

A Special Permit will be granted only if evidence is presented establishing conformance with each of these standards. Explain how the proposal conforms to each of these requirements (attach additional pages if necessary):

- A. The proposed building or use will be in harmony with the general purpose, goals, objectives, standards and implementation strategies of the Comprehensive Plan, this chapter and, where applicable, the Subdivision Code.**

Solar Liberty plans to utilize a decommissioned landfill for a Photovoltaic (PV) generating system to produce green energy for the City of Rochester.

- B. The proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety and general welfare.**

The ballast-mounted solar array will only add value to the site and benefit the surround community by lowering the carbon emissions of the City of Rochester.

- C. The proposed building or use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring properties in accordance with the applicable district regulations.**

Though this solar array will "dominate" part of the landfill, it will not interfere with the development and use of neighboring properties. It will add value to the neighborhood due to the addition of the PV system on top of the landfill cap.

- D. The proposed building or use will be served adequately by essential public facilities and services, such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools, or that the persons or agencies responsible for the establishment of the proposed building or use will provide adequately for such services.**

The power produced by the solar array is going directly to essential public facilities ran by the City of Rochester by remote net metering the access power produced into public owned buildings.

- E. The proposed building or use will not result in the destruction, loss or damage of any natural, scenic, cultural or historic feature of significant importance.**

Because the lot was formally used a landfill, there will not be any loss or damage of any natural, scenic, cultural or historic feature of significant importance. It will add to the community by providing interest and knowledge of photovoltaic systems.



1655 Lexington Avenue Site Preparation Project Information

Background

The parcel located at 1655 Lexington Avenue is located on the northwestern portion of the Former Emerson Street Landfill (FESL). The FESL was owned and operated by the City from about the early 1940's to 1971 as a landfill for the disposal of municipal solid waste. The landfill was initially designed to dispose of ash derived from the incineration of municipal solid waste at City operated incinerators. Although a majority of the material placed is ash fill, lesser quantities of construction and demolition debris and tree and bush debris were also placed into the landfill in some areas. In addition, partially-incinerated materials and direct burial of un-incinerated municipal solid waste was documented in the later years of operation, including the northwestern portion of the landfill which includes primarily the parcel located at 1655 Lexington Avenue. The City-owned parcel located at 1655 Lexington Avenue is vacant industrial land, approximately 24 acres in size, and is zoned M-1. This parcel is unimproved and does not contain any permanent buildings or structures.

In the 1980s, New York State Department of Environmental Conservation ("NYSDEC") began to investigate the FESL. These investigations documented the presence of petroleum, metals, chlorinated solvents, and 100 cubic feet of thoriated waste sludge on the southern portion of the FESL which was considered to be a characteristic hazardous waste due to lead (D008 waste). As a result, the NYSDEC listed the FESL as an Inactive Hazardous Waste Disposal Site (State Superfund Site Code #828023). The City conducted several environmental investigations at the FESL to evaluate subsurface soil and groundwater conditions across the FESL. Based on these studies, the majority of the FESL was delisted from the NYSDEC Registry Inactive Hazardous Waste Disposal Sites (IHWDS); however, approximately 29 acres of the FESL, including the parcel at 1655 Lexington Avenue were still listed as a Class 3 State Superfund Site in part due to an apparent source of chlorinated volatile organic compounds (VOCs) thought to be located near the center of the 1655 Lexington Avenue parcel.

Current Status

Extensive environmental investigations over the last several years by the City have resulted in sufficient data collection to better understand the environmental conditions at 1655 Lexington Avenue. Based on the data collected, the northern portion (11.7 acres) of the 1655 Lexington Avenue site and the adjacent parcel known as 1635 Lexington Avenue does not contain consequential amounts of hazardous waste, and does not warrant classification as an IHWDS. As such, the City proposed to delist the northern portion of 1655 Lexington Avenue and the parcel located at 1635 Lexington Avenue from the NYSDEC Registry of IHWDS. A Delisting Petition dated November 2014 was prepared by LaBella Associates D.P.C. (LaBella) on behalf of the City and submitted to the NYSDEC for their consideration and approval. This Delisting Petition pertained to all of 1635 Lexington Avenue and the northern portion of 1655 Lexington Avenue totaling approximately 13.3 acres of land. In a letter dated March 19, 2015, the NYSDEC granted the City's request for delisting pending a public comment period which closes on or around June 1, 2015.



Upon completion of the public comment period associated with the Delisting Petition, the City initiated a subdivision plan to sub-divide 1655 Lexington Avenue and combine the northern portion with 1635 Lexington Avenue to create a new parcel corresponding to the boundaries of the Proposed Delisting Land. The existing Site Management Plan for the FESL satisfies the requirements of NYCRR Part 375-2.7(e).

Port of Rochester Slag Relocation to 1655 Lexington Avenue

The City of Rochester initiated construction activities associated with a new marina basin at City-owned properties located at the Port of Rochester in the fall of 2013. The marina basin is located adjacent to an area formerly containing a blast furnace facility, and subsurface investigations at the Port of Rochester Site have delineated extensive iron slag fills associated with the former blast furnace operations. On May 15, 2013 NYSDEC Region 8 approved a Beneficial Use Determination (BUD) petition submitted by the City for the reuse of iron slag that will be excavated as part of the Port of Rochester Marina Project. The information provided in the BUD petition demonstrated that the slag can be used to produce an effective aggregate substitute when used above the seasonal high water table, and representative analytical results for the iron slag do not show concentrations of concern for this proposed use. Once excavated, the majority of the iron slag at the Port of Rochester is being transferred to the northern portion of 1655 Lexington Avenue for temporary staging and potential processing. The processing, temporary storage, and transfer of the non-hazardous slag from the Port of Rochester to 1655 Lexington Avenue is allowed by NYSDEC Region 8 Division of Materials Management under the NYCRR Part 360-1.7(b)(4) exemption. To date, approximately 65,000 cubic yards of slag fill have been brought, staged and preliminarily graded at the northern portion of the 1655 Lexington Avenue site. The City is in the process of securing NYSDEC approval for permanent placement of slag at 1655 Lexington Ave. under a site-specific BUD modification.

Additional slag fills from the Port of Rochester ranging in volume from approximately 13,000 to 37,000 cubic yards will be relocated to the northern portion of 1655 Lexington Avenue starting in May 2015 until sometime in the fall of 2015 when slag relocation operations will be completed.

Geotechnical Assessment

Since the City was contemplating the redevelopment of the northern portion of the 1655 Lexington Avenue Site for reuse as a solar array, the City retained LaBella and Foundation Design, P.C. (Foundation Design) to evaluate to assess the preliminary geotechnical design issues and constructability of the site to support the proposed future use of the site. The preliminary design and geotechnical study program included a topographic survey, settlement monitoring of the slag and underlying landfill waste mass, the advanced of test borings through the slag to assess bearing characteristic and fill consolidation/settlement under the solar panel loads, the development of proposed future grading and drainage plans, and providing recommendations to be implemented as part of the ongoing slag fill relocation site grading/preparation work. LaBella and Foundation Design reviewed the existing topography to recommend appropriate slopes and locations for the new solar panels, and also prepared interim and final grading plans. Based on current projections, it appears that the slag fill relocation at the northern portion of 1655 Lexington Avenue will result in an elevated plateau of generally flat terrain for solar panel installations approximately 5.5 to 6.6 acres in size sloping gently southward. There may be additional acreage that does not contain slag fill available for solar panel installations at both 1655 Lexington Avenue and at 1635 Lexington Avenue. LaBella and Foundation Design will submit a report stamped by a Professional Engineer (P.E.) outlining their findings, conclusions, and site preparation recommendations.

1655 Lexington Avenue Proposed Solar Project

Solar Liberty will finance, permit, design, install, own, maintain and operate an approximately two megawatt (MW) photovoltaic (PV) solar energy generating facility on a portion of City-owned property at 1655 Lexington Avenue, the former Emerson Street Landfill. The City will purchase power from Solar Liberty and will benefit from energy savings over the 25 year term of the PPA.

The proposed solar photovoltaic (PV) array to be located on 1655 Lexington Avenue site will provide 2 megawatts of interconnected AC generating capacity of electricity, the largest single plant PV generating capacity allowed under NYS Standardized Interconnection requirements. The proposed PV array occupies approximately 6.4 acres of land on the parcel and will be comprised of close to 8,000 solar panels. Ballasted ground mount solar racking of 20 degree tilt will eliminate the need for driven structural supports. It is anticipated that year one production will be 2,885,729 kWh of electricity.

The City will purchase all of the electricity generated at the PV facility at an agreed upon rate and realize energy cost savings by remote net metering the electricity savings generated to energy accounts at one or more City facilities. Remote net metering will allow the City to utilize a monetary utility credit from RG&E for the electricity generated at the site by the PV system to offset actual costs for selected existing City electricity accounts. The utility credit rate, which is established by the Public Service Commission, is greater than the PPA rate that the City will pay Solar Liberty.

It is anticipated that the City will realize total cost savings of approximately \$2 million over the 25 year term of the PPA. Solar Liberty will apply for and manage incentives available through the NYSERDA NY-Sun Program. In addition to the financial benefits of the PPA, the two MW PV solar energy generating facility will be a significant step toward achieving the renewable energy goals in the City's Energy Plan and the City's climate action planning objectives.

During the term of the PPA, Solar Liberty will be solely responsible for all operating and maintenance activities at the site. Other than the obligation to purchase power, the City would incur no ongoing costs for operating or maintaining the PV facility. At the completion of the 25 year term of the PPA, the City will have the option of purchasing the system at its depreciated value or having Solar Liberty remove the system.



City of Rochester

Office of the Commissioner
Department of Environmental Services
City Hall Room 300B, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov



Division of
Environmental Quality

To: Jill Wiedrick, Sr. City Planner/NBD

From: Mark Gregor, Manager, Division of Environmental Quality

Date: May 5, 2016

Re: 1655 Lexington Avenue Marketability Analysis

Background

The parcel located at 1655 Lexington Avenue is situated on the northwestern portion of the Former Emerson Street Landfill (FESL). The FESL was owned and operated by the City from about the early 1940's to 1971 as a landfill for the disposal of municipal solid waste. The landfill was initially designed to dispose of ash derived from the incineration of municipal solid waste at City operated incinerators. Although a majority of the material placed is ash fill, lesser quantities of construction and demolition debris and tree and bush debris were also placed into the landfill in some areas. In addition, partially-incinerated materials and direct burial of un-incinerated municipal solid waste was documented in the later years of operation, including the northwestern portion of the landfill which includes primarily the parcel located at 1655 Lexington Avenue. The City-owned parcel located at 1655 Lexington Avenue is vacant industrial land, approximately 24 acres in size, and is zoned M-1. This parcel is unimproved and does not contain any permanent buildings or structures.

In the 1980s, New York State Department of Environmental Conservation ("NYSDEC"), and later the City, began to investigate the FESL. These investigations documented the presence of petroleum, metals, chlorinated solvents, and 100 cubic feet of thoriated waste sludge on the southern portion of the FESL which was considered to be a characteristic hazardous waste due to lead (D008 waste). As a result, the NYSDEC listed the FESL as an Inactive Hazardous Waste Disposal Site (State Superfund Site Code #828023). The City conducted several environmental investigations at the FESL to evaluate subsurface soil and groundwater conditions across the FESL. Based on these studies, by 1998 the majority of the FESL was delisted from the NYSDEC Registry Inactive Hazardous Waste Disposal Sites (IHWDS); however, approximately 29 acres of the FESL, including the parcel at 1655 Lexington Avenue were still listed as a Class 3 State Superfund Site in part due to an apparent source of chlorinated volatile organic compounds (VOCs) thought to be located near the center of the 1655 Lexington Avenue parcel.

Current Status

Extensive environmental investigations over the last several years by the City have resulted in sufficient data collection to better understand the environmental conditions at 1655 Lexington Avenue. Based on the data collected, the northern portion (11.7 acres) of the 1655 Lexington Avenue site and the adjacent parcel known as 1635 Lexington Avenue was determined not to contain consequential amounts of hazardous waste, and did not warrant classification as an IHWDS. As such, the City proposed to delist the northern portion of 1655 Lexington Avenue and the parcel located at 1635 Lexington Avenue from the NYSDEC Registry of IHWDS. A Delisting Petition dated November 2014 was prepared by LaBella Associates D.P.C. (LaBella) on behalf of the City and submitted to the NYSDEC for their consideration and approval. This Delisting Petition pertained to all of 1635 Lexington Avenue and the northern portion



of 1655 Lexington Avenue totaling approximately 13.3 acres of land. In a letter dated March 19, 2015, the NYSDEC granted the City's request for delisting pending a public comment period which closes on or around June 1, 2015.

Marketability

The parcel has been vacant for 45 years with no viable proposal for development offered to the City during that time. Due to the large amount of solid waste present at the site, geotechnical conditions prohibit any cost-effective development. A pre-development market study for FESL parcels, including 1655 Lexington Ave., was prepared for the City by LaBella Associates in 2001. This study identified barriers to site redevelopment including geotechnical and structural considerations, potential risk to human health, and cost premiums for redevelopment.

Development of the site as a 2MW solar field is an appropriate use of the parcel that will provide clean renewable energy to the City of Rochester and save the City over \$2 million dollars over the 25 year term of the power purchase agreement with the developer. Solar energy generation on former landfills has become common and represents a productive reuse of otherwise vacant land.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Office of the Director
625 Broadway, 12th Floor, Albany, New York 12233-7011
P: (518) 402-9706 | F: (518) 402-9020
www.dec.ny.gov

MAR 19 2015

The Honorable Lovely A. Warren
Mayor, City of Rochester
City Hall Room 308A
30 Church Street
Rochester, NY 14614-1290

Re: Petition to Delist a Portion of the
Emerson Street Dump
Site No. 828023

Dear Mayor Warren:

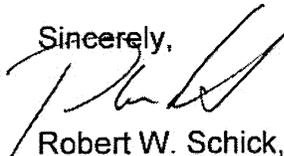
Commissioner Martens asked me to respond to your letter requesting that a portion of the Emerson Street Dump site be delisted from the Registry of Inactive Hazardous Waste Disposal Sites in New York State.

Based upon the data presented in the petition, there does not appear to have been a consequential amount of hazardous waste disposed within the petition area. Analyses of groundwater and soil show contamination that would typically be associated with an aging municipal solid waste landfill. In addition, potential exposure to any contamination remaining on-site is controlled by the institutional controls implemented by the City of Rochester.

Therefore, DEC has granted your petition. This letter serves as notice of the site's boundary modification; that is, removal of the northern portion of parcel 104.35-1-2.003 (1655 Lexington Ave., 11.73 acres) and all of parcel 104.27-1-38.001 (1635 Lexington Ave., 1.59 acres) from the site description.

If you have any questions or concerns regarding this determination, please contact Ms. Kelly Lewandowski in the Bureau of Technical Support at (518) 402-9543.

Sincerely,



Robert W. Schick, P.E., Director
Division of Environmental Remediation

c: Norman H. Jones, City of Rochester
Commissioner of Environmental Services
ec: Krista Anders, DOH
Justin Deming, DOH
Melissa Doroski, DOH



Department of
Environmental
Conservation



Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

April 26, 2016

Mr. Jason Brydges
BE3
33 Washington Highway
Amherst, NY 14226

Re: DEC
Solar Liberty Array
1655 Lexington Avenue, City of Rochester, Monroe County, NY
16PR02777

Dear Mr. Brydges:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, it is the New York State Office of Parks, Recreation and Historic Preservation's opinion that your project will have no impact on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

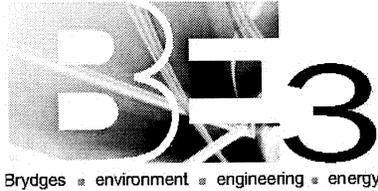
Sincerely,

Ruth L. Pierpont

Deputy Commissioner for Historic Preservation

Division for Historic Preservation

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • www.nysparks.com



33 Washington Highway
Amherst, NY 14226
716-830-8636
Jason@BrydgesE3.com

April 26, 2016

Michael Prinzi
Project Manager
6500 Sheridan Drive
Buffalo, NY 14221

Subject: Cultural Resources Investigation – City of Rochester

Mike,

Attached please find a No Effect Letter regarding the Cultural Resources Investigation for the Proposed Solar Array Installation Project 1655 Lexington Avenue, Rochester, New York. This site and the letter are associated with the New York State Historic Preservation Office Project Review #16PR02777 that was submitted to the State office as of this date.

In summary, it is the State's opinion that the solar array project slated for this location will have no effect on the archeological or historical resources listed in or eligible for NYS National Register for Historic Places. No formal Phase I investigation or summary report was required to obtain this result, as we were able to provide sufficient information that past disturbances of the area do not allow for the possibility of the presence of significant cultural or historic resources.

Should you have any questions or concerns, please contact me at your convenience: 716 830 8636 or Jason@BrydgesE3.com. Thank you for allowing BE3 to continue to support your environmental efforts.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jason M. Brydges'.

Jason M. Brydges, PE
BE3

Encl: No Effect Letter

Short Environmental Assessment Form

Part 1 - Project Information

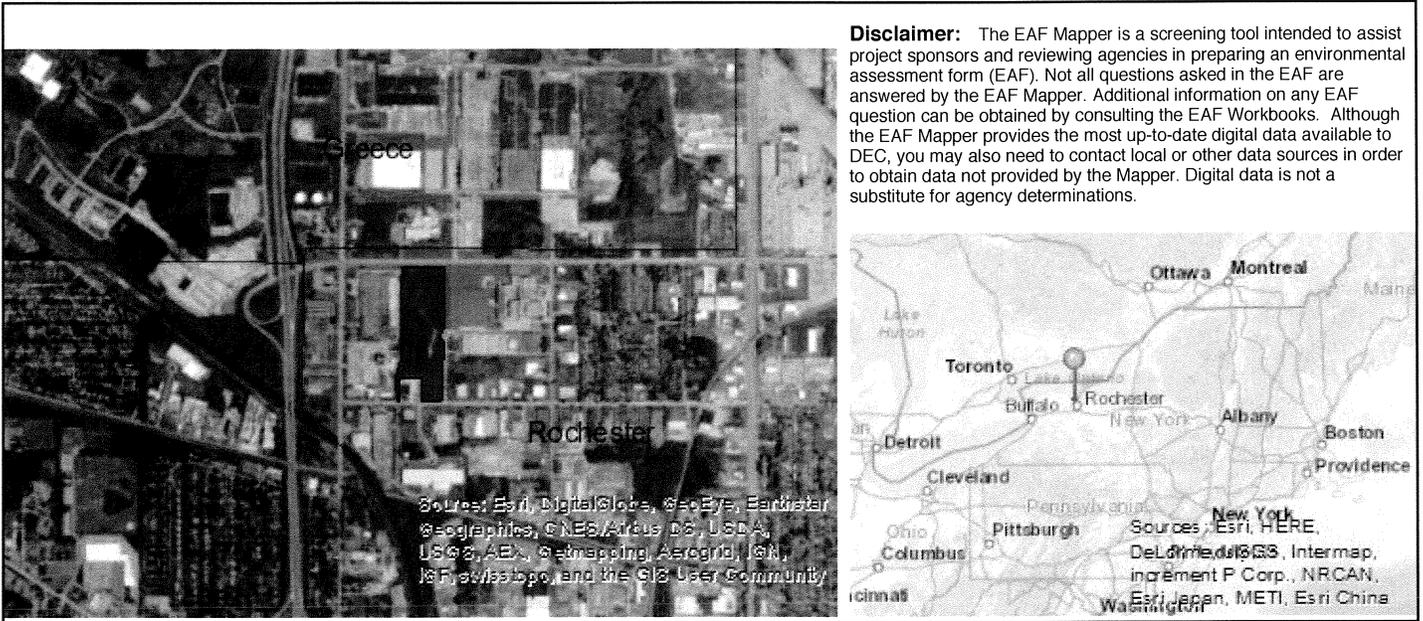
Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: City of Rochester - Former Emerson Street Landfill			
Project Location (describe, and attach a location map): 1655 Lexington Avenue, Rochester, New York 14606 - Monroe County - Tax Parcel ID# 104.27-01-38.2			
Brief Description of Proposed Action: A new, approximately 6 acre solar array will be constructed on a portion of the former Emerson Street Landfill. The approximately 2.4 MW system consists of approximately 7900 solar modules that will be installed with a ground mount ballasted racking system. The solar array will be built as part of a municipal project reusing a parcel of land that has been vacant since the landfill closed in 1972.			
Name of Applicant or Sponsor: Solar Liberty		Telephone: 716-634-3780	
		E-Mail: mprinzi@solarliberty.com	
Address: 6500 Sheridan Drive			
City/PO: Buffalo		State: New York	Zip Code: 14221
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		6 acres	
b. Total acreage to be physically disturbed?		<1 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		13.3 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): <u>High School Athletic Fields</u>			
<input type="checkbox"/> Parkland			

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ <u>The solar array project will be located directly on the former Emerson Street Landfill, which was a 250 acre municipal landfill from the 1940s to 1972. After several site investigations, the site has been delisted as an Inactive Haz Waste Site by DEC.</u></p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ <u>Several investigations have been conducted since its closure. Hazardous/radioactive waste was removed in 1992 and 1994, after which the site was delisted as an active hazardous waste site. A generic soil management plan is in place for site.</u></p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Solar Liberty Energy Systems</u> Date: <u>9/13/16</u> Signature: <u>[Handwritten Signature]</u></p>		



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

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

Project Location Map
1655 Lexington Avenue - Rochester New York



Scale 1 inch - 2 miles



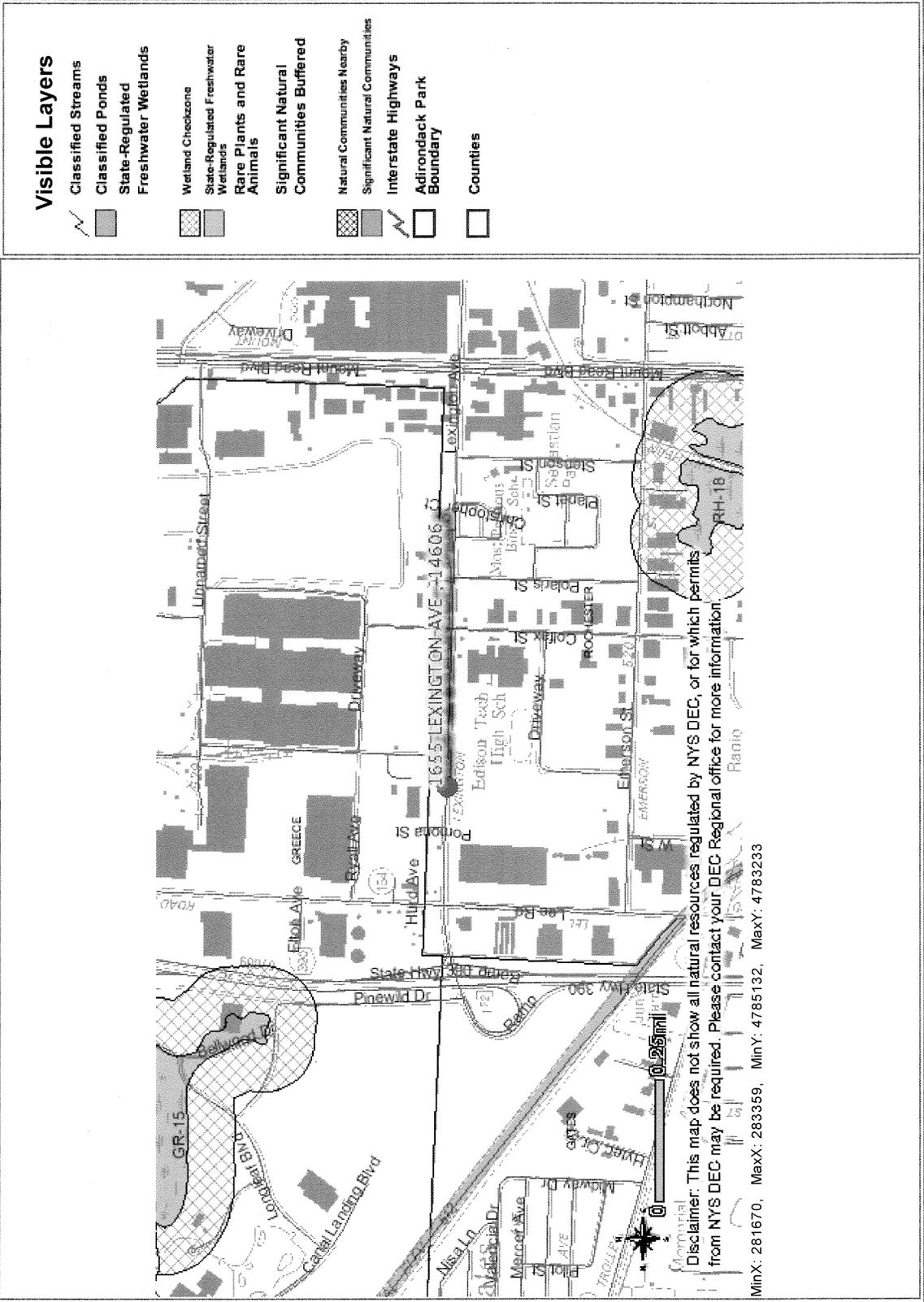
Detailed Site Map

1655 Lexington Avenue - Rochester New York



1 inch = 200 feet

Lexington Avenue State Water Body Map



Visible Layers

- Classified Streams
- Classified Ponds
- State-Regulated Freshwater Wetlands
- Wetland Checkzone
- State-Regulated Freshwater Wetlands
- Rare Plants and Rare Animals
- Significant Natural Communities Buffered
- Natural Communities Nearby
- Significant Natural Communities
- Interstate Highways
- Adirondack Park Boundary
- Counties

Disclaimer: This map does not show all natural resources regulated by NYS DEC, or for which permits from NYS DEC may be required. Please contact your DEC Regional office for more information.

MinX: 281670, MaxX: 283359, MinY: 4785132, MaxY: 4783233

Disclaimer: This map was prepared by the New York State Department of Environmental Conservation using the most current data available. It is deemed accurate but is not guaranteed. NYS DEC is not responsible for any inaccuracies in the data and does not necessarily endorse any interpretations or products derived from the data.

Additional Information on Project Area from NYSDEC

The Coordinates of the point you clicked on are:

NYTM	E : 282456	Longitude/Latitude	W : 77.676
	N : 4784064		N : 43.178

Old or Potential Records (these records are not displayed on the map)

Common Name	Scientific Name	Date Last Documented	Location	Habitat Where Last Seen	Animal, Plant, or other	NYS Protected Status
American Burying Beetle	Nicrophorus americanus	no date	Rochester		Rare Animal	Endangered

USGS Quadrangle

USGS Quadrangle Name
ROCHESTER WEST

If your project or action is within or near an area with a rare animal, a permit may be required if the species is listed as endangered or threatened and the department determines the action may be harmful to the species or its habitat.

If your project or action is within or near an area with rare plants and/or significant natural communities, the environmental impacts may need to be addressed.

The presence of a unique geological feature or landform near a project, unto itself, does not trigger a requirement for a NYS DEC permit. Readers are advised, however, that there is the chance that a unique feature may also show in another data layer (ie. a wetland) and thus be subject to permit jurisdiction.

Please refer to the "Need a Permit?" tab for permit information or other authorizations regarding these natural resources.

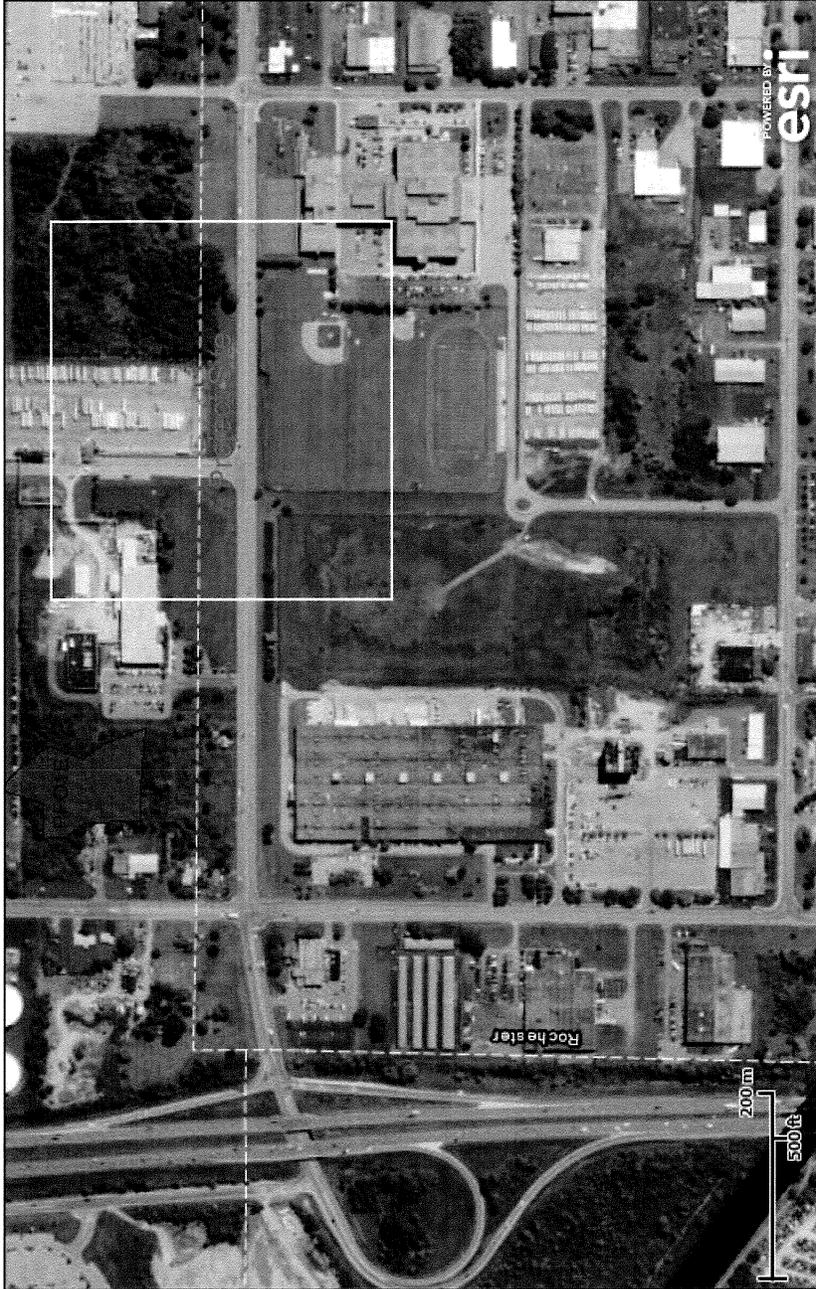
Disclaimer: If you are considering a project or action in, or near, a wetland or a stream, a NYS DEC permit may be required. The Environmental Resources Mapper does not show all natural resources which are regulated by NYS DEC, and for which permits from NYS DEC are required. For example, Regulated Tidal Wetlands, and Wild, Scenic, and Recreational Rivers, are currently not included on the maps.



U.S. Fish and Wildlife Service National Wetlands Inventory

Federal Water Bodies

Apr 6, 2016



Wetlands

- Freshwater Emergent
- Freshwater Forested/Shrub
- Estuarine and Marine Deepwater
- Estuarine and Marine
- Freshwater Pond

- Lake
- Riverine
- Other

Riparian

- Herbaceous
- Forested/Shrub

Riparian Status

- Digital Data

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

FEMA's National Flood Hazard Layer (Official)

Data from Flood Insurance Rate Maps (FIRMs) where available digitally.



National Geospatial-Intelligence Agency (NGA); Delta State University; Esri | scott.mcafee@fema.dhs.gov |
USDA FSA, DigitalGlobe, GeoEye, Microsoft, CNES/Airbus DS | Esri, HERE, DeLorme, iPC

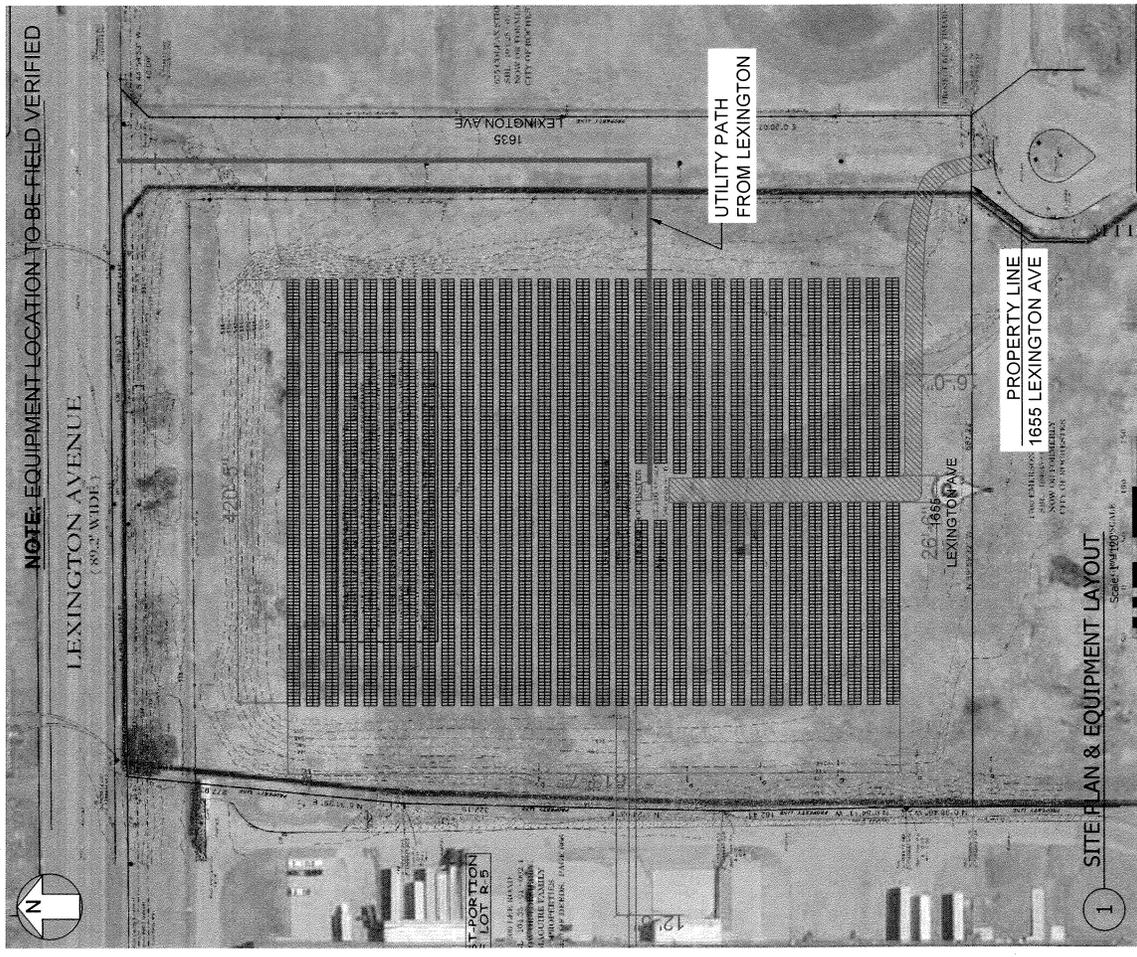


Legend

0 40 80 160 Feet

Parcels Located in the City of Rochester

Solar Pad Available for Panels



General Notes
THE INSTALLATION OF PV SYSTEM SHALL BE IN ACCORDANCE WITH THE MOST RECENT NATIONAL ELECTRIC CODE (NEC) AND ALL APPLICABLE STANDARDS, AS AMENDED BY JURISDICTION

LEGEND

ELECTRICAL STAMP AREA

THIS INFORMATION IS CONFIDENTIAL AND PROPRIETARY TO SOLARLIBERTY ENERGY SERVICES. IT IS TO BE USED ONLY FOR THE PROJECT AND BUSINESS THEREIN. A WRITTEN APPROVAL FROM SOLARLIBERTY IS REQUIRED FOR ANY OTHER USE.

No.	Revision/Issue	Date
1	Inverter change - CL	12/17/15
0	original site plan	7/27/15

SOLARLIBERTY
6500 Sheridan Drive
Suite 120
Buffalo, NY 14221
866-80-RENEW

PROFESSIONAL CERTIFIED
PV Installation Professional

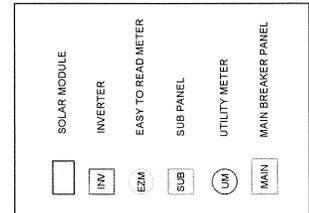
Project Name and Address
City of Rochester
Former Emerson St Landfill
1655 Lexington Ave
Rochester, NY 14606

Drawn By: BWC
Date: 07/17/2015
Scale: AS NOTED

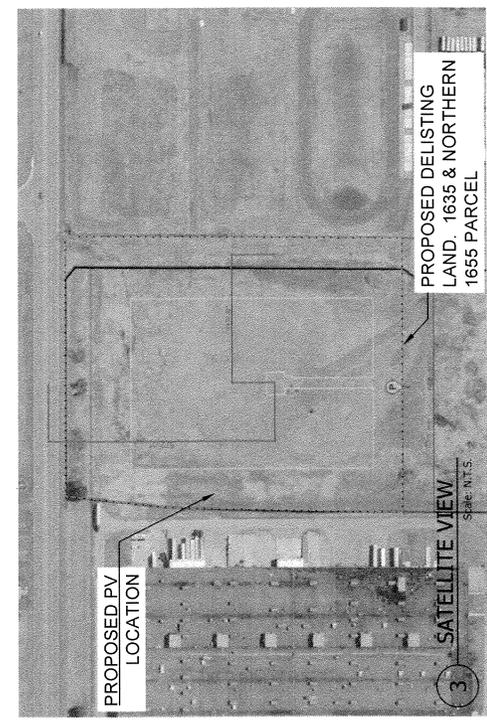
Sheet: PV-S1
AS NOTED

PV SYSTEM SUMMARY

TOTAL STC DC SYSTEM SIZE	2399.13 kW
SOLAR MODULE MODEL	TRINA
SOLAR MODULE STC DC RATING	305W
SOLAR MODULE INFO	77.0" x 39.05" x 1.57", 60.8 lbs
SOLAR MODULE COUNT	7866
STRING SIZE	72 x [18M x 6S], 1 x [18M x 5S]
RACKING SYSTEM	BALLASTED GROUND MOUNT
PITCH OF ARRAY	15°
INVERTER MODEL	73 x SCHNEIDER CL25000
ARRAY AZIMUTH	180°
PANEL CLEARANCE	3'-0"
INTERCONNECTION VOLTAGE	LOCAL DISTRIBUTION VOLTAGE



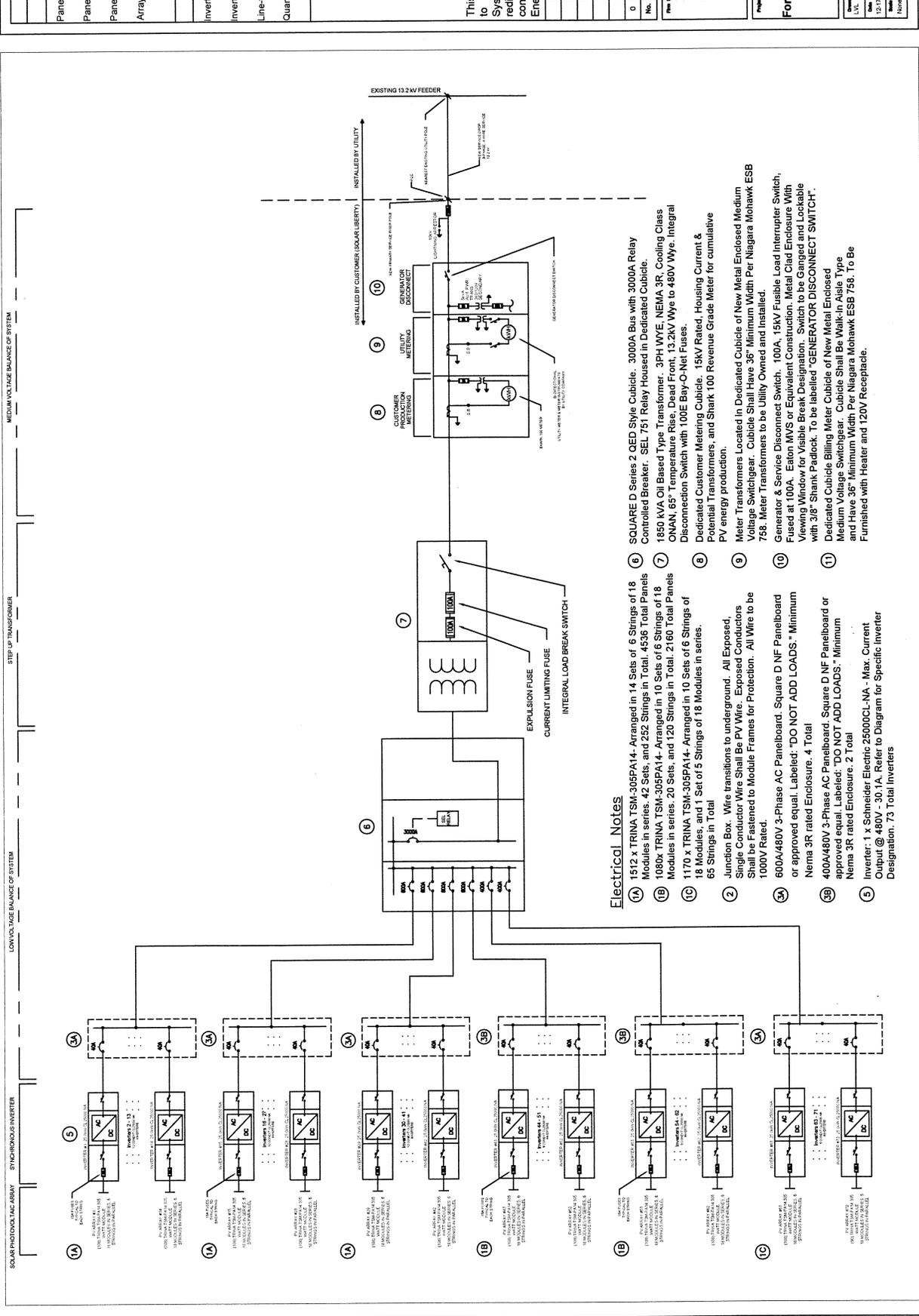
2 PV SYSTEM OVERVIEW
Scale: N.T.S.



LOW VOLTAGE BALANCE OF SYSTEM

STEP UP TRANSFORMER

MEDIUM VOLTAGE BALANCE OF SYSTEM



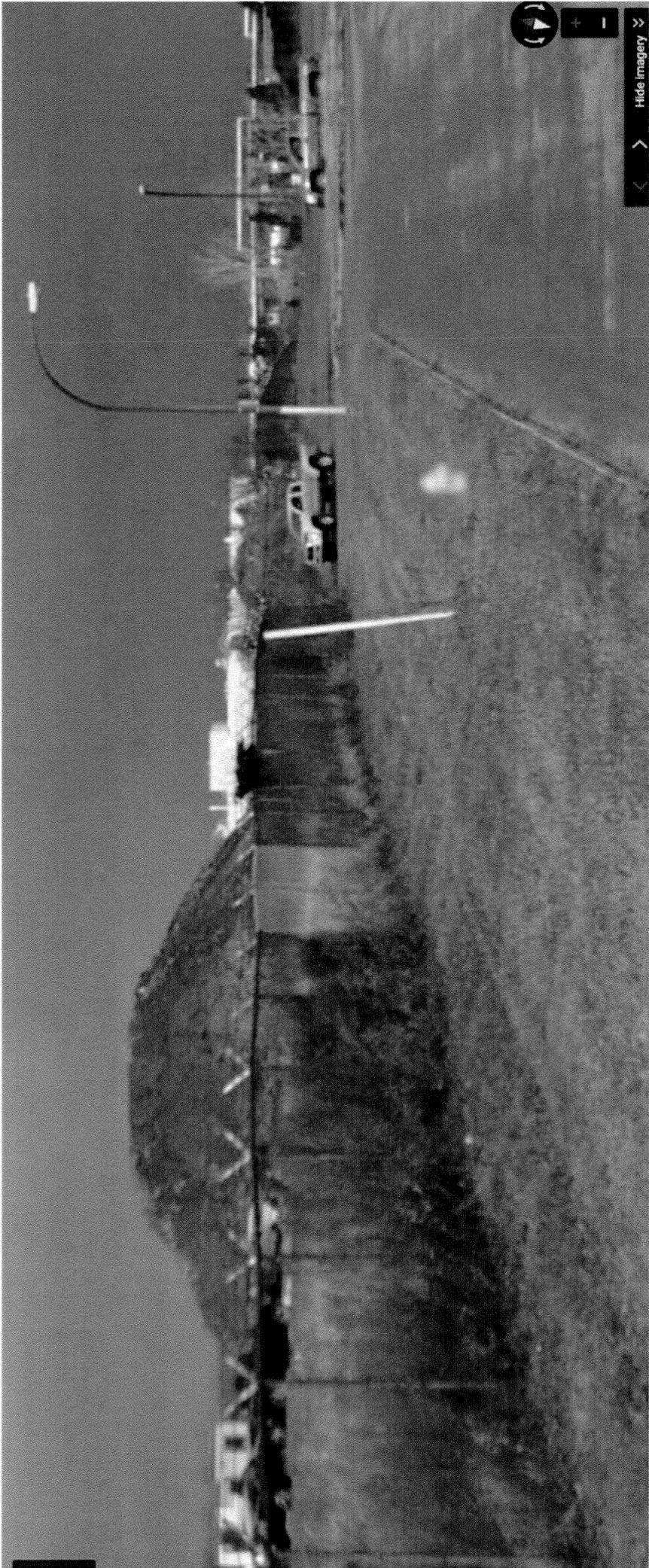
General Notes	
Array Details	
Panel Manufacturer: TRINA	
Panel Model: TSM-PA14-305	
Panel Count: 7866	
Array Dimensions: 72 x [18M x 6S] 1 x [18M x 6S]	
Inverter Details	
Inverter Model: Schneider	
Inverter Power Rating: 25.0KW	
Line-to-Line Voltage: 480V/3Ø	
Quantity: 73	
This document is proprietary to Solar Liberty Energy Systems, Inc. Do not copy or redistribute without prior consent from Solar Liberty Energy Systems.	
No.	Revision/Issue
0	Initial Design Drawing
	UPMIS
	Date
Site Name and Address SOLARLIBERTY 6500 Sheridan Drive Suite 120 Buffalo, NY 14221	
Project Name and Address City of Rochester Former Emerson St Landfill 1655 Lexington Ave Rochester, NY 14606	
Drawn By	None
Checked By	None
Scale	None
Project No.	PV-E1

Electrical Notes

- (1) 1512 x TRINA TSM-305PA14- Arranged in 14 Sets of 6 Strings of 18 Modules in series. 42 Sets, and 252 Strings in Total. 4536 Total Panels
- (2) 1080x TRINA TSM-305PA14- Arranged in 10 Sets of 6 Strings of 18 Modules in series. 20 Sets, and 120 Strings in Total. 2160 Total Panels
- (3) 1170 x TRINA TSM-305PA14- Arranged in 10 Sets of 6 Strings of 18 Modules, and 1 Set of 5 Strings of 18 Modules in series.
- (4) Junction Box. Wire transitions to underground. All Exposed, Single Conductor Wire Shall Be PV Wire. Exposed Conductors Shall be Fastened to Module Frames for Protection. All Wire to be 1000V Rated.
- (5) 600A/480V 3-Phase AC Panelboard. Square D NF Panelboard or approved equal. Labeled: "DO NOT ADD LOADS." Minimum Nema 3R rated Enclosure. 4 Total
- (6) 400A/480V 3-Phase AC Panelboard. Square D NF Panelboard or approved equal. Labeled: "DO NOT ADD LOADS." Minimum Nema 3R rated Enclosure. 2 Total
- (7) Inverter: 1 x Schneider Electric 25000CL-NA. Max. Current Output @ 480V - 30.1A. Refer to Diagram for Specific Inverter Designation. 73 Total Inverters
- (8) SQUARE D Series 2 QED Syle Cubicle. 3000A Bus with 3000A Relay Controlled Breaker. SEL 751 Relay Housed in Dedicated Cubicle. 1850 VVA Oil Based Type Transformer. 3PH WYE. NEMA 3R. Cooling Class ONAN. 65° Temperature Rise, Dead Front. 13.2kV Wye to 480V Wye. Integral Disconnection Switch with 100E Bay-O-Net Fuses.
- (9) Dedicated Customer Metering Cubicle. 15kV Rated. Housing Current & Potential Transformers, and Shark 100 Revenue Grade Meter for cumulative PV energy production.
- (10) Meter Transformers Located in Dedicated Cubicle of New Metal Enclosed Medium Voltage Switchgear. Cubicle Shall Have 36" Minimum Width Per Niagara Mohawk ESB 758. Meter Transformers to be Utility Owned and Installed.
- (11) Generator & Service Disconnect Switch. 100A, 15kV Fusible Load Interrupter Switch, Fused at 100A. Eaton MVS or Equivalent Construction. Metal Cid Enclosure With Viewing Window for Visible Break Designation. Switch to be Ganged and Lockable with 3/8" Shank Padlock. To be labelled "GENERATOR DISCONNECT SWITCH".
- (12) Dedicated Cubicle Billing Meter Cubicle of New Metal Enclosed Medium Voltage Switchgear. Cubicle Shall Be Walk-In Aisle Type and Have 36" Minimum Width Per Niagara Mohawk ESB 758. To Be Furnished with Heater and 120V Receptacle.





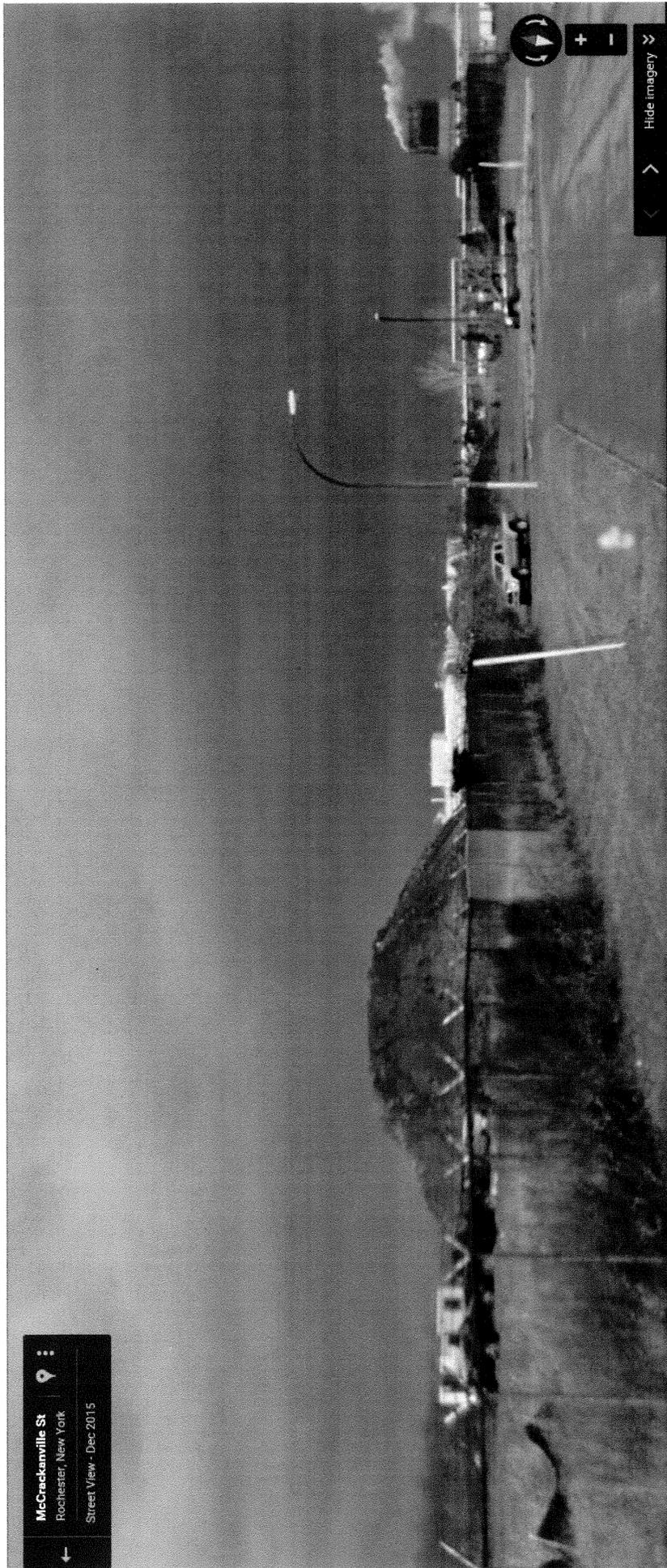


Hide Imagery >





←
McCrackanville St
Rochester, New York
Street View - Dec 2015



Back to Map

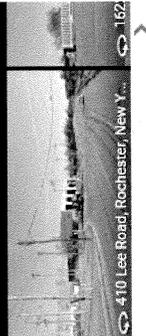
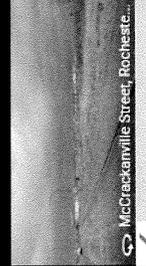


Image capture: Dec 2015 © 2016 Google Terms Privacy Report a problem



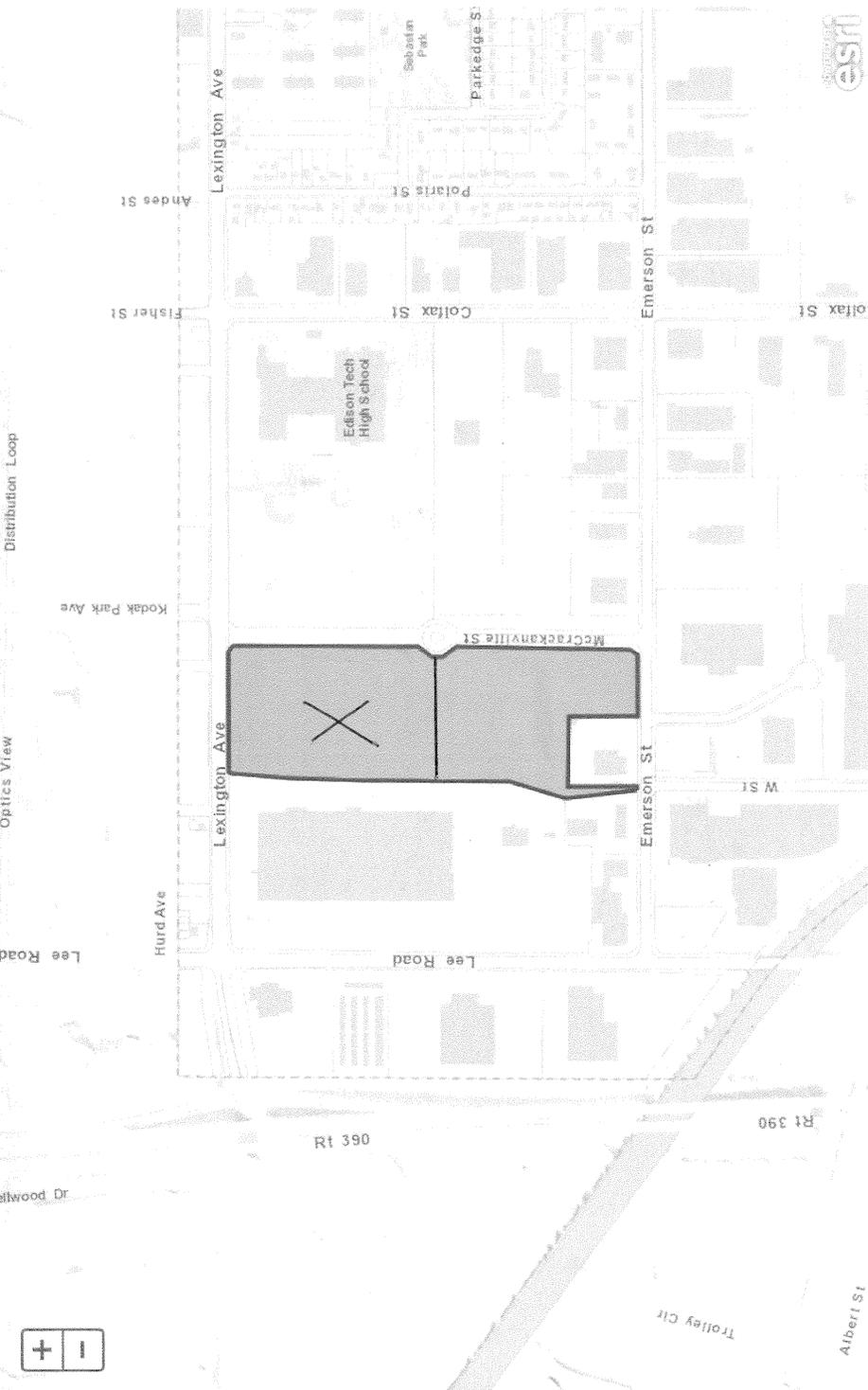
City of Rochester, NY
Property Information

1655 Lexington

Search By: Address Owner SBL

SBL Address

104.35-1-2.003 1655 Lexington Ave





**CITY PLANNING COMMISSION
STAFF REPORT
May 16, 2016**

Special Permit

Case #8: Staff Reviewer: Jill Wiedrick

File Number: E-055-15-16

Case Type: Special Permit

Applicant: Dwayne Lanzillo

Property Address: 629 Oak Street

Zoning District: C-2 Community Center District

Section of Code: 120-43I, 120-173E(3)

Request: To legalize a private motorcycle club and to consider an Alternative Parking Plan for the 34 parking spaces required to establish the private club; an action requiring City Planning Commission approval.

Analysis:

The subject property is a mixed use building near the intersection of Lyell Avenue and Oak Street. The last certificate of occupancy indicates that the building is legal as a store on the first floor and two apartments on the second floor.

The applicant wishes to legalize an existing private motorcycle club. The club currently has 19 members. The membership fee is \$40 per month. In order to be part of the club, you must own either a Harley-Davidson motorcycle or another motorcycle that is made in the United States. The club has a President, Vice President, Secretary, Treasurer, and a Road Captain.

Meetings are held biweekly on Wednesday evenings between 5:00PM and 9:00PM. At these meetings, club bills, as well as where the upcoming weekend rides will be, are discussed. Members are also at the club on Saturday nights between the hours of 6:00PM and 11:00PM. Members socialize on Saturday nights.

The applicant has submitted an Alternative Parking Plan to address the parking deficit. Please see the attached Plan.

Code Compliance:

An Alternative Parking Plan is a means to meet vehicle parking requirements other than providing parking spaces on site. Applicants seeking to meet the requirements by alternative means are required to secure the approval of an Alternative Parking Plan.

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. PROJECT ADDRESS(ES): 629 Oak Street
2. APPLICANT: Dwayne Lanzillo COMPANY NAME: Hostile Horde Motorcycle Club, Inc.
ADDRESS: 629 Oak Street CITY: Rochester ZIP CODE: 14608
PHONE: 585-319-6061 FAX: _____
E-MAIL ADDRESS zonk_hh@yahoo.com
- INTEREST IN PROPERTY: Owner Lessee Other
3. PLAN PREPARER: Owner (understands stamped plans may be required for Building Code Review)
ADDRESS: _____ CITY: _____ ZIP CODE: _____
PHONE: _____ FAX: _____
4. ATTORNEY: n/a
ADDRESS: _____ CITY: _____ ZIP CODE: _____
PHONE: _____ FAX: _____
E-MAIL ADDRESS _____
5. ZONING DISTRICT: C-2
6. DETAILED PROJECT DESCRIPTION (additional information can be attached): _____
Legalize change in use of first floor from Retail Store to Private Club (approximately 1900 Square Feet) and an Alternate Parking Plan.

7. LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased:) 3 Months

APPLICANT: I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed in accordance with the conditions and terms of that approval.

SIGNATURE: Dwayne Lanzillo DATE: April 12, 2016

OWNER (if other than above): I have read and familiarized myself with the contents of this application and do hereby consent to its submission and processing.

SPECIAL PERMIT STANDARDS

A Special Permit will be granted only if evidence is presented establishing conformance with each of these standards. Explain how the proposal conforms to each of these requirements (attach additional pages if necessary):

- A. The proposed building or use will be in harmony with the general purpose, goals, objectives, standards and implementation strategies of the Comprehensive Plan, this chapter and, where applicable, the Subdivision Code.**

Private Clubs are Specially Permitted in the C-2 Zoning District. Despite the Code Requirement for off-street parking, we are a relatively small club and do not put any undue pressures on existing on and off-street parking in the immediate vicinity. We also maintain relatively minimal club hours and days. We feel we respect the neighborhood's character and the general welfare of the area.

- B. The proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety and general welfare.**

Please see above.

- C. The proposed building or use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring properties in accordance with the applicable district regulations.**

The Club operates within an existing building and no proposed additions or expansions are proposed beyond the existing first floor space. A written agreement exists for the use of the property at 601 Oak Street for off-street parking.

- D. The proposed building or use will be served adequately by essential public facilities and services, such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools, or that the persons or agencies responsible for the establishment of the proposed building or use will provide adequately for such services.**

The building we occupy is an existing structure that is currently adequately served by water, sewer and refuse service. We do not anticipate an intensity of use in the future and believe that we will continue to be adequately served by essential public facilities and services.

- E. The proposed building or use will not result in the destruction, loss or damage of any natural, scenic, cultural or historic feature of significant importance.**

We are not proposing exterior site or building alterations and thus will not result in any adverse impacts to natural, scenic, cultural or historic features.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Hostile Horde Motorcycle Club, Inc.			
Name of Action or Project: Legalization of Private Club			
Project Location (describe, and attach a location map): 629 Oak Street			
Brief Description of Proposed Action: Conversion of first floor of existing building from retail space to private club			
Name of Applicant or Sponsor: Hostile Horde Motorcycle Club, Inc.		Telephone: 585-329-6061	
		E-Mail: zonk_hh@yahoo.com	
Address: 629 Oak Street			
City/PO: Rochester		State: NY	Zip Code: 14608
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		.15 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.15 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input type="checkbox"/> NO <input type="checkbox"/> YES		

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: <u>Dwayne Lanzillo</u></p>	<p>Date: <u>April 12, 2016</u></p>	
<p>Signature: <u><i>Dwayne Lanzillo</i></u></p>		

**ALTERNATE PARKING PLAN
FOR 629 OAK STREET
HOSTILE HORD MOTORCYCLE CLUB**

SUBMITTED TO CITY PLANNING COMMISSION

Proposal: Change of Use of First Floor of 629 Oak Street from Retail to Private Club

Parking Requirements:	1900 Square Feet Retail 2/1,000 square feet:	4 spaces
	1900 Square Feet Private Club 1/50 square feet:	38 spaces
Pre-Existing Parking Deficiency (First Floor)		4 spaces
Change of Use Requirement (First Floor)		<u>34</u> spaces

Proposed Shared Parking:	601 Oak Street (former Kleen Bright Site) Parking Lot Constructed by Permit #0332104 Issued June 25, 1982	15 spaces
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Proposed Credit for On-Street Spaces:	Oak Street, between Lyell Avenue and Sahlen's Stadium	7 spaces
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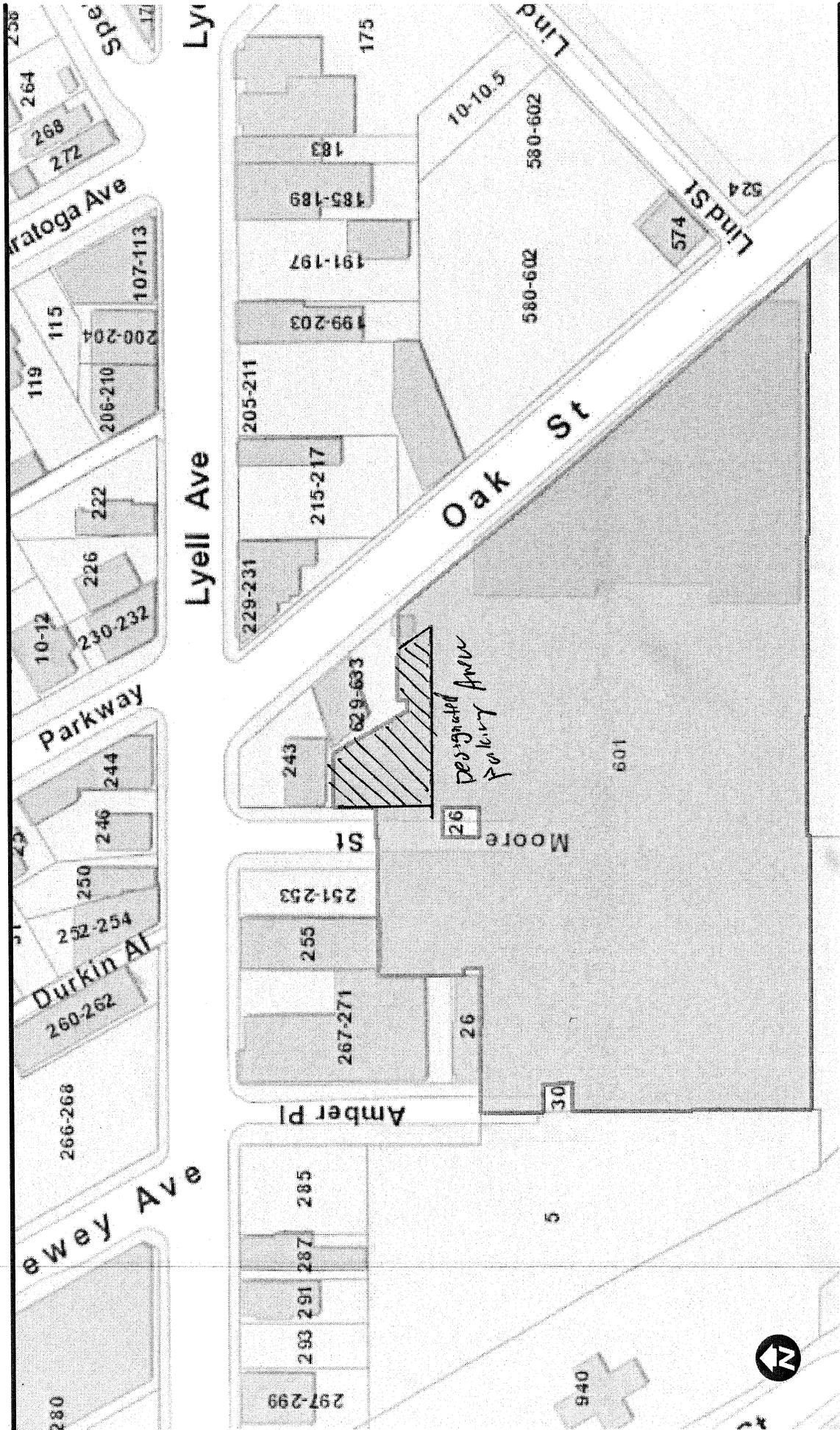
Motorcycle Parking:	629 Oak Street, South of Building	10 spaces
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Transit Credit	Bus Stop at Lyell & Oak Street	<u>2</u> spaces
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Total Spaces/Credits:		<u>34</u> spaces
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Summary/Rationale: The availability of shared and on-street parking, coupled with motorcycle parking on our property and a transit credit for public transportation provides more than ample parking for our Club. We have the benefit of experience to know that this parking arrangement works for us and does not provide any burden on our immediate neighborhood.

601 OAK ST



April 13, 2016

This map is intended for general reference only.
The City of Rochester makes no representation
as to the accuracy or fitness of the data presented.



City of Rochester, NY

City of Rochester, NY
Lovely A. Warren, Mayor

4/28/2016

In reference to the property located at 600 Oak St. Rochester,
NY 14608.

I A.J. Carafos owner and controller of above property hereby
give my permission to the owner or any tenants and guests at
629 Oak St. Rochester, NY 14608 to park up to 100 vehicles on
my property.

A.J. Carafos
April 28, 2016

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through April 12, 2016.

Selected Entity Name: HOSTILE HORDE MOTORCYCLE CLUB, INC.

Selected Entity Status Information

Current Entity Name: HOSTILE HORDE MOTORCYCLE CLUB, INC.

DOS ID #: 4069223

Initial DOS Filing Date: MARCH 17, 2011

County: MONROE

Jurisdiction: NEW YORK

Entity Type: DOMESTIC NOT-FOR-PROFIT CORPORATION

Current Entity Status: ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

HOSTILE HORDE MOTORCYCLE CLUB

C/O BRAD ELLIOT

197 RAEBURN AVENUE

ROCHESTER, NEW YORK, 14619

Registered Agent

NONE

This office does not record information regarding the names and addresses of officers, shareholders or directors of nonprofessional corporations except the chief executive officer, if provided, which would be listed above. Professional corporations must include the name(s) and address(es) of the initial officers, directors, and shareholders in the initial certificate of incorporation, however this information is not recorded and only available by [viewing the certificate](#).

* Stock Information

of Shares

Type of Stock

\$ Value per Share

Filing Date

Name History

Name Type

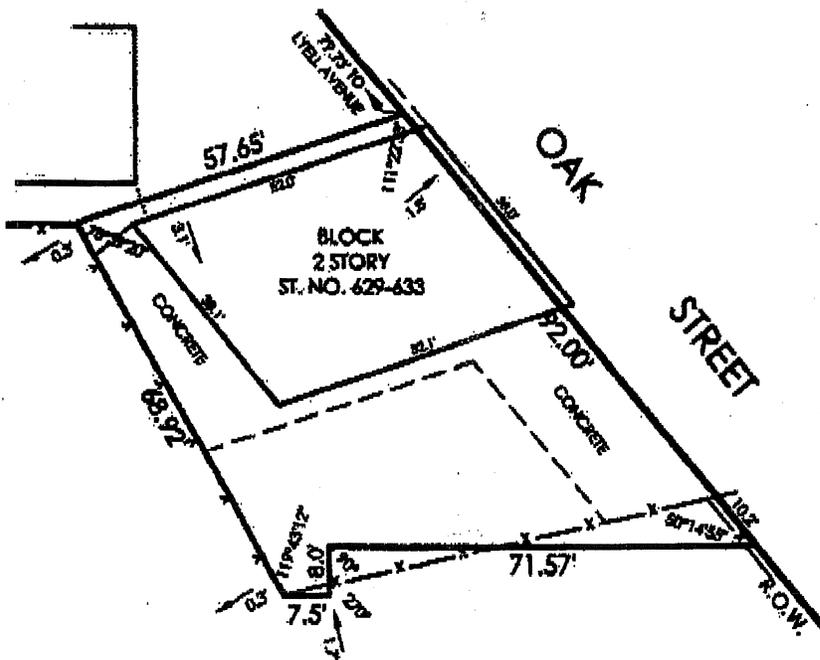
Entity Name

MAR 17, 2011 Actual

HOSTILE HORDE MOTORCYCLE CLUB, INC.

* Stock information is applicable to domestic business corporations.

A Fictitious name must be used when the Actual name of a foreign entity is unavailable for New York State. The entity must use the fictitious name when conducting its activities or New York State.



REFERENCES:

LIBER 23 OF MAPS, PAGE 32
LIBER 9858 OF DEEDS, PAGE 35

I, WARREN R. McGRAIL, CERTIFY THAT THIS MAP WAS MADE FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED MAY 6, 2011.

Warren R. McGrail
BY: WARREN R. McGRAIL, L.S. 42513

CERTIFY TO:

HOSTILE HORDE MOTORCYCLE CLUB, INC.
TRACY JONG, ESQ.
GARY A. CARLSON
WILLIAM J. MACDONALD, ESQ.

The map is subject to any easements or encroachments that an updated abstract of title may show. The word "certify" or "testification" as shown and used herein means an expression of professional opinion regarding the facts of the survey and does not constitute a warranty or guarantee, expressed or implied. © Copyright. Updated abstract of title not provided.

This survey is certified to those named above during the period that the currently issued title insurance policy is in effect only. Certifications are not transferable to additional institutions or subsequent owners. Copies of this survey map not bearing the land surveyors' initial seal or embossed seal are not considered to be a true and valid copy. Unauthorized alteration or addition to this survey map is in violation of section 7209 of the New York State Education Law. The use of this map in conjunction with an affidavit of no change relieves the surveyor of all responsibility.

MAP OF A SURVEY
OF LOTS 3 & 4 OF THE M. RAU SUBDIVISION
CITY OF ROCHESTER
MONROE COUNTY, NEW YORK

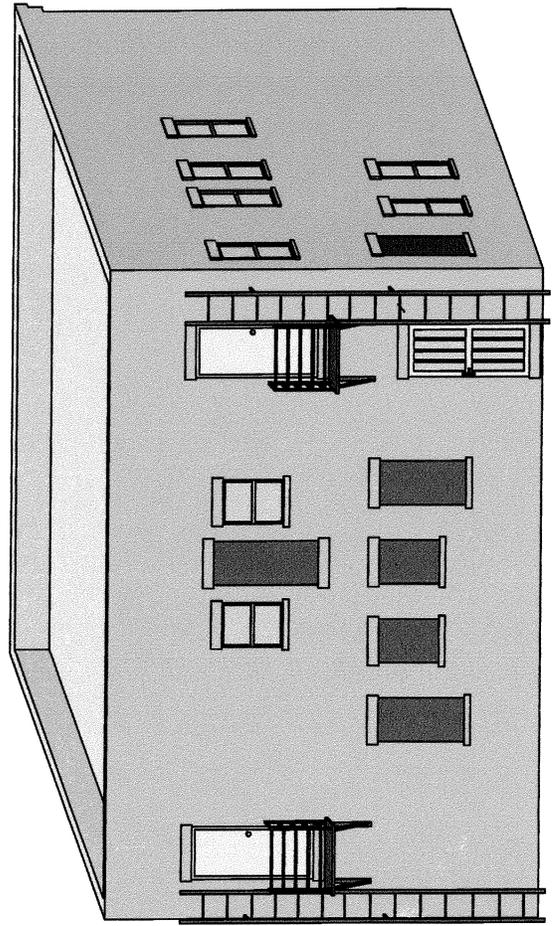
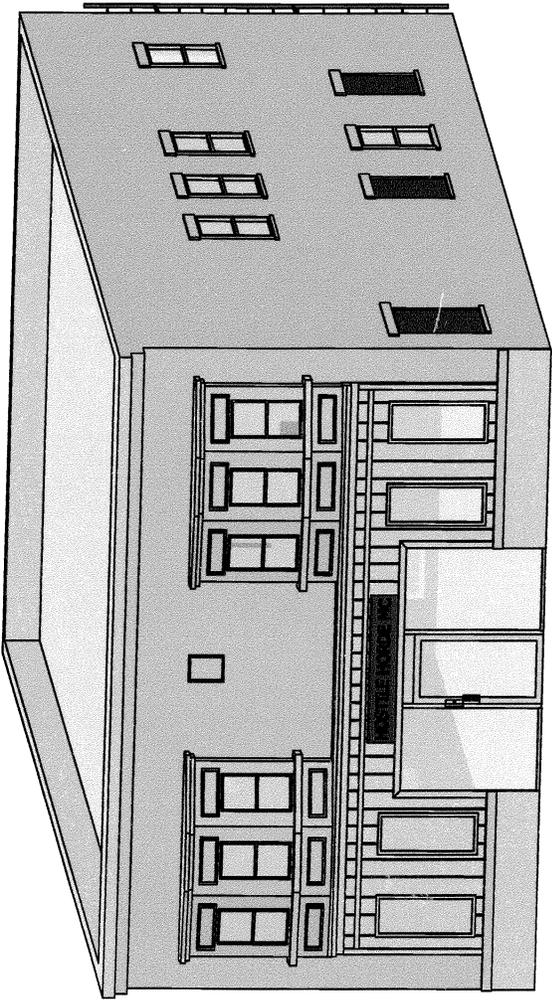
DATE
MAY 6, 2011

SCALE
1 INCH = 30 FEET

FILE
23848-11-1

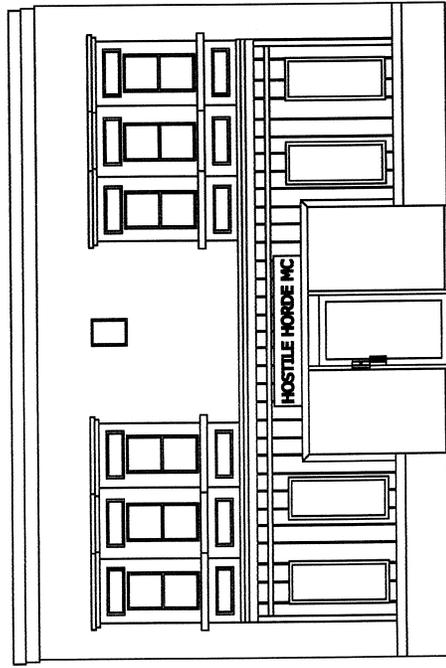
WARREN R. McGRAIL
LAND SURVEYOR
1848 EAST RIDGE ROAD, SUITE 27
ROCHESTER, NEW YORK 14622
(585) 288-8120

629 OAK STREET
ROCHESTER, NY

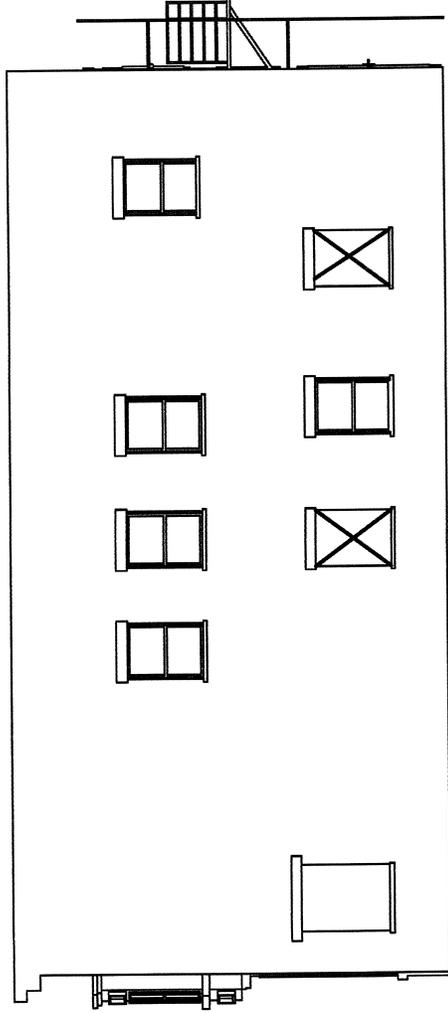


629 OAK STREET
ROCHESTER, NY

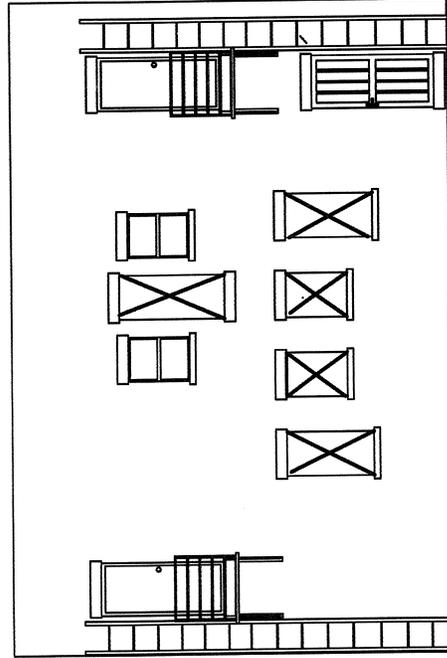
FRONT



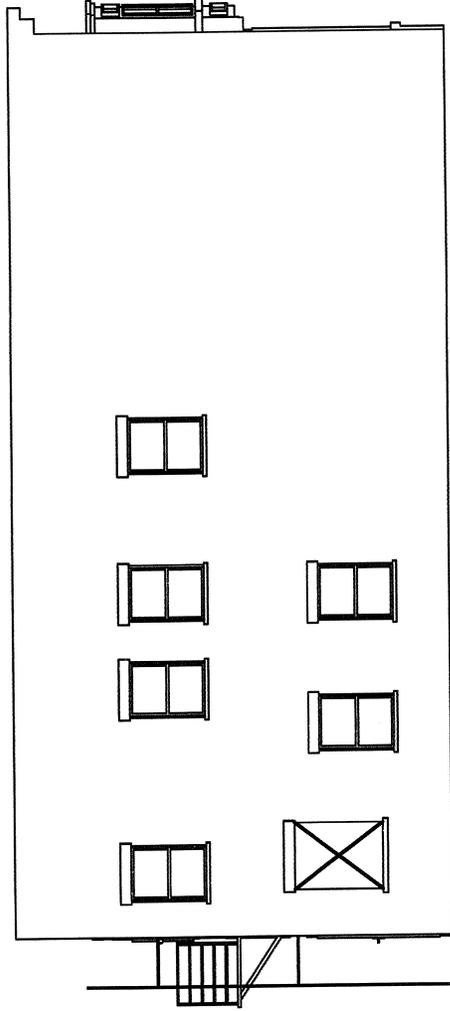
NORTH



BACK



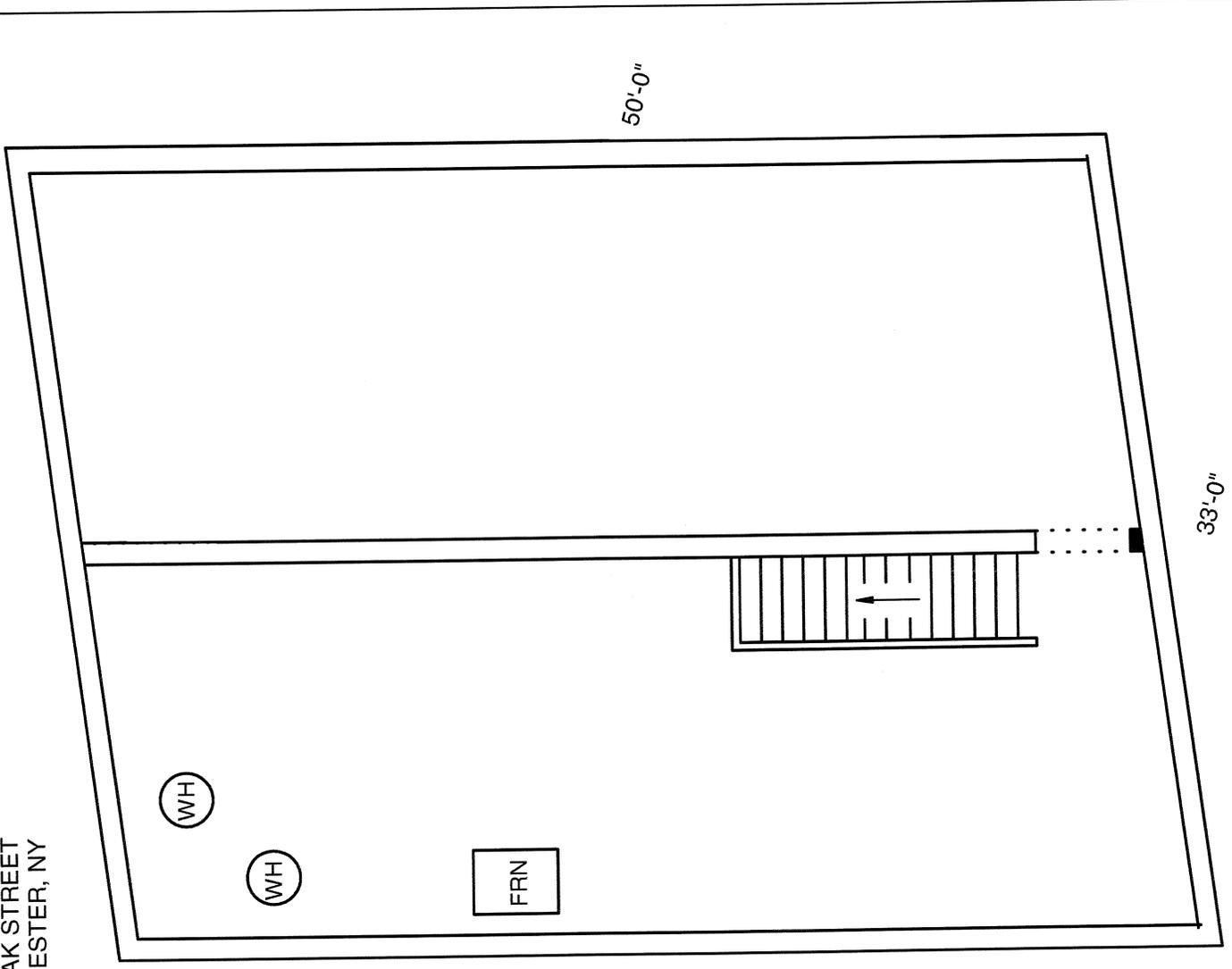
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Iss	Date	Chgd	Revision Details
01	03/24/11	CMM	FIRST ISSUE

629 OAK STREET
ROCHESTER, NY

BASEMENT



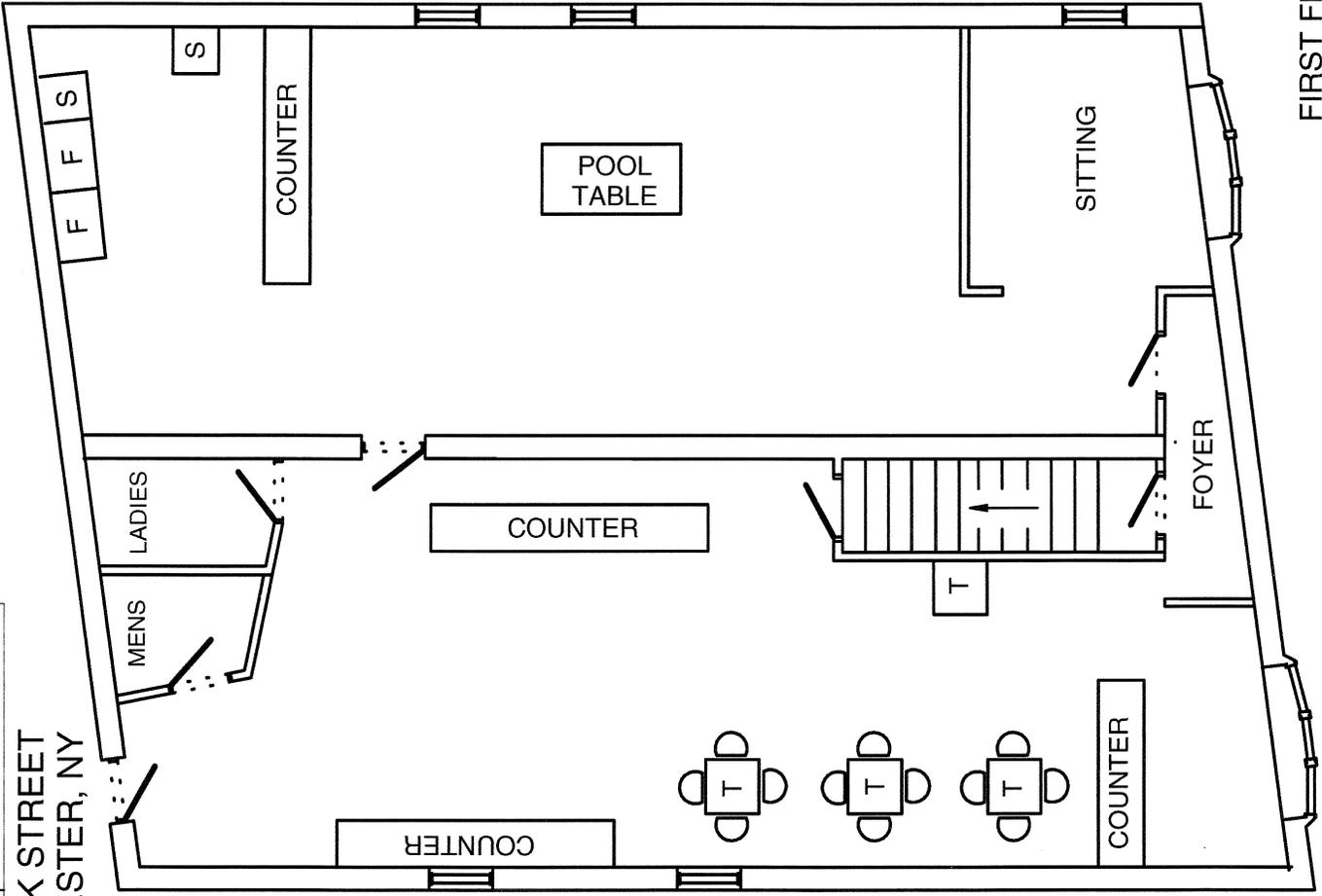
50'-0"

33'-0"

OAK STREET

Iss: 01
Date: 03/24/11
Chkd: CMM
Revision Details: FIRST ISSUE

629 OAK STREET
ROCHESTER, NY



FIRST FLOOR

OAK STREET

March 17, 2016

Hostile Horde MC
629 Oak Street
Rochester, NY 14608

We are all the immediately adjacent neighbors to the property at 629 Oak Street, Rochester, NY 14608, where the Hostile Horde MC reside. The purpose of this letter is to let those, concerned about our neighborhood, know of our strong support for Hostile Horde MC, 629 Oak Street, and the reasons for it. We are communicating with you, Rochester Building and Zoning, because we are concerned about the unity of the neighborhood and harmony among its residents, and believe that our neighbor, Hostile Horde MC, deserves to be supported.

This is a community on Oak Street, Rochester, NY and Hostile Horde MC has been an asset to this community for the past 4 years. While maintaining privacy, our neighbor, Hostile Horde MC, are exceptionally collaborative, responsive and sensitive to our neighborhood and community.

We, on Oak Street, are a community of neighbors that work together and although Hostile Horde has ample parking, as our neighbor, are allowed to use our parking and any available parking on Oak Street.

Hostile Horde poses no detriments as our neighbor. In fact, they provide amenities and improvements valuable to our neighborhood, such as safety and security.

Joining together our support for our neighbor of 4 years -Hostile Horde MC, please see our signature(s) below:

Don Carl FREEBIRD CYCLE SALES 229 LYELL AVE 14608

Demil Shasha Super Lyell Ave 199 Lyell Ave

~~Edna~~ Santiago 192 Lyell Ave

Ali J Ali 204 Lyell Ave

Steve KING 222 LYELL AVE

Jerry Santiago 226 Lyell Ave

Joe Fontana 232 Lyell Ave 14608 RONCANA

James KING 270 Lyell Ave E

Tom Black & Costas St 14608 QHE Employer

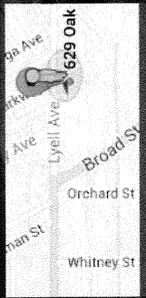
Mahdi Taouine 243 Lyell Ave

Ray J Dasso 26 AMBER PLACE 14608

Thank-you kindly,
Oak Street Neighbors



Oak St
Rochester, New York
Street View - Oct 2015



Back to Map



Add a photo

Google

Hide imagery

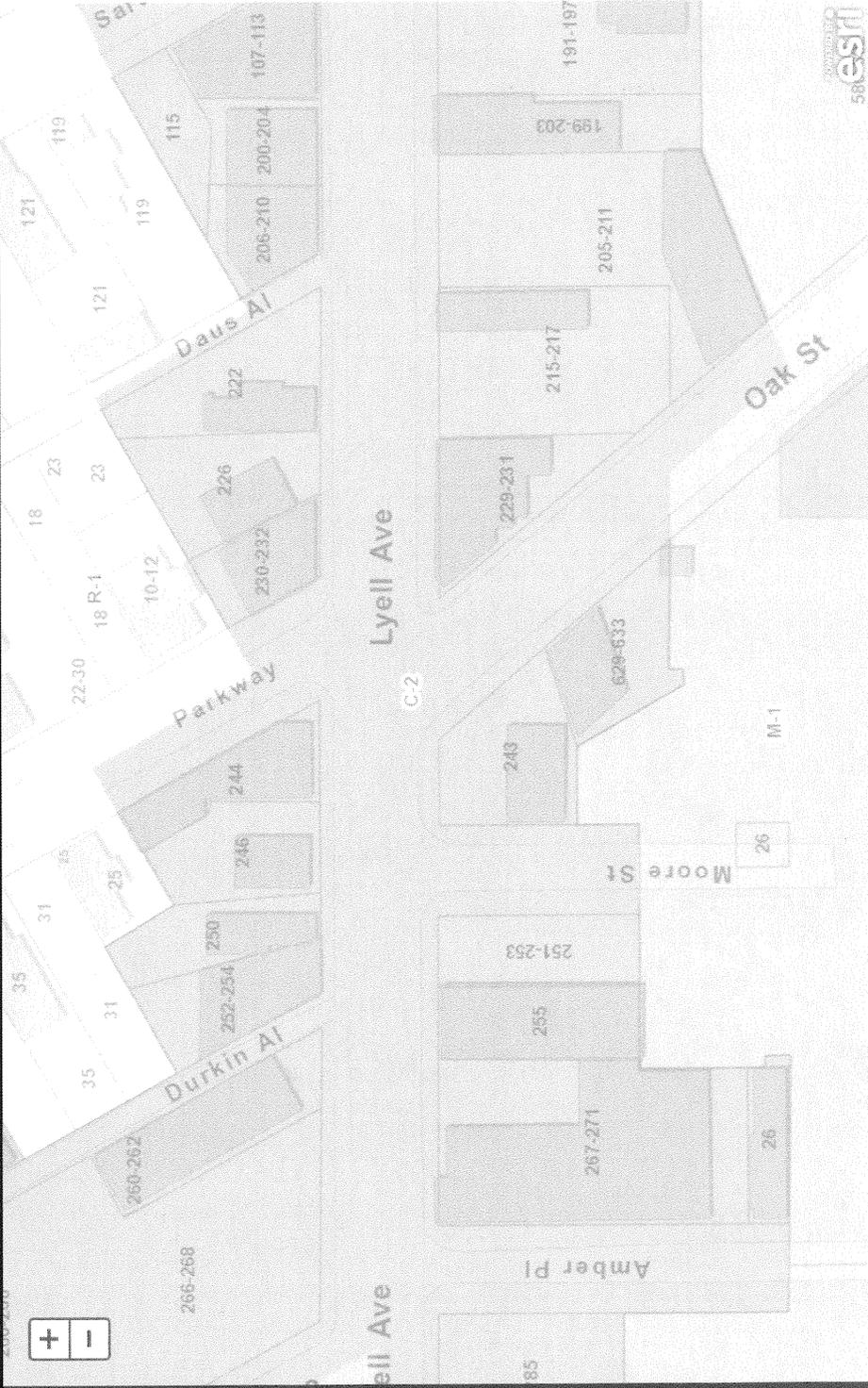


629 Oak St

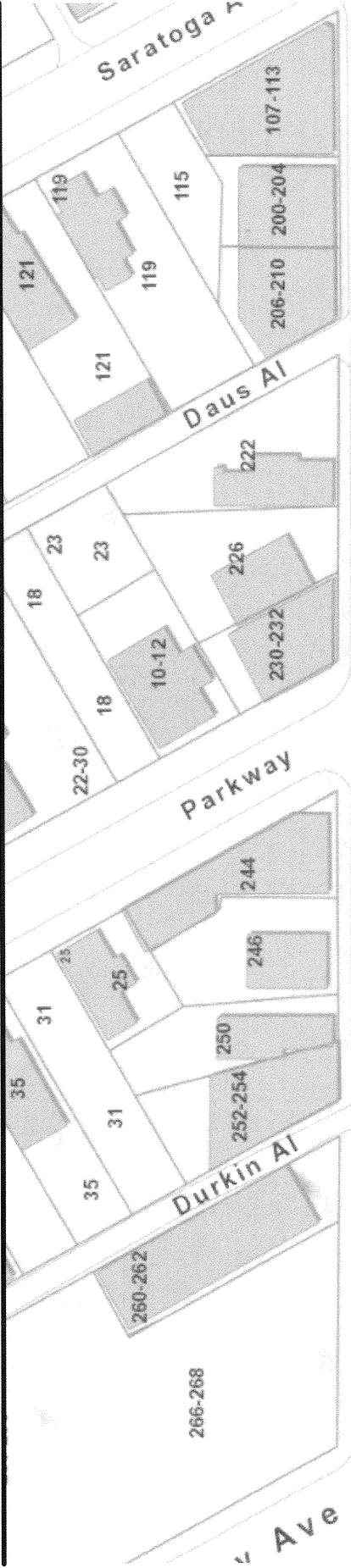
Search By: Address Owner SBL

SBL Address

629 Oak St

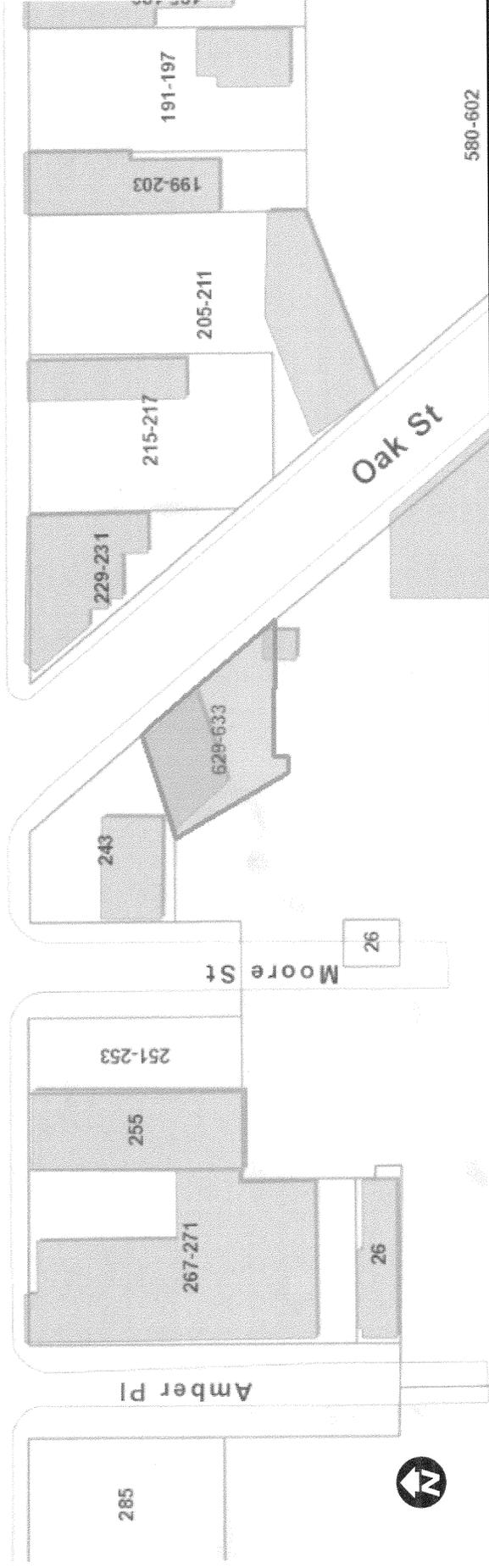


629-633 OAK ST



Lyell Ave

Lyell Ave



April 28, 2016

This map is intended for general reference only.
The City of Rochester makes no representation
as to the accuracy or fitness of the data presented.



City of Rochester, NY
Lovely A. Warren, Mayor

City of Rochester, NY

580-602



**CITY PLANNING COMMISSION
STAFF REPORT
May 16, 2016**

Special Permit

Case #9:

Staff Reviewer: Jill Wiedrick

File Number: E-056-15-16

Case Type: Special Permit

Applicant: Sister Grace Miller, House of Mercy

Property Address: 285 Ormond Street

Zoning District: M-1 Industrial District

Section of Code: 120-83D; 120-141

Request: To expand a previously approved homeless shelter in a former manufacturing building; an action requiring City Planning Commission approval.

Analysis:

The subject property is a manufacturing building. The building is predominantly a single story structure, but is two stories in some portions.

The applicant proposed to establish a homeless shelter to be operated by the House of Mercy. Currently, the House of Mercy operates a homeless shelter at 725 Hudson Avenue. Should the proposed use of this location be approved as a homeless shelter, 725 Hudson Avenue will no longer be utilized.

Please note that a homeless shelter for House of Mercy was approved at this location in July 2015. Since this time, the House of Mercy has proposed to reduce the number of beds by 9, for a total of 90 bed. The House of Mercy also proposed to add a BBQ Shelter, covered area for an entry porch and picnic tables, a fireplace and a grill. An addition at the South of the property will be for new laundry and bathroom facilities, while another addition will be for a fire stair and elevator. These changes require a new Special Permit.

Please refer to the applicant's documentation for further information.

Code Compliance:

A marketability analysis is required to establish the proposed use in a single story building originally designed for industrial purposes. A Special Permit shall be approved only if a marketability analysis is presented that establishes at least one of the standards found in Section 120-192 (3)(b)[1]. The standards are as follows;

- The premises is not marketable for manufacturing or industrial purposes as demonstrated by at least one of the following factors:
 - The inability to find a tenant or interested buyer over an extended period of time.
 - Physical location or locational limitations or deficiencies of the site, building or public infrastructure.
- In the case of a site of one acre or less, the low potential to include the site as part of an assembly of adjacent properties for industrial purposes.
- The proposed use is in conformance with the strategic plan and policies of the City for economic development and job creation.
- The proposed use will provide a service to neighboring industrial uses and/or their employees.

Documentation regarding this portion of the Code was submitted by the applicant and is found in the application.

Pursuant to Sections 120-141 of the Zoning Code, homeless shelters shall be subject to the following requirements:

- A. Each homeless shelter shall provide a minimum of 50 square feet of exterior common/open space per person.

The outdoor gathering area is 4,500 square feet and complies for the facility's 90 guests and clients.

- B. A minimum of three feet will be maintained between beds on a regular basis.

Compliant per attached layout.

- C. There will be a minimum of one toilet and sink for every 10 residents and a minimum of one tub or shower for every 15 residents.

Compliant per attached layout.

- D. All homeless shelter applications shall, as part of the special permit, provide the following:

1. A crime prevention and crime awareness program that is developed in conjunction with and approved in writing by the Police Department. The Police Department, as part of this approval, will review the site plan and the location of all lighting.

- *Exterior lighting throughout property*
- *Exterior video monitoring of entire site and surrounding areas*
- *Staff only key card locking system (or fingerprint detection system)*

- Wand metal detector/bag search upon entrance to shelter/sleeping area
- Daily tracking system of all shelter guests
- Program rules posted throughout building
- Intake procedures for all guests – review shelter rules, consequences, signed agreement
- Staff and trained volunteers on-site at all times, regularly monitoring the facility, grounds and guest activities
- Separate shelter/sleeping areas for men and women
- Only registered guests allowed in shelter/sleeping area at all times
- Guests/visitors permitted in hospitality area during business hours (8AM – 5PM)

**A comprehensive crime reduction and prevention program – including above items – will be created in conjunction with Rochester Police Department.*

2. A litter control program must include at least two trash receptacles on site for customer use, located next to walkways. At a minimum, the program must also address daily on-site litter pickup, customer awareness activities, and off-site litter pickups.

- *Sufficient dumpsters to match number of guests, clients, staff*
- *Trash cans throughout building and exterior common/open space*
- *Staff walks exterior regularly through day. Every two hours – check-off sheet with time, staff initials, and litter found.*
- *Guest volunteer program – two guests sign-up to volunteer each day to assist with litter control inside and outside of building*
- *Exterior lighting throughout property*
- *Exterior video monitoring of entire site and surrounding areas*

3. A loitering control program is required and must, as a minimum, address such things as locating telephone booths, benches, tables, and other activity areas where they can be viewed and controlled by the employees.

- *4,500 sq. ft. exterior common/open space available 24/7 for guests, staff, volunteers only. Fenced in area with benches, tables, trash cans.*
- *Staff walks exterior regularly throughout the day. Every two hours – check-off sheets with time, staff initials, and notes about loitering tendencies (location, guest names, non-guests)*
- *No temporary structures (i.e. tents) permitted on property*
- *'No loitering' signs posted throughout exterior*
- *Exterior lighting throughout property*
- *Exterior video monitoring of entire site and surrounding areas*

4. Information addressing the concentration of homeless shelters, as indicated by the location of other homeless shelters and similar uses within ¼ mile of the proposed use.

Please see attached map. There is one homeless shelter within ¼ mile of the proposed location.

- E. The person on duty must be able to monitor the grounds, facility and resident activities to help prevent theft and physical harm.

- *Exterior lighting throughout property*
- *Exterior video monitoring of entire site and surrounding areas*
- *Staff only key card locking system (or fingerprint detection system)*
- *Wand metal detector/bag search upon entrance to shelter area*
- *Daily tracking system of all shelter guests*
- *Intake procedures for all guests – review shelter rules, consequences, signed agreement*
- *Staff and trained volunteers on-site at all times, regularly monitoring the facility, grounds, and guest activities*
- *Only registered guests allowed in shelter/sleeping area at all times*

Site Plan and Environmental Review:

Site Plan Review is not required for this proposal. However, the City Planning Commission, as Lead Agency, is required to issue an Environmental Determination prior to rendering a decision.

Applicant's statement concerning how request conforms to Special Permit Standards:
See attached.

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. PROJECT ADDRESS(ES): 285 Ormond Street Rochester, NY 14605
2. APPLICANT: Sr. Grace Miller COMPANY NAME: House of Mercy
ADDRESS: 725 Hudson Ave CITY: Rochester ZIP CODE: 14621
PHONE: 585-546-2580; 585-424-0533 FAX: 585-266-2681
E-MAIL ADDRESS kfinnigan@frontiernet.net
- INTEREST IN PROPERTY: Owner Lessee Other
3. PLAN PREPARER: NH Architecture PC
ADDRESS: 2099 West Ridge Road CITY: Rochester ZIP CODE: 14626
PHONE: 585-225-4310 FAX: _____
4. ATTORNEY: Edward Hourihan, Bond, Schoeneck, & King
ADDRESS: 350 Linden Oaks, Suite 310 CITY: Rochester ZIP CODE: 14625
PHONE: 585-362-4712 FAX: 585-362-4701
E-MAIL ADDRESS ehourihan@bsk.com
5. ZONING DISTRICT: M-1
6. DETAILED PROJECT DESCRIPTION (additional information can be attached): _____
See Attached

7. LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased): 4.5 months

APPLICANT: I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed in accordance with the conditions and terms of that approval.

SIGNATURE: *Sr. Grace Miller* DATE: 4/15/14

OWNER (if other than above): I have read and familiarized myself with the contents of this application and do hereby consent to its submission and processing.

SPECIAL PERMIT STANDARDS

A Special Permit will be granted only if evidence is presented establishing conformance with each of these standards. Explain how the proposal conforms to each of these requirements (attach additional pages if necessary):

- A. The proposed building or use will be in harmony with the general purpose, goals, objectives, standards and implementation strategies of the Comprehensive Plan, this chapter and, where applicable, the Subdivision Code.**

See Attached

- B. The proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety and general welfare.**

See Attached

- C. The proposed building or use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring properties in accordance with the applicable district regulations.**

See Attached

- D. The proposed building or use will be served adequately by essential public facilities and services, such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools, or that the persons or agencies responsible for the establishment of the proposed building or use will provide adequately for such services.**

See Attached

- E. The proposed building or use will not result in the destruction, loss or damage of any natural, scenic, cultural or historic feature of significant importance.**

See Attached

Letter Of Intent
Homeless Shelter and Residence: 285 Ormond Street, Rochester

Request

The House of Mercy (“HOM”) received a special permit for a homeless shelter on July 20, 2015. We are now requesting an updated Special Permit for a Homeless Shelter (The “Shelter”) in an M-1 district. The proposed shelter is to be located at 285 Ormond Street. The shelter is to be operated by the HOM (HOM). The House of Mercy is a nonprofit agency that for almost 30 years has provided compassionate and effective service to the chronically homeless at its current location at 725 Hudson Ave.

The structure is predominately an 11,000 sq. ft., single story structure with a 4000 sq. ft. office area above a portion of the building on the second floor situated on a 28,000 sq. ft. lot in an industrial district adjacent to the city center. The property is bounded on the North and West by Lundy Lane and the railroad and on the East and South by industrial uses.

In an M-1 district the use of the facility as a homeless shelter requires a Special Permit pursuant to Section 120-83(D). Section 203-83(D) permits homeless shelters subject to the further requirements of Section 121-141. This facility and the programs carried on by the HOM fully comply with all the requirements of the Code, particularly Section 121-141.

While applying the general standard for a special permit to this facility it becomes clear that a pressing public need will be served in an extraordinary manner while at the same time minimally impacting the local neighborhood.

Rationale

Chronic homelessness is found in all cultures. Whatever the causes, there are some men and women who wind up sleeping in places unfit for human habitation despite public and private efforts to provide affordable permanent housing. The proposed homeless shelter and program will complement others presently in the community, because of its focus on addressing the variety of needs of the chronically homeless population. Some, with chronic mental health issues, consider this shelter their home, having been unable to accept, or accommodate to, other shelters or permanent housing. These residents – some of whom have stayed at the House of Mercy in its present location for months and even for years – find peace with the loving support of faith-based volunteers, shelter staff, and their sheltered friends. These men and women will no longer have to wander the streets or sleep in public facilities such as libraries which are not intended as proper shelter. (We refer families with children to facilities better able to serve them.) With onsite case managers available, clients are encouraged to avail themselves of care offered on-site and at a variety of community resources which understand the needs of those who have been traumatized, experience mental health issues, and/or alcohol and drug addiction.

The unique mission of the House of Mercy is viewed as an integral part of the successful economic development of Monroe County because it plays an important and needed role: getting chronically homeless individuals off the streets. Although the City is home to less than a quarter of the metro area population, the economic health of its downtown is an important symbol for the larger region. As Rochester – like cities elsewhere – experiences greater numbers of individuals and families choosing to live downtown, it becomes increasingly important to provide long term solutions for all segments of the chronically homeless population.

The homeless shelter will provide overnight accommodations to a substantial population of homeless men and women who have proven “hard-to-serve,” unable or reluctant to access current shelter and housing services. In addition, the case management and hospitality services will be made available to any individuals in need, regardless of whether they are staying at the shelter.

Description of Project/Building Use

The proposed use of the facility at 285 Ormond St. (the “Facility”) will encompass various programs servicing chronically homeless adult men and women as follows:

- A. Homeless shelter/sleeping area: space for 90 persons, 5,600 sq. ft. dormitory
 - Use of both bunk beds and single beds
 - Six full bathrooms with shower (@1/15 ratio plus four bathrooms without a shower elsewhere on premises) as required by zoning.

- B. Accessory office areas: 460 sq. ft.
 - Reception desk and lobby area
 - Powder room
 - Goods receiving room at off-street truck bay

- C. Kitchen: 700 sq. ft.
 - Dry storage and coolers
 - Powder room

- D. Multipurpose room: 1,400 sq. ft.
 - Dining, 12 folding tables @8 persons
 - Socialization, chapel, meeting space

- E. Administration: 800 sq. ft.
 - Exec. Director office w/conference table
 - Facilities/Kitchen Director office
 - Program Supervisor and Social Worker office
 - Large conference room 20 x 12
 - Powder room

F. Case management and client services: 1,000 sq. ft.

- Four office/interview rooms @ 10 x 12. Small conference room @ 12 x 15
- Computers for supervised use by guests/clients

G. Other

- South side addition for laundry including large capacity dryers for bed-bug prevention and washing machines and required toilet/shower
- North side addition for fire stair and elevator
- Storage: 200 sq. ft. for mattresses and linens
- Donated clothing room: 500 sq. ft.

Existing paved parking areas to be retained as:

- Staff, volunteer, visitor parking: 15 spaces on south side of building
- Outdoor gathering and recreation space: 4,500 sq. ft. (per zoning requirement at 50 sq. ft. per resident). Opaque fence and landscaping along north portion of Lundy Lane and along Ormond Street
- BBQ shelter, covered area for entry porch and picnic tables, fireplace and grill

Hours of Operation

Although the building will be open 24 hours a day, during a portion of the “business hours” of the day (11 AM to 3 PM) only the administrative, reception, hospitality, dining, and case management areas will be open to those in need – shelter guests and visitors. Every day, the shelter/sleeping area portion of the Program will be closed and secured from 11 AM to 3 PM. During this time, HOM staff and volunteers will clean and inspect the sleeping/shelter area.

Donation hours: donations will be accepted during regular business hours (7 am – 7 pm). Small donations may be delivered and accepted at the main administrative entrance on Ormond Street. Larger donations will be directed to back entrance on Lundy Lane.

Staffing

Total of 12 program staff

Executive Director/Founder: oversees all administrative and program details – program development, spiritual guidance, fundraising, public relations, budget development; program liaison to the Board of Directors; leads all staff meetings. Direct supervisor for Facilities/Kitchen Director, Program Supervisor, and Social Worker.

Facilities/Kitchen Director: oversees and manages all aspects of the physical facility; management of kitchen operations and volunteers; oversees intake and tracking of donations and supplies; management and tracking storage of foodstuffs, supplies, donations; supervises drivers; oversees clothing room operations and volunteers.

Program Supervisor: direct supervision of case managers and shelter managers; oversees intake and tracking of shelter guests/clients and development of care plans;

coordinates youth programming; with ED/Founder provides spiritual support and guidance for the program.

Social Worker: clinical supervision of case managers and shelter managers; recruits and coordinates volunteers; develops and leads training activities; assists ED/Founder with fundraising, program development, record keeping, budget development and tracking; recruit and coordinate “outside” providers working at the program including medical, legal, financial, and housing resources.

Case Manager (2): provides comprehensive case management services to all guests and clients. Complete intakes and assessments; develop care plans; connect with appropriate referral sources; assist guests/clients with completing service provider applications; provide crisis counseling; maintain accurate guest/client records.

Shelter Manager (4): provide management and supervision of the shelter/sleeping area of the program. Monitor guest behavior inside and outside of the building; assist guests as needed with basic needs; provide informal support and guidance to guests.

Driver (2): Pick-up donations and provide transportation to guests/clients for appointments and meetings. Maintain vehicles.

Volunteers: volunteers will assist in all parts of the program and will receive comprehensive training and supervision. Volunteers will be recruited from within the population being served (guests and clients) and from the community at large. Examples of volunteers activities: meal prep and service; clothing room; reception; donation intake and pick-up; cleaning of shelter, hospitality area, and building grounds; assist case managers; guest and program laundry; data entry; and fundraising.

HOM Board of Directors: known as a “working board,” members of the Board of Directors play an active role in the daily operations of the program. This includes physical facility management; legal representation; fundraising; public relations; program development; and direct guest/client interaction.

Supervision

Shelter staff will be on-duty at all times while the shelter is open and operating. Administrative staff will be available during regular business hours. Shelter managers will monitor and supervise the shelter/sleeping area of the program at all times that it is accessible to residents. Case managers will provide support and referral services to all guests and clients interested in this service. Case managers will be clinically supervised by a Master’s level social worker and administrative staff. Comprehensive training will be provided to all staff and volunteers.

Homeless Shelter §120-208

A portion of the significant outreach programs servicing the homeless to be provided at the Facility HOM intends to operate a Homeless Shelter as defined in 120-208 of the City Code:

HOMELESS SHELTER

A residential facility operated by a provider, other than a residential care facility, which provides temporary accommodations to homeless persons and/or families in a dormitory-style setting. For the purpose of this definition, "provider" shall mean a government agency or private nonprofit organization which provides, or contracts with recognized community organizations to provide, emergency or temporary shelter for the homeless. The shelter shall operate less than 24 hours a day, seven days a week. Supervision shall be required for homeless shelters during operating hours.

[Amended 6-17-2003 by Ord. No. 203-183]

The proposed use of the facility comfortably fits the definition of a Homeless Shelter. HOM is a private not for profit providing emergency and temporary shelter for the homeless; the shelter/sleeping area will not be open 24/7; and adequate, experienced supervision is provided during operating hours.

Requirements §120-141

The request for a special permit use for a Homeless Shelter pursuant to 120-83(d) is subject to the requirements of Section 120-141:

§ 120-141 Homeless shelters.

Homeless shelters shall be subject to the following requirements:

A. Each homeless shelter shall provide a minimum of 50 square feet of exterior common/open space per person.

B. A minimum of three feet will be maintained between beds on a regular basis.

C. There will be a minimum of one toilet and sink for every 10 residents and a minimum of one tub or shower for every 15 residents.

D. All homeless shelter applications shall, as part of the special permit, provide the following:

(1) A crime prevention and crime awareness program that is developed in conjunction with and approved in writing by the Police Department. The Police Department, as part of this approval, will review the site plan and the location of all lighting.

(2) A litter control program must include at least two trash receptacles on site for customer use, located next to walkways. At a minimum, the program must also address daily on-site litter pickup, customer awareness activities, and off-site litter pickups.

(3) A loitering control program is required and must, as a minimum, address such things as locating telephone booths, benches, tables, and other activity areas where they can be viewed and controlled by the employees.

(4) Information addressing the concentration of homeless shelters, as indicated by the location of other homeless shelters and similar uses within 1/4 mile of the proposed use.

E. The person on duty must be able to monitor the grounds, facility and resident activities to help prevent theft and physical harm.

Program and Facility Compliance with §120-141

A. Each homeless shelter shall provide a minimum of 50 square feet of exterior common/open space per person:

The outdoor gathering area is 4,500 sq. ft. and complies for the facility's 90 guests and clients.

B. A minimum of three feet will be maintained between beds on a regular basis.

Compliant per attached layout

C. There will be a minimum of one toilet and sink for every 10 residents and a minimum of one tub or shower for every 15 residents.

Compliant per attached layout

D. All homeless shelter applications shall, as part of the special permit, provide the following:

(1) A crime prevention and crime awareness program that is developed in conjunction with and approved in writing by the Police Department. The Police Department, as part of this approval, will review the site plan and the location of all lighting.

- Exterior lighting throughout property
- Exterior video monitoring of entire site and surrounding areas
- Staff only key card locking system (or fingerprint detection system)
- Wand metal detector/bag search upon entrance to shelter/sleeping area
- Daily tracking system of all shelter guests
- Program rules posted throughout building
- Intake procedure for all guests – review shelter rules, consequences, signed agreement
- Staff and trained volunteers on-site at all times, regularly monitoring the facility, grounds, and guest activities
- Separate shelter/sleeping areas for men and women
- Only registered guests allowed in shelter/sleeping area at all times
- Guests/visitors permitted in hospitality area during business hours (8 am – 5 pm)

**A comprehensive crime reduction and prevention program – including above items – will be created in conjunction with Rochester Police Department.*

(2) A litter control program must include at least two trash receptacles on site for customer use, located next to walkways. At a minimum, the program must also address daily on-site litter pickup, customer awareness activities, and off-site litter pickups:

- Sufficient dumpsters to match number of guests, clients, staff
- Trash cans throughout building and exterior common/open space
- Staff walks exterior regularly throughout day. Every two hours – check-off sheet with time, staff initials, and litter found
- Guest volunteer program - two guests sign-up to volunteer each day to assist with litter control inside and outside of building
- Exterior lighting throughout property
- Exterior video monitoring of entire site and surrounding areas

(3) A loitering control program is required and must, as a minimum, address such things as locating telephone booths, benches, tables, and other activity areas where they can be viewed and controlled by the employees.

- 5500 sq. ft. exterior common/open space available 24/7 for guests, staff, volunteers only. Fenced in area with benches, tables, trash cans.
- Staff walks exterior regularly throughout the day. Every two hours – check-off sheet with time, staff initials, and notes about loitering tendencies (location, guest names, non-guests)
- No temporary structures (i.e., tents) permitted on property
- “No loitering” signs posted throughout exterior
- Exterior lighting throughout property
- Exterior video monitoring of entire site and surrounding areas

(4) Information addressing the concentration of homeless shelters, as indicated by the location of other homeless shelters and similar uses within 1/4 mile of the proposed use.

Sampling of other shelters and distance from 285 Ormond St.:

- YWCA Women’s emergency shelter – 0.4 miles
- Salvation Army Booth Haven – 0.6 miles
- Open Door Mission – 1.0 mile
- Catholic Family Center Francis Center – 1.0 mile
- Salvation Army Hope House – 1.4 miles

E. The person on duty must be able to monitor the grounds, facility and resident activities to help prevent theft and physical harm.

- Exterior lighting throughout property
- Exterior video monitoring of entire site and surrounding areas
- Staff only key card locking system (or fingerprint detection system)
- Wand metal detector/bag search upon entrance to shelter area
- Daily tracking system of all shelter guests
- Intake procedure for all guests – review shelter rules, consequences, signed agreement
- Staff and trained volunteers on-site at all times, regularly monitoring the facility, grounds, and guest activities.
- Only registered guests allowed in shelter/sleeping area at all times

Requirements §120-192 (B)

§120-192 (B) sets out certain standards that the commission should consider when approving a special permit. Our application meets or exceeds all of those general standards.

Section 120-192 Approval standards.

[1] A special permit shall be approved only if evidence is presented which establishes that:

[a] The proposed application will be in harmony with the general purpose, goals, objectives, standards and implementation strategies of the Comprehensive Plan, this chapter and, where applicable, the Subdivision Code.

[b] The proposed application will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety and general welfare.

[c] The proposed application will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring properties in accordance with the applicable district regulations.

[d] The proposed application will be served adequately by essential public facilities and services, such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools, or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services.

[e] The proposed application will not result in the destruction, loss or damage of any natural, scenic, cultural or historic feature of significant importance.

Program and Facility Compliance with §120-192 (B)

[a] The proposed application will be in harmony with the general purpose, goals, objectives, standards and implementation strategies of the Comprehensive Plan, this chapter and, where applicable, the Subdivision Code.

The location of the building is ideal in that it is located in a properly zoned sector (M-1) and adjacent to the city center. This location is closer to the population being served; in close proximity with social service providers; and nearby vital transportation hubs.

The proposed building/program will use the existing structure.

[b] The proposed application will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety and general welfare.

The proposed program will have little to no adverse effect on adjacent properties or the character of the neighborhood. In fact, the program will be a positive and compassionate response by a community to an unmet need and ongoing social ill. The program will provide 24/7 shelter and support services to all in need, greatly reducing public disorder and nuisances often equated with homelessness such as loitering; public intoxication; panhandling; public urination; and sleeping in doorways, parks, and other public places.

[c] The proposed application will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring properties in accordance with the applicable district regulations.

In keeping with city zoning requirements, an exterior common/open space will be created on the property for all to congregate. This will decrease concerns about loitering and be connected to the building so it will be easily viewed and controlled by shelter staff. The space will be designed to be inviting and attractive, blending into the character of the building and surrounding neighborhood. The large parking lots adjacent to the building easily enable the creation of this space while still providing sufficient parking spaces for staff, volunteers, and visitors.

The building has two large parking areas on both sides of the structure. This provides more than adequate parking for staff, volunteers, and visitors. In addition, the adjacent parking lots act as "buffers" for nearby businesses. Ormond Street has permitted alternate side of the street parking although current lots should provide needed parking with minimal use of street parking.

The proposed program will not result in any major change to the features of the building or the surrounding area. Windows will be added where they have been blocked up in the past and new

exit doors will be added in several locations. As mentioned above, the program, with two additions, will use the current "footprint" of the existing building.

The two proposed additions, depicted in the attached plan, include a 396 sq. ft. addition for a fire stair and elevator on the north side of the building and a 1,594 sq. ft. addition for required toilets and laundry facilities.

[d] The proposed application will be served adequately by essential public facilities and services, such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools, or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services.

The primary entrance for the shelter will be on Ormond Street. A large delivery, loading area will be created along Lundy's Lane at the back of the property for deliveries and larger donations. This will control congestion and confusion on the property.

[e] The proposed application will not result in the destruction, loss or damage of any natural, scenic, cultural or historic feature of significant importance.

This application will not result in any destruction or loss of any features of significant importance of the building, site, or adjacent areas.

Short Environmental Assessment Form

Part 1 - Project Information

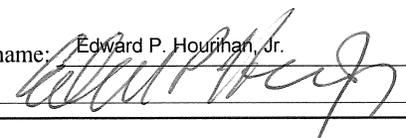
Instructions for Completing

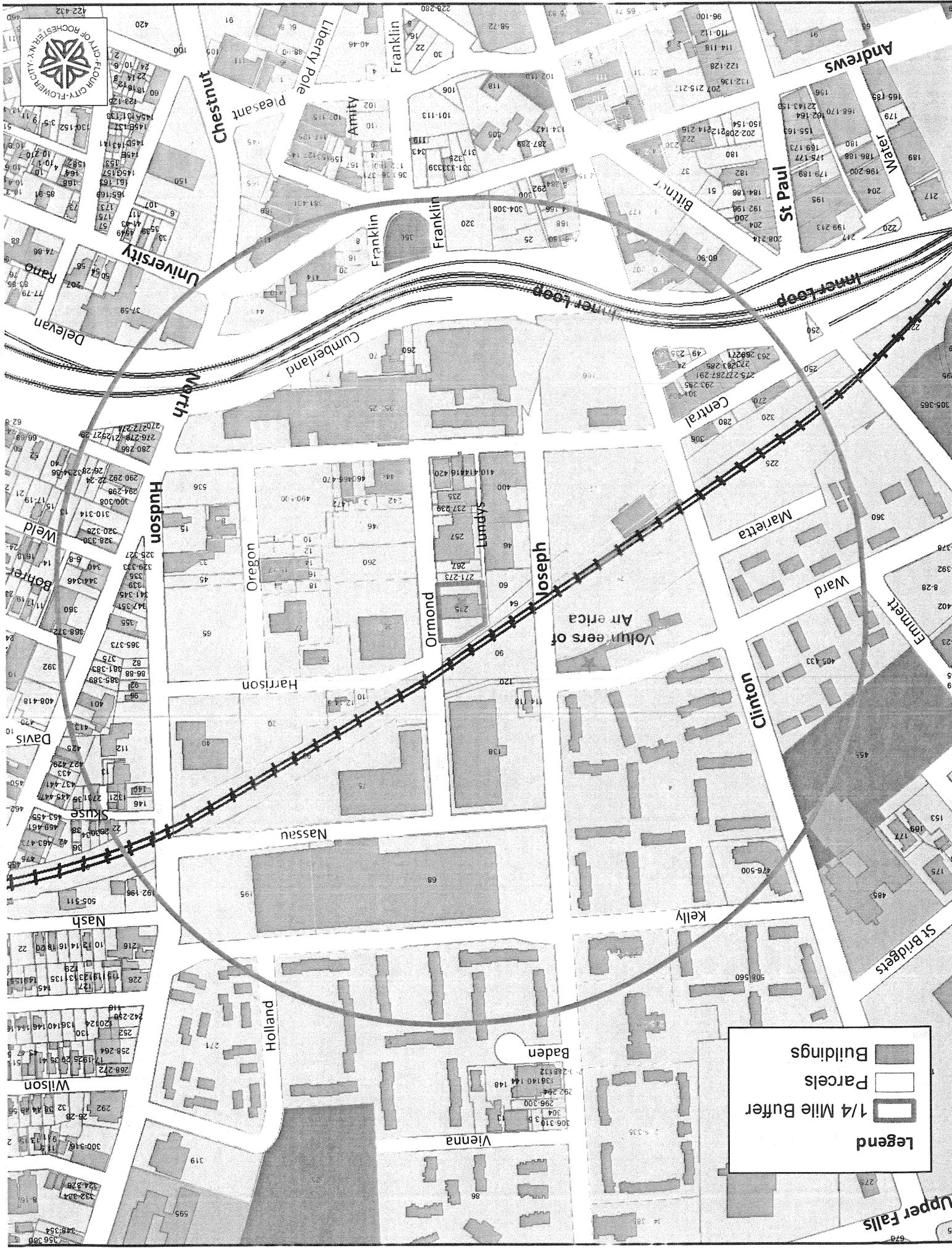
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

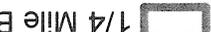
Part 1 - Project and Sponsor Information			
Name of Action or Project: House of Mercy ("HOM")			
Project Location (describe, and attach a location map): 285 Ormond Street, Rochester, New York			
Brief Description of Proposed Action: The HOM, currently located at 725 Hudson Avenue, will move its operations to 285 Ormond Street. The HOM is a highly respected nonprofit agency that for almost 30 years has provided overnight shelter and support services to chronically homeless men and women and all people in need. The program we are proposing on Ormond Street will take the place of the current HOM, providing overnight accommodations to a population of homeless men and women who have proven "hard-to serve" and are unable or reluctant to access current shelter and housing services.			
Name of Applicant or Sponsor: Edward P. Hourihan, Jr.		Telephone: 585-704-2895	
		E-Mail: ehourihan@bsk.com	
Address: 725 Hudson Avenue			
City/PO: Rochester		State: New York	Zip Code: 14621
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ 0.65 acres			
b. Total acreage to be physically disturbed? _____ 0.00 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 0.65 acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	

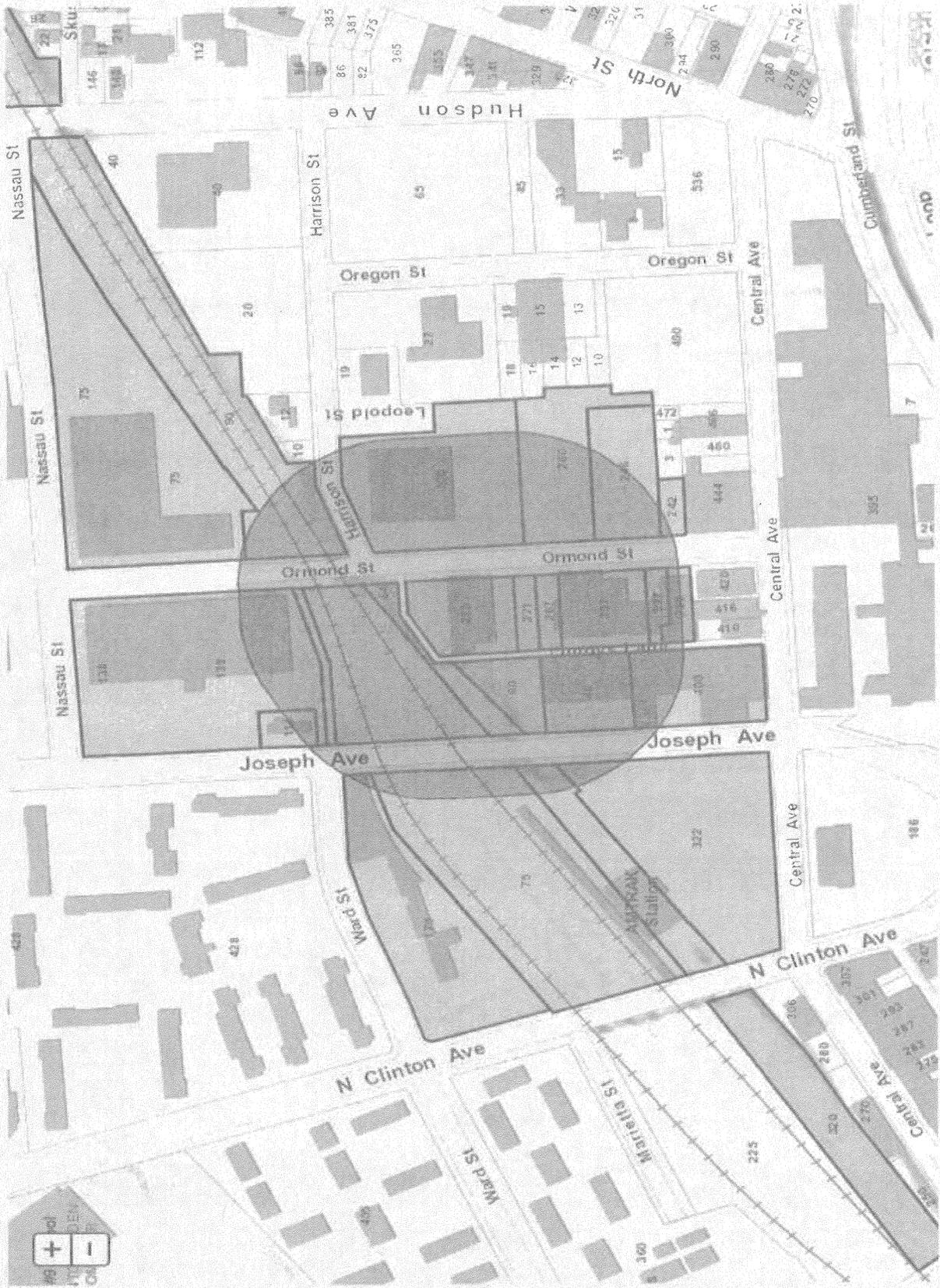
<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: Edward P. Hourihan, Jr. _____ Date: April 14, 2016 _____</p> <p>Signature:  _____</p>		



Legend

-  Buildings
-  Parcels
-  1/4 Mile Buffer

285 Ormond Street



Ormond Properties

120 Joseph Ave

Owner: City of Rochester

Mail: N/A

Phone: N/A

Contact: N/A

114-118, 138 Joseph Ave

Owner: 58 Mckee Road Co LLC

Mail: same

Phone: N/A

Contact: N/A

174 Ward St

Owner: VOA

Mail: 214 Lake Ave 14608

Phone:

Contact:

75, 90 Joseph Ave

Owner: New York Central Lines LL

Mail: 500 Water St (C-910)

Jacksonville, FL 32202

Phone:

Contact:

320, 322 Central Ave and 60, 64 Joseph Ave

Owner: National Railroad Passeng

Mail: POB 2440

Spokane, WA 99210

Phone:

Contact:

46 Joseph Ave and 400 Central Ave

Owner: Gordon Burton

Mail: POB 31249 14603

Phone:

Contact:

235, 237-239, 257, 267, 271-273 Ormond St

Owner: GF Associates (GlassFab)

Mail: same

Phone:

Contact:

242, 246 Ormond St

Owner: Michael Hertzberg (old Spaghetti Factory)

Mail: 65 Rutgers St 14607

Phone:

Contact:

260 Ormond St

Owner: City of Rochester

300 Ormond St

Owner: Andolora Joseph A Revocable Trust
(Adflex)

Mail: Same

75 Nassau St

Owner: BT-Newyo LLC

Mail: POB 28606

Atlanta, GA 30328

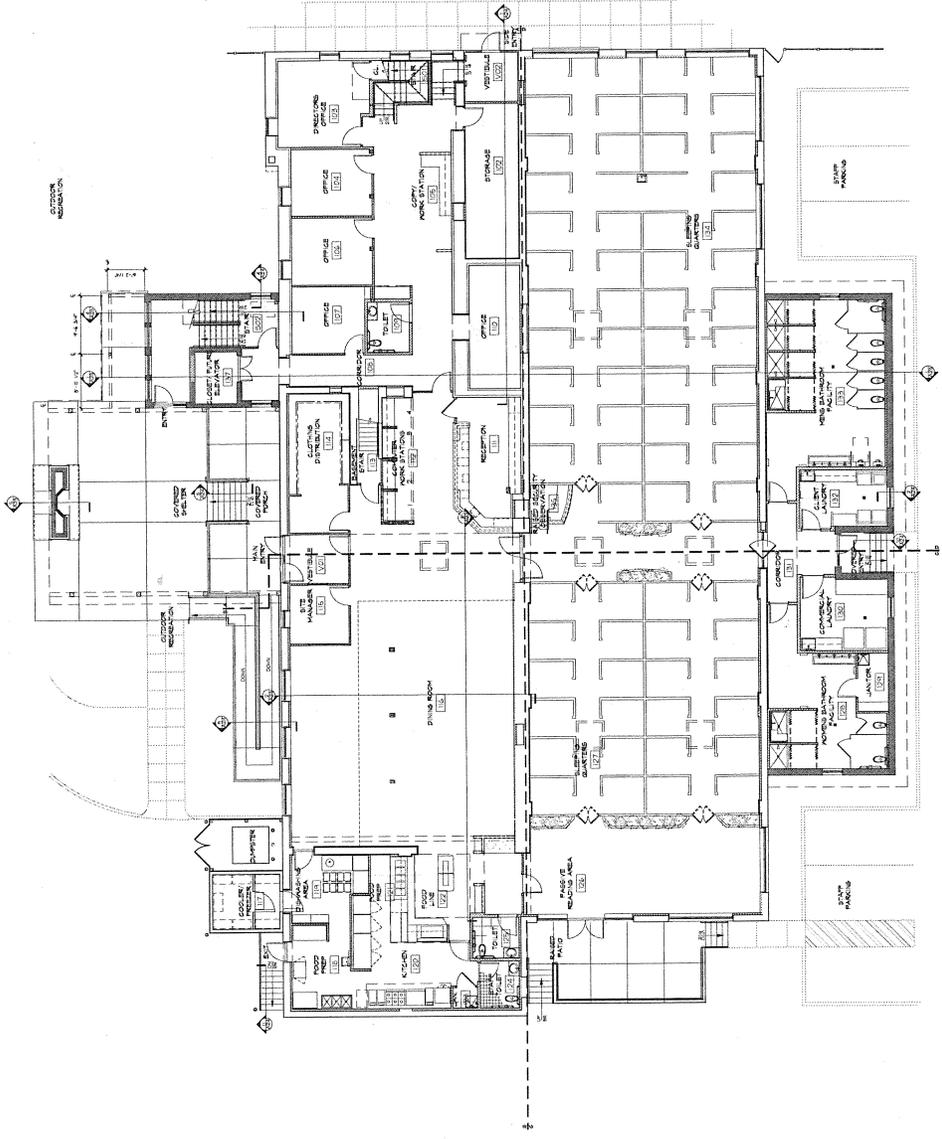
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DATE: 6-19-08
DRAWING:
PROJECT:
JOB No. 1907 DWG 25

OVERALL FIRST FLOOR PLAN

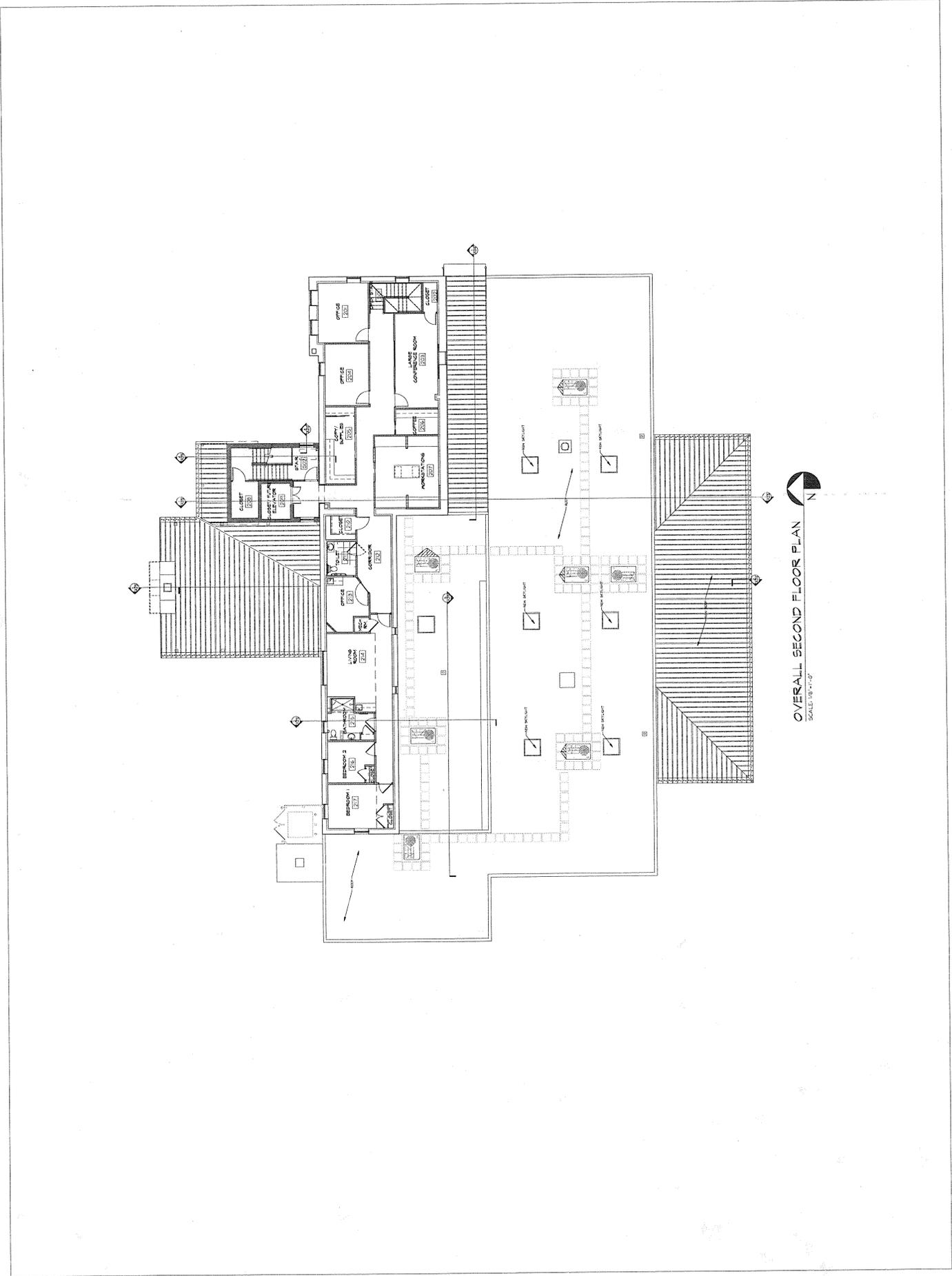
HOUSE OF MERCY
285 ORION STREET
ROCHESTER, NEW YORK

HOUSE OF MERCY
285 ORION STREET
ROCHESTER, NEW YORK



OVERALL FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"





OVERALL SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"



Ormond St
Rochester, New York
Street View - Nov 2015



Google

Add a photo

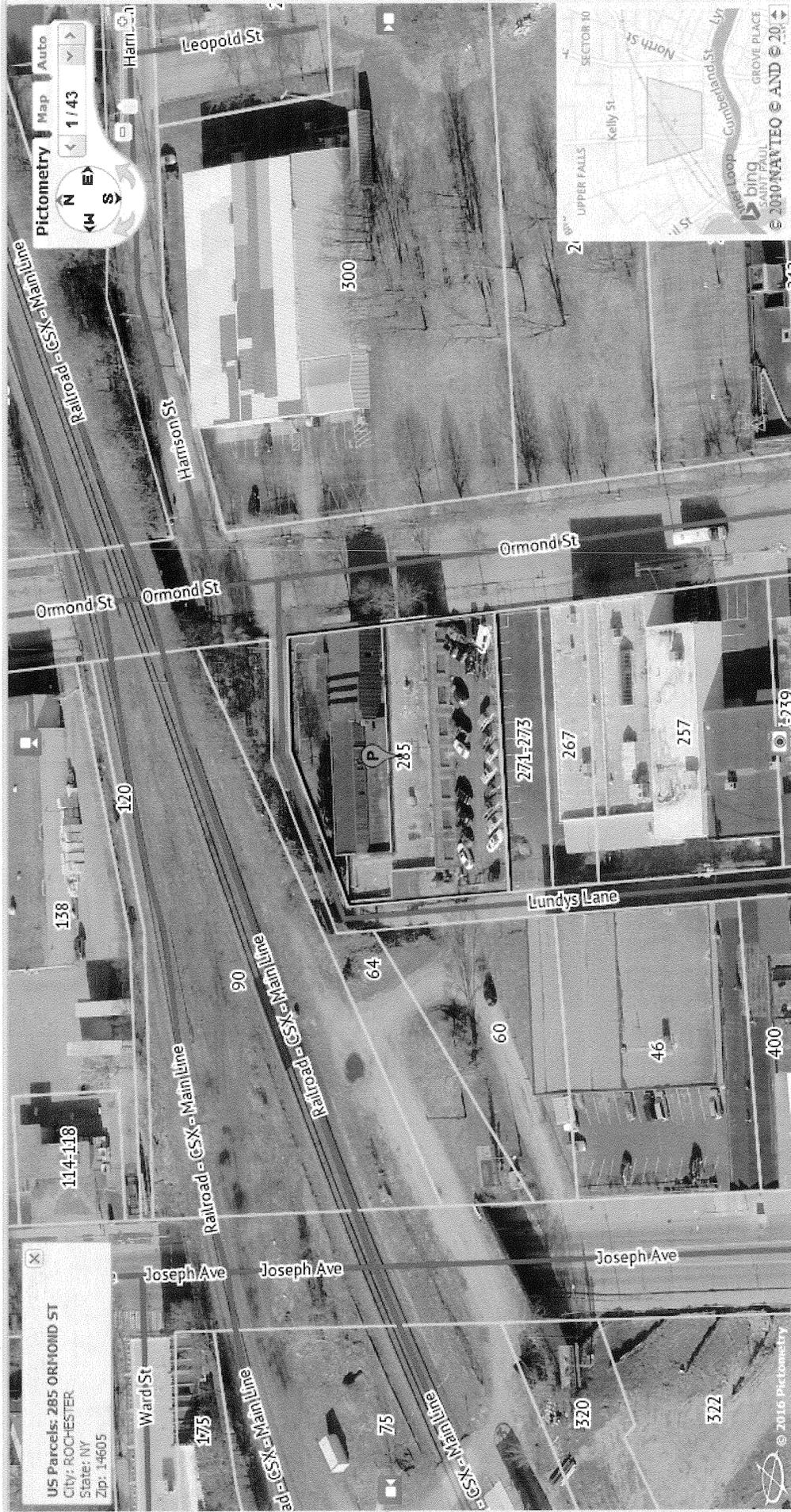
Satellite

285 Ormond Street, Rochester, N...

Back to Map

Image capture: Nov 2015 © 2016 Google Terms Privacy Report a problem

Hide Imagery

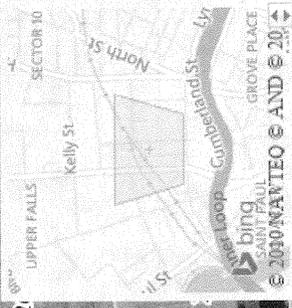


US Parcels: 285 ORMOND ST
City: ROCHESTER
State: NY
Zip: 14605

Pictometry

Map Auto

1/43



Date: 04/15/2015 | Level: Neighborhood | Scale: 50%

62.9 Feet | Area: 28075.33 Square Feet

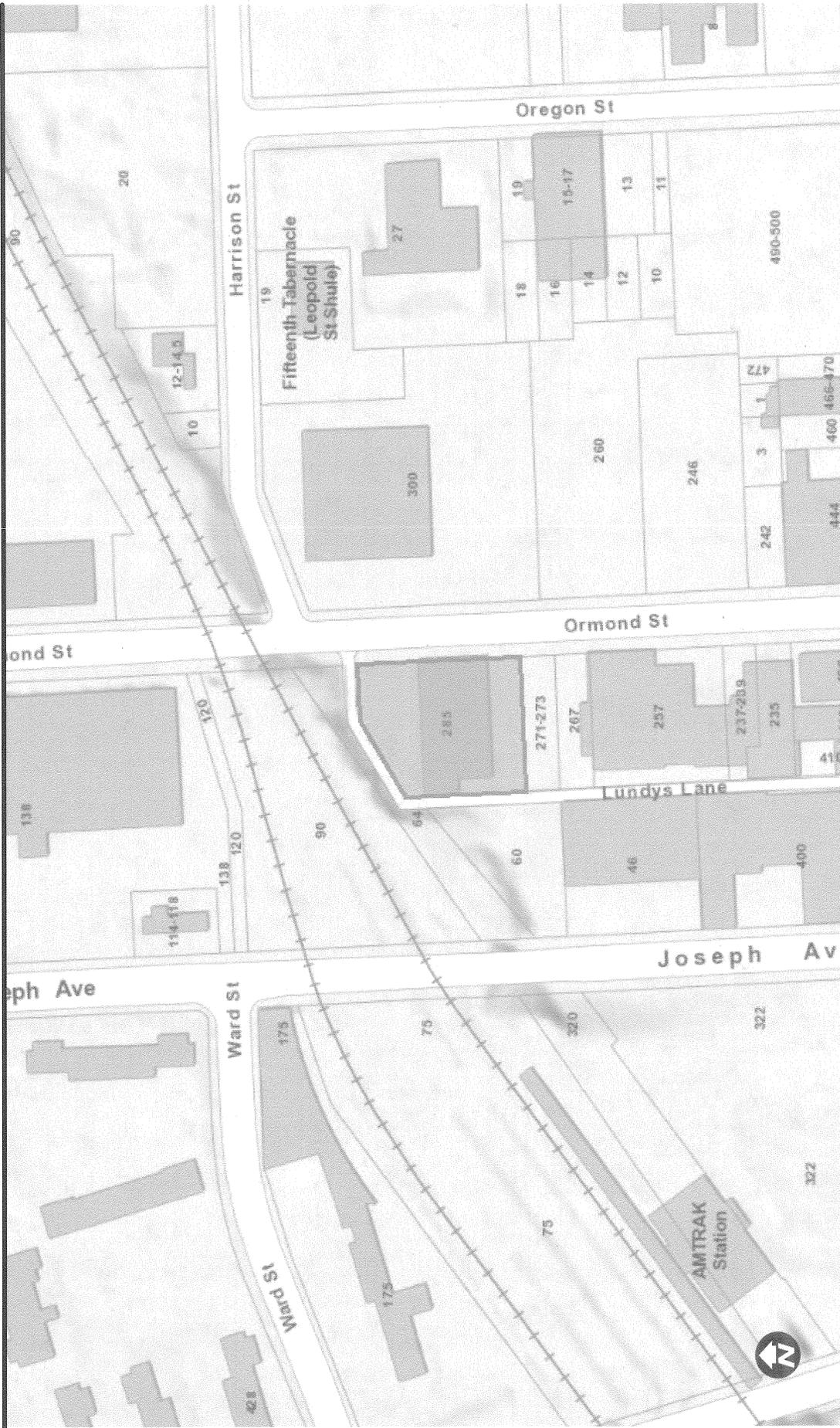
285 Ormond st

Search By: Address Owner SBL

SBL Address



285 ORMOND ST



May 4, 2016

This map is intended for general reference only.
The City of Rochester makes no representation
as to the accuracy or fitness of the data presented.



City of Rochester, NY
Lovely A. Warren, Mayor

City of Rochester, NY



**CITY PLANNING COMMISSION
STAFF REPORT
May 16, 2016**

Special Permit

Case #10: Staff Reviewer: Jill Wiedrick

File Number: E-057-15-16

Case Type: Special Permit

Applicant: 10 Gold Street Properties, LLC

Address: 16, 24 Gold Street and 17 Langslow Street

Zoning District: R-1 Low Density Residential District

Section of Code: 120-9A, 120-131

Request: To develop a 47 space ancillary parking lot to serve the proposed residential apartment building located at 1176-1188 Mt, Hope Avenue; an action requiring City Planning Commission approval.

Analysis:

Preliminary Site Plan Review Findings (SP-022-15-16) for the project analysis are attached.

Code Compliance:

The proposal meets all the requirements of Section 120-131, except for those requirements in Section 120-173. Please refer to the Preliminary Site Plan Review Findings.

Site Plan and Environmental Review

Site Plan Review is required for this proposal. Preliminary Site Plan Findings are attached. A Notice of Environmental Determination, indicating that there are NOT significant impacts upon the environment, has been issued by the Director of Planning and Zoning.

Applicant's statement concerning how request conforms to Special Permits Standards:
See Attached.

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. PROJECT ADDRESS(ES): 1176, 1182, 1186-1188 Mt. Hope Ave.; 10, 16, 24 Gold St.; 17 Langslow St.

2. APPLICANT: 10 Gold Street Properties, LLC COMPANY NAME: 10 Gold Street Properties, LLC

ADDRESS: 1080 Pittsford-Victor Rd., Suite 202 CITY: Pittsford ZIP CODE: 14534

PHONE: 585-704-6464 FAX: _____

E-MAIL ADDRESS mackenzie1@gmail.com

INTEREST IN PROPERTY: Owner Lessee Other

3. PLAN PREPARER: CJS Architects: Craig Jensen

ADDRESS: 54 South Union St. CITY: Rochester ZIP CODE: 14607

PHONE: 585-244-3780 FAX: _____

4. ATTORNEY: Morgenstern DeVoesick, PLLC: Jeff DeVoesick

ADDRESS: 1080 Pittsford-Victor Rd., Suite 200 CITY: Pittsford ZIP CODE: 14534

PHONE: 585-672-5500 FAX: 585-672-5599

E-MAIL ADDRESS jeff@morgdevo.com

5. ZONING DISTRICT: C-1

6. DETAILED PROJECT DESCRIPTION (additional information can be attached): _____

Construction of a +/- 63,000 square foot mixed use building on Mt Hope Avenue in the C-1 district including 32 residential units, residential amenity space and 3,000 square foot of commercial space. Removal of the parking lot in the C-1 district and expansion of the portion of the parking lot in the R-1 district to connect the parking lot to Gold Street and eliminate the curb cut on Mt Hope Avenue.

7. LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased:) 16 months

APPLICANT: I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed in accordance with the conditions and terms of that approval.

SIGNATURE:  DATE: 4/14/16

OWNER (if other than above): I have read and familiarized myself with the contents of this application and do hereby consent to its submission and processing.

SIGNATURE: _____ DATE: _____

SPECIAL PERMIT STANDARDS

A Special Permit will be granted only if evidence is presented establishing conformance with each of these standards. Explain how the proposal conforms to each of these requirements (attach additional pages if necessary):

A. The proposed building or use will be in harmony with the general purpose, goals, objectives, standards and implementation strategies of the Comprehensive Plan, this chapter and, where applicable, the Subdivision Code.

The proposed building is mixed use including ground floor neighborhood retail and 32 residential units above. The building design is consistent with the goals and objectives of the Comprehensive Plan (Healthy Urban Neighborhoods, Environmental Stewardship, and Economic Vitality) and will add to the pedestrian oriented development in the Mt Hope Neighborhood.

B. The proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety and general welfare.

The proposed building replaces an existing parking lot and existing commercial building, both of which are closer to the adjacent property lines than the proposed building. The removal of the curb cut on Mt Hope will improve safety for both vehicles and pedestrians. The proposed building will create a pedestrian friendly streetscape along Mt Hope Avenue in contrast to the auto oriented condition that currently exists. Parking is provided behind the building.

C. The proposed building or use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring properties in accordance with the applicable district regulations.

The proposed building will not dominate the neighborhood, it has fewer residential units per acre than the adjacent multifamily building at 1150 Mt Hope Avenue (corner of Langslow Street) and the size of the proposed development parcel is consistent with other uses in the neighborhood.

D. The proposed building or use will be served adequately by essential public facilities and services, such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools, or that the persons or agencies responsible for the establishment of the proposed building or use will provide adequately for such services.

Public facilities are available and adequate to service the proposed building and the persons responsible for the building will provide for establishment of such services.

E. The proposed building or use will not result in the destruction, loss or damage of any natural, scenic, cultural or historic feature of significant importance.

The existing structure and landscaping on site, and directly adjacent, are not historic and the construction will not damage cultural or historic features of significance.

- A. The proposed parking lot is in harmony with the general purpose, goals and objectives of the comprehensive plan because it acts as a very low impact enabler for the proposed mixed use building that will promote healthy urban neighborhoods, economic vitality and environmental stewardship (walkability). A very similar parking approach and site strategy was used successfully at South and Hickory Place on South Avenue in Rochester.

More than 50 percent of the proposed parking is already existing on the R-1 portion of the site. The proposal extends the existing parking configuration to the south, connecting the parking lot to Gold Street instead of retaining the existing parking lot configuration with a curb cut on Mt Hope Avenue.

Although neighbors expressed concerns that residents of the proposed building would park on Gold and Langslow Streets, they did not express concern about the impact of the parking lot. The lot provides the number of spaces required for the project, and based on comments, it seems that the neighborhood would prefer as many spaces in the lot as possible, to reduce demand for on street parking.

Adding four landscaping islands would reduce the parking below the required number of spaces and make it difficult to maintain the lot. We propose fencing and landscape screening along the east property line of 24 Gold Street where we have a 17 foot side setback from the adjacent property.

- B. The proposed parking lot will not have a substantial or undue adverse effect on the adjacent property, character of neighborhood, traffic, parking, public health, safety or general welfare. An existing parking lot on the site is of equal size with approximately the same number of spaces (55 vs. 57) . The new configuration reuses fifty percent of the existing parking lot and removes the curb cut from Mt. Hope Avenue resulting in a safer traffic flow configuration for both cars and pedestrians.

Non-compliant side yard setbacks at the Langslow Street portion of the parking lot are existing and not self-created. The new extension of the parking lot toward Gold Street aligns with the existing parking lot and results in a setback that is more than 10 feet (17 feet) from the adjacent property at 30 Gold Street but overall less than 25 feet (23.5 feet) when combined with the setback from the applicant's property at 10 Gold Street.

- C. The proposed parking lot will be constructed and situated so as not to dominate the immediate vicinity or interfere with the development or use of neighboring properties. The lot will be screened from adjacent residential property by fencing and landscaping and screened from Mt Hope Avenue by the proposed mixed use building. The location of the parking lot is unobtrusive with one of its long sides directly adjacent to all C-1 district properties.

The proposed parking lot is no larger than the existing parking lot currently on the site, it's just reconfigured. Front yard setbacks for immediately adjacent properties along Gold Street and

Langslow Street are forward of the proposed setback line of the parking. The lot coverage for the parking of 90 percent is largely a result of the existing parking lot on Langslow Street which is non-compliant. The new portion of the parking lot covers less than 70 percent of 16 and 24 Gold Street.

- D. The proposed parking lot will be served adequately by essential public facilities and services and the persons responsible for the establishment of the proposed parking lot will provide adequately for such services. Drainage structures both existing and new will be provided as required. Dark sky lighting compliant lighting fixtures will be used. Curb cuts on Langslow and Gold Streets will provide for adequate and safe access to the parking lot.
- E. The proposed parking lot is not adjacent to, nor will it result in, the destruction loss or damage of any natural scenic, cultural or historic feature of significance.



City of Rochester

Neighborhood and Business Development
City Hall Room 125B, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov

Bureau of Planning
and Zoning

April 20, 2016

Messrs. Ken Burnham and Duncan Frame
1080 Pittsford Victor Road, Ste. 202
Pittsford, NY 14534

**Re: Preliminary Site Plan Findings
SP-022-15-16, 1176-1188 Mt. Hope Ave., 10-24 Gold St., 17 Langslow St.
C-1 Neighborhood Center Commercial District, and
R-1 Low Density Residential District**

Dear Mr. Messrs. Burnham and Frame:

We have completed a preliminary review of your application to demolish a 2-story building at #1176, combine parcels, construct a mixed-use development consisting of a 5-story, 63,000SF residential/retail building and a 4-story, 8,300SF residential building, and expand an existing parking lot to accommodate 49 spaces. The following findings and recommendations have resulted from this review. It is your responsibility to familiarize yourself with the content of this document.

Existing Conditions:

The site is located in the southeast quadrant of the city, just north of the University of Rochester and its new mixed-use College Town development and across the street from the City's historic Mt. Hope Cemetery. It is on the west edge of a compact neighborhood just one block wide by six blocks long consisting mainly of vernacular, wood-frame, one- and two-family dwellings on narrow, tree-lined streets. The neighborhood is bound by Mt. Hope and South Avenues, which are the primary north-south connections between the developing areas to the south and the re-emergent city center two miles to the north. The avenues contain a mix of uses, including family residences, restaurants, small commercial spaces, and two- and three-story apartment buildings.

Seven parcels comprise the site, totaling 0.78 acres and spanning two zoning districts. Three parcels on Mt. Hope Avenue—numbers 1176, 1182 and 1186-88—along with 10 Gold Street are in a C-1 Neighborhood Center Commercial District. Three adjacent parcels—16 and 24 Gold Street and 17 Langslow Street, are in an R-1 Low-Density Residential District. The parcels are used as follows:

- 1176 Mt. Hope Avenue contains a two-story commercial building with a 1½ story rear addition. The building is vacant, but had most recently held a comic book store. City records show that it had housed a wholesale store, a warehouse, and laboratory.
- 1182 and 1186-88 Mt. Hope Avenue and 17 Langslow Street contain a surface parking lot with about 54 spaces, with access from both streets. City records show that a permit was issued in 1984 to construct a parking lot on #1186-88. No permits

Preliminary Site Plan Findings

SP-028-15-16

1176-1188 Mt. Hope Ave., 10-24 Gold St., 17 Langslow St.

Page 2

are shown for the portion of the lot on #1182 and #17, although a permit issued in 1984 to install 245 feet of wood fence and 300 feet of guard rail on #17 might suggest this was to control parking. [As noted below, the survey map shows that the fence and curb on the south side of #17 are actually on the adjacent parcel, not owned by the applicant.] The records do not reflect what properties the lot serves or served. We believe that it was used as overflow parking for the nearby Distillery restaurant, but the required approval from the City Planning Commission was never sought or issued.

- 10 Gold Street holds a single-family dwelling of a vernacular style, with no garage.
- 16 and 24 Gold Street are empty lots with no permit history. City maps from 1924 and 1935 and a later insurance map show both parcels as empty.

Mt. Hope Cemetery, considered to be America's oldest municipal Victorian burial ground, consists of 196 acres of glacially-formed terrain with a recognized collection of tree species and historic structures. It is the resting place of over 350,000 Rochesterians, including many of the community's most renowned. Much of the cemetery, including the portion facing the proposed development site, is part of a city-designated preservation district. The cemetery's main entrance is about 100 feet north of 1176 Mt. Hope Avenue.

Bordering the site on the north is a three-family dwelling with a commercial space on the first floor that held a florist until recently and has been converted to a medical office. Adjacent to the site on the south is a two-family residence followed by a four-family.

Scope of the Project:

The applicant proposes to remove a building at 1176 Mt. Hope, a parking lot at 1182 and 1186-88 Mt. Hope and the house at 10 Gold Street, and build a mixed-use development marketed for student housing. The portion of parking lot on 17 Langslow Street would be retained and extended south onto 16 and 24 Gold Street to provide 49 spaces.

The new building fronting the avenue would have about 63,000SF divided equally into five stories, and be about 55 feet tall. Suite-style apartments on floors two through five would house 80 students in 24 two-bedroom units and 8 four-bedroom units. On the first floor, 3,000SF would be devoted to commercial space, and another 3,800SF would be reserved for tenant amenities. Access to the apartment lobby and the commercial space would be from both the avenue side and the parking lot in the rear. Indoor parking would be provided for 8 vehicles, accessed by four garage doors on the rear.

In place of the house at 10 Gold Street, the applicant proposes to construct a +/-8,300SF, four-story apartment building with 8 two-bedroom suites to house 16 students. This building would be accessed directly from the parking lot, with no entry facing the street.

Together, the two buildings would house 96 students and 3,000SF of commercial space, and be served by 57 parking spaces.

Preliminary Site Plan Findings

SP-028-15-16

1176-1188 Mt. Hope Ave., 10-24 Gold St., 17 Langslow St.

Page 3

SEQR/Chapter 48 Compliance:

In accordance with Article 8 of the New York State Conservation Law and Chapter 48 of the Rochester City Code, this project has been classified as a Type 1 Action. A Negative Declaration was issued on April 11, 2016, indicating that the proposed action is one which will not have a significant impact on the environment.

Code Compliance:

1. **'Major' Site Plan Review** approval by the Director of Planning and Zoning is required because the project involves construction of new multifamily housing, is larger than 20,000SF and noncompliant with certain zoning requirements, abuts a site listed in the National Register of Historic Places, and is a Type 1 action under the State Environmental Quality Review Act.
2. A **Special Permit** from the City Planning Commission is required to establish an ancillary parking lot in the R-1 district at 17 Langslow Street and 16-24 Gold Street, as per section 120-131 of the Zoning Code. A zoning district line separates the three parking parcels from the four building parcels, and parcels across district lines cannot be combined (or 'resubdivided'). Therefore, the parking lot is considered to be ancillary to the two buildings.

As part of its review of the ancillary parking lot, the Planning Commission must also waive certain aspects of the parking lot that are noncompliant with numerical standards of the code. The lot must comply with the regulations of the R-1 residential zone and code section 120-173F. Although ancillary to the apartment buildings, the lot is the principal use of the parcels, and must comply with regulations for a principal, rather than an accessory, use. Some aspects of the lot are noncompliant, and these can be waived by the City Planning Commission as part of the special permit for ancillary parking rather than given variances by the Zoning Board of Appeals.

- a. The minimum front yard setback of a principal use fronting Langslow and Gold Streets must be either the average setback of buildings on the block or 20 feet, whichever is more. In addition, parking may not be within 10 feet of a front property line unless screened with a fence or wall combined with plantings. Neither setback is dimensioned on the site plan, but both are less than the 20 foot minimum, thus requiring a waiver from the Planning Commission. If this is denied, the number of parking spaces falls below the number required.
- b. Side yard setbacks must be at least 10 feet each and a combined total of 25 feet. Both side yards of the existing parking lot at 17 Langslow Street are less than the minimum, requiring a second waiver, reduction of the pavement, and/or purchase of a portion of 33 Langslow Street. On the proposed extension of the parking lot onto the Gold Street lots, both side yard setbacks appear compliant, but the plan must show dimensions.
- c. Lot coverage in an R-1 zone is limited to 50%. As drawn, the parking lot covers more than 90% of the parcels, thus requiring a third waiver.

Preliminary Site Plan Findings

SP-028-15-16

1176-1188 Mt. Hope Ave., 10-24 Gold St., 17 Langslow St.

Page 4

- d. Landscaped islands are required in a parking lot at a rate of one per 15 parking spaces, or four in this case, with each island equivalent in size to a parking space at 162SF. The applicant may submit an alternative means to meet the screening intent of the landscaping requirements that may include masonry or stone walls, more mature plant materials, hedges, public art or other similar amenities to improve the aesthetics of the site. The plan would require a fourth waiver.
- e. The surface of the parking lot must be all-weather, durable and dustless, and be graded and drained to manage stormwater on site. Water may not shed across property lines nor into the public right of way. A grading plan must be provided.
- f. According to the provided survey map, the eastern curb of the existing parking lot at 17 Langslow and an adjacent fence are on the parcel at 33 Langslow, which is under separate ownership. The site plan shows that two 20 foot tall parking lot lights would be installed on this adjacent property. The applicant must remove the intrusions, purchase a portion of land, or provide evidence of an easement over the neighboring property.

g. Parking spaces are required as follows:

1)	1.2 for each of the 32 two-bedroom apartments =	39
2)	1.5 for each of the 8 four-bedroom apartments =	12
3)	<u>2.0 for every 1000SF of commercial space =</u>	<u>6</u>
	Total	= 57

The site plan shows 49 parking spaces on the surface lot and 8 inside the larger building, for a total of 57. This number could be lowered pending decisions by the Planning Commission on setbacks, lot coverage and landscaping.

- h. The trash enclosure is placed close to a private home and must be relocated to the interior of the site or within the building.
 - i. All other aspects of the parking lot comply with the zoning code, including access, aisle width, dimensions and striping of parking spaces and lighting.
3. **Area Variance** approval from the Zoning Board of Appeals is required for the following two requirements, which are described in more detail in the Findings below.
- a. Not meeting a required rear yard setback of 20 feet, where only 3 feet is provided;
 - b. Not meeting the Citywide Design Guidelines for having a building's main entrance face the public street. The entrance of the Gold Street building faces the parking lot, not the street.

Preliminary Site Plan Findings

SP-028-15-16

1176-1188 Mt. Hope Ave., 10-24 Gold St., 17 Langslow St.

Page 5

Public Notification:

1. All owners of properties bounded by Mt. Hope, South and Elmwood Avenues and Cook Street, along with the South Wedge Planning Committee, the Upper Mt. Hope Neighborhood Association and the Southeast Area Coalition, were notified of the proposal by postcards mailed from this office on December 14. The standard 30-day period for public comments was extended to February 22 due to the holidays.
2. The Democrat and Chronicle newspaper published an article about the proposal on December 19.
3. The developers held a public meeting at St. Anne's social hall on the evening of January 18, having notified the neighbors via postcards. About 40 persons attended.
4. Neighborhood NBN6 sponsored a public meeting on February 8, where the developers presented their proposal. About 20 persons attended.

Findings:

1. The C-1 Neighborhood Center Commercial District is intended to permit multiple buildings as part of a mixed use development, provided they are on a single parcel, per the definition of 'mixed use' in zoning code section 120-208.
2. Dwelling units are permitted in the C-1 District when part of a mixed-use development that includes other uses permitted in the zone. There are no limits to either the number of different uses or the percentage of space devoted to a use. Given that the C-1 District is meant to provide small-scale shopping and services for nearby residences, each commercial space is limited to 3000SF. The developer is encouraged to meet this requirement.
3. This proposal is in substantial compliance with the lot, area, yard and bulk requirements of the C-1 District, except where noted below. The District:
 - a. Has no minimum or maximum limits for lot size, coverage or street frontage.
 - b. Limits the distance a building may be set off the front lot line to 5 feet or a distance similar to other buildings in the corridor. The larger building is proposed to be tight to the front line and is therefore compliant. The smaller building is set 5'-4" off the front lot line, which is similar to other buildings on the block, and is thus compliant.
 - c. Allows a building to be tight to side and rear lot lines unless adjacent to a residential district, in which case the yard requirements are the same as the residential district. As proposed, the building is 3 feet off each of the side and rear lines and is compliant. The rear line adjoins a residential district, where the minimum rear yard setback is 20 feet. Therefore, an area variance is required for the rear setback of 3 feet versus 20 feet.
 - d. Requires buildings to be at least two stories or 20 feet tall, but has no maximum height. Both buildings comply.

Preliminary Site Plan Findings

SP-028-15-16

1176-1188 Mt. Hope Ave., 10-24 Gold St., 17 Langslow St.

Page 6

4. We received an unusually high number of written and verbal comments from property owners in the neighborhood, most opposing the development. Several of the owners are long-time residents on the side streets, while others live elsewhere. Several comments were received from residents farther north on Mt. Hope Avenue, who were focused mostly on traffic volumes and speeds. In general, the five key concerns are:
- a. An excessively high concentration of students, with commensurate noise, poor behavior, and loitering;
 - b. Inadequate onsite parking, when street parking is already limited;
 - c. Buildings that are out of character in scale and bulk;
 - d. Unattractive architecture;
 - e. High traffic volume on Mt. Hope and South Avenues.

The applicant responded to these concerns in writing on February 16, 2016 as follows.

To address student behavior:

- 1) Security cameras and 24-hour monitoring would be provided;
- 2) Full-time employees on site;
- 3) Enforceable rules and regulations;
- 4) Coordination with the university's off-campus housing and security personnel.

The Site Plan Review Committee agrees that the proposed staffing, monitoring and security measures are essential for this project to be a good neighbor.

Responding to concerns that every student might have a car, the applicant wrote that national statistics show that less than 0.5 car per student can be expected. He provided parking-to-bed ratios for student housing at four universities: Washington, Virginia, Texas and Rice. He wrote that, to control vehicle numbers, he would:

- 1) Register each car and provide a form of identification to be placed on the car;
- 2) Limit the number of cars per apartment;
- 3) Assign parking spaces to units;
- 4) Monitor and enforce parking 24/7.

These proposed parking management techniques are essential since, without a street grid either side of this narrow neighborhood, there is no place to absorb excess parking. The parking management plan is highly recommended and will be stressed in the Site Plan Approval.

Provided that the City Planning Commission waives deficiencies of the site plan, the amount of parking meets the requirements of the zoning code. Therefore, we have no cause to require more onsite parking or deny the application based on parking.

Preliminary Site Plan Findings

SP-028-15-16

1176-1188 Mt. Hope Ave., 10-24 Gold St., 17 Langslow St.

Page 7

In response to concerns that there is so much traffic on Mt. Hope that tenants will be afraid to use the sidewalks and thus resort to driving, the applicant wrote that this is highly speculative and that sidewalks are designed to safely accommodate pedestrians regardless of traffic conditions.

There is no evidence of this.

Responding to concerns that heavy traffic on Mt. Hope limits vehicular access from the side streets, Mr. Burnham wrote that it is more practical to use South Avenue.

5. Given the significant concerns of the neighbors relating to traffic, this proposal was referred to the Monroe County Department of Transportation (MCDOT) and the traffic engineers and transportation planner in the City's Department of Environmental Service (DES) for review and comment. After assessing the data, the MCDOT reported that the streets' current capacities meet federal safety standards, and that the volumes are not high enough to warrant changes in the street configurations or traffic control devices. The engineers found that this project is not large enough to cause a significant rise in volumes, and commented that, with average daily vehicle trips on Mt. Hope Avenue in the range of 20,000, any added vehicles from this project will have a negligible impact on traffic volumes. The DES engineers and planner concurred with the findings of the MCDOT and indicated that they are working on solutions to the traffic concerns of the neighbors.
6. The City's Project Review Committee, at its meetings of January 6 and March 2, 2016 and provided recommendations relative to façade articulation, architectural details and materials of a human scale. Committee members suggested pulling the main building back from the public sidewalk and stepping back the upper floors.
7. The City-wide Design Standards in code section 120-157 are met by the proposed design, except in one instance: a building's main façade and entrance shall face a public street and shall have a direct pedestrian connection to the street. The front façade and entrance of the Gold Street building faces the parking lot, thus requiring an area variance.
8. Code section 120-159, Standards for Mixed-use Buildings, prohibits certain materials on exterior walls. The following should be avoided when materials are chosen:
 - 1) Concrete finishes or panels that are not exposed aggregate, hammered, embossed, imprinted, sandblasted or covered with a cement-based acrylic coating;
 - 2) Metal panels with a depth of less than one inch or a thickness less than U.S. Standard 26 gauge;
 - 3) Plain concrete block and glass block;
 - 4) Exterior insulating finish systems (EIFS) on the first floor;
 - 5) Plastic and vinyl;
 - 6) Corrugated metal, except as decorative or detail elements on <25% of the facade.

Preliminary Site Plan Findings

SP-028-15-16

1176-1188 Mt. Hope Ave., 10-24 Gold St., 17 Langslow St.

Page 8

9. The Rochester Environmental Commission reviewed the proposal at its meeting on January 21, 2016 and recommended issuance of a Positive Declaration pursuant to SEQRA, based on its concerns relative to project size. Upon further review of these concerns, the Director of Planning and Zoning determined that the concerns have been mitigated, and issued a Negative Declaration on April 11, 2016.
10. Site plan approval will require that the parcels within the C-1 zone are combined into one, and the parcels within the R-1 zone combined into one.
11. The City's Department of Environmental Services provided comments on driveway aprons, modifications to the Mt. Hope curb line, and site drainage. Those comments were forwarded to the applicant in early January, and are attached.

A copy of these findings will be provided to the Zoning Board of Appeals and the City Planning Commission for consideration in deciding upon variances and a special permit, respectively. Final Site Plan Review approval will not be issued until the Notice of Decisions have been issued and all conditions imposed by the Zoning Board and Planning Commission have been addressed, as well as any additional requirements as noted in these findings.

Please contact Peter Siegrist at 428-7238 or Peter.Siegrist@cityofrochester.gov if you have any questions regarding these preliminary findings.

Sincerely,



Zina Lagonegro, AICP, EIT
Director of Planning and Zoning

CC: Tom Mann, Permit Office Manager
Al Giglio, Terry Mott, Erik Frisch, Department of Environmental Services
Jill Wiedrick, City Planning Commission
Jill Symonds, Zoning Board of Appeals
Jason Haremza, Rochester Environmental Commission
Brent Penwarden, Monroe County Department of Transportation

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

Agency Use Only [If applicable]

Project: Gold Street Lofts, 1175 ML Hope Avenue

Date: April 11, 2018

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 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 involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input 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 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 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 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 type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input 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) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	<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) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
	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. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
	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. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO ₂)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
ii. More than 3.5 tons/year of nitrous oxide (N ₂ O)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iv. More than .045 tons/year of sulfur hexafluoride (SF ₆)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	<input type="checkbox"/>	<input type="checkbox"/>
vi. 43 tons/year or more of methane	D2h	<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.) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

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

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 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 occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

d. Other impacts: <u>The site is substantially contiguous to a City of Rochester Preservation District</u>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. If any of the above (a-d) are answered "Yes", 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 checked="" 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 checked="" 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 checked="" 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 - g. If "No", go to Section 14.

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

14. Impact on Energy
 The proposed action may cause an increase in the use of any form of energy. NO YES
 (See Part 1. D.2.k)
 If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input 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 type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input 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 type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____			

15. Impact on Noise, Odor, and Light
 The proposed action may result in an increase in noise, odors, or outdoor lighting. NO YES
 (See Part 1. D.2.m., n., and o.)
 If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input 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 type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input 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.) NO YES

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

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

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) If "Yes", answer questions a - h. If "No", go to Section 18.			
		<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) If "Yes", answer questions a - g. If "No", proceed to Part 3.			
		<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 replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

PRINT FULL FORM

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.

10. Impact on Historic Resources

Mt. Hope Cemetery, listed in the National Register of Historic Places and lying partly within a city-designated preservation district, is substantially contiguous to the project site. It is a large property of about 196 acres extending along about 13 blocks of Mt. Hope Avenue. The northern half holds impressive monuments among old growth trees, rolling hills and rich vistas, marking where many of Rochester's famous citizens are buried. The southern half is flat and largely open, and holds more common grave sites. In this area, the distinguishing features are the entrance gateway, main office and chapel. All three are near the project site, with the chapel directly across the street. These are the only occupied structures in this large area.

The office is a wood-frame, Italianate-style house with a broad porch facing the entrance drive, just inside the cemetery grounds. The gateway straddles the drive and is formed of 7 limestone piers that support heavy iron gates. The chapel, the most architecturally significant of the three and built in 1912, is set back about 40 feet from the street and raised on a low earthen plinth. It is in poor condition and is largely unused. Some of the few mature trees in this part of the cemetery surround the house and chapel. The chapel, especially, is hidden behind tall, dense conifers.

The proposed 32-unit building would not significantly impact the historic cemetery. First, at five stories tall, it would be equal to or shorter than the many buildings along the cemetery's south border in College Town, within view of the project site. It's massing and height would be similar to two new mixed-use buildings visible from this site. None of those buildings has had a negative impact on the cemetery. Second, the facade facing the cemetery is divided into blocks equivalent to the neighboring houses and the chapel, which create a verticality that works in concert with the chapel tower. Third, the building would replace an unattractive commercial building and fill a wide gap in the street wall, helping to visually contain the openness of the cemetery. Fourth, the building's materials are muted in color and texture, mimicking the materials in the cemetery. Fifth, the use of the two apartment buildings as residential housing, with a small commercial element, will not generate noise, excess traffic, glare, vandalism, etc. that could harm the enjoyment of the cemetery.

18. Consistency with Community Character (see attached page)

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

Gold Street Lofts

Full Environmental Assessment Form

Part 3 - Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance

18. Consistency with Community Character

Defining the community as the area encompassing the university, the medical center, CollegeTown and the commercial zone extending up Mt. Hope Avenue from Elmwood Avenue, the project is consistent in mass, scale, materials and uses with many other buildings, especially those lining the south side of the cemetery. Two new, large-scale buildings at CollegeTown, just down the street from this development site, are mixed use, with first floor retail and three floors of apartments reserved for university students. The proposed buildings are consistent with these new buildings.

Defining the community as a smaller area bound by Mt. Hope, Elmwood, South and Highland Avenues, the planned 32-unit building is larger than other buildings and has a slightly higher intensity of use than apartment buildings nearby. For example, the building at 1150 Mt. Hope Avenue has 30 units and is three stories tall. It was constructed in 1960. The 16-unit building is similar in size and intensity to the 12-unit building at 1226 Mt. Hope, constructed in 1977.

Unusual to this narrow neighborhood is the concentration of occupants, with more per apartment than nearby buildings. The developer intends to address potential problems of this concentration with 24-hour monitoring by onsite, full time managers, by instituting enforceable rules, and by coordinating efforts with personnel of the university's off-campus housing and security departments.

The parking lot is largely existing, but in an L-shaped configuration. One leg would remain as is while the other would rotate to form a straight line. The resulting lot would be smaller than the existing one. Although the lot would be used more intensely than it is now, the developer intends to manage it by registering each vehicle, limiting the number of vehicles per apartment, assigning parking spaces, and enforcing use of the lot around the clock.

With the project located at the edge of the neighborhood, and with the active rental and parking management plan in place, the project is not expected to have a significant impact on the neighborhood.

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.d).

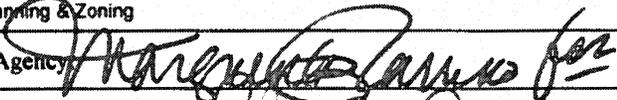
C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration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

Name of Action: Construction of Gold Street Lofts, 1176-1188 Mt. Hope Avenue

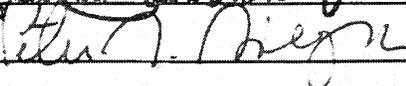
Name of Lead Agency: Director of Planning & Zoning

Name of Responsible Officer in Lead Agency: Zina Lagonegro, AICP, EIT

Title of Responsible Officer: Director of Planning & Zoning

Signature of Responsible Officer in Lead Agency: 

Date: 4/20/16

Signature of Preparer (if different from Responsible Officer): 

Date: 4/11/2016

For Further Information:

Contact Person: Peter Siegrist

Address: Rochester City Hall, 30 Church Street, rm. 121B, Rochester, NY 14614

Telephone Number: (585)428-7238

E-mail: peter.siegrist@cityofrochester.gov

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

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

Other involved agencies (if any)

Applicant (if any)

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

PRINT FULL FORM

**CITY OF ROCHESTER
COUNTY OF MONROE, NY
NOTICE OF ENVIRONMENTAL DETERMINATION**

Issued in accordance with Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the Rochester Municipal Code.

NEGATIVE DECLARATION: The proposed action is one which will not have a significant effect on the environment.

ACTION: Classification: Type I
Description: Site development contiguous to a site listed in the National Register of Historic Places

PROJECT: Title: Gold Street Lofts
Location: 1176-1188 Mt. Hope Ave., 10-24 Gold St., 17 Langslow St.
Applicant: Duncan Frame and Ken Burnham
Description: To demolish the building and parking lot at 1176-88 Mt. Hope and the house at 10 Gold St., construct two buildings to create a mixed-use development, and expand the parking lot on 17 Langslow Street onto 16 and 24 Gold St.

REASON(S) FOR DETERMINATION: The project site does not contain sensitive natural features such as wetlands, steep slopes, erodible soils or wildlife habitat. No significant impacts are anticipated to water or air quality. Community facilities and services, including supply of water and energy, public safety, waste disposal and transportation, are adequate to accommodate and serve the proposed project. The project will not significantly impact historic or archaeological resources. The project is compatible with uses in the area.

LEAD AGENCY: Director of Planning & Zoning

AGENCY CONTACT PERSON: Peter Siegrist, Preservation Planner, (585)428-7238
Bureau of Planning & Zoning,
30 Church Street, Room 125B
Rochester, NY 14614

DATE ISSUED: April 11, 2016

This declaration and supporting information is on file and available for public inspection with the Bureau of Buildings a Zoning, Room 122-B, City Hall.

FILE REFERENCE NUMBER:

DISTRIBUTION: Mayor
City Clerk/City Council
Commissioner, Bureau of Planning & Zoning
Applicant
Environmental Notice Bulletin

BOUNDARY LINE AGREEMENT

(Neighbor owned Improvement inside Owner's property)

Jason M. Earl ("Owner") is the sole owner of property at 33 Langslow St., Rochester, New York, and Peter T. Psyllos ("Neighbor") is the sole owner of property at 17 Langslow, Rochester, New York.

An instrument survey map of Owner's property was completed by James E. Bates Jr. on July 16, 2010, a copy of which is attached ("Map") and the Map purports to show a concrete curb extending on to Owner's property as much as 1.97 feet, and a fence extending on to Owner's property as much as 5.17 feet (the "Improvements").

As shown on the Map, the parties share a common boundary line which is the Owner's ~~Easterly~~ ^{Westerly} record line of title by deed ("Owner's Boundary Line") and the Neighbor's ~~Easterly~~ ^{Easterly} record line of title by deed ("Neighbor's Boundary Line").

The Improvement, while owned by Neighbor, might act as an encumbrance upon the land of the Owner in that it appears to extend beyond the Neighbor's Boundary Line and inside the Owner's Boundary Line.

The parties to this Agreement are mutually desirous of entering into an Agreement to clarify their understandings with regard to the location of the Improvement.

In consideration of the mutual promises contained herein, the parties agree as follows:

FIRST: The Owner agrees that so long as the Improvement is located in its present position, it may remain in its current placement, and may be reasonably used, repaired and maintained by Neighbor, and further agrees that Neighbor may have reasonable access to the Improvement so long as the Improvement stands, for the purpose of making repairs and maintenance to the Improvement.

SECOND: Despite the location of the Improvement, Neighbor relinquishes to Owner any right, title or interest Neighbor might have in and to any lands lying beyond Neighbor's Boundary Line and inside Owner's Boundary Line and further agrees that if such Improvement is replaced in the future, said Improvement will be replaced wholly within Neighbor's Boundary Line.

THIRD: This Agreement shall run with the land and shall bind and inure to the benefit of the Owner and Neighbor, their respective heirs, successors and/or assigns.

FOURTH: The words "Owner", "Neighbor" and "Improvement" shall be construed to read in the plural whenever the sense of this Agreement so requires.

Dated: August 25, 2010

Jason M. Earl
Jason M. Earl (Owner)

Peter T. Psyllos
Peter T. Psyllos (Neighbor)

RECORDED
MONROE COUNTY CLERK
JUL 28 2010 3 AM 11:42

STATE OF NEW YORK
COUNTY OF MONROE) ss.:

On the 25 day of August, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Jason M. Earl 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 on behalf of which the individual(s) acted, executed the instrument.

JOHN J. COSTELLO
Notary Public in the State of New York
Monroe County Reg. #4712556
Commission Expires June 30, 2011

STATE OF NEW YORK
COUNTY OF MONROE) ss.: August 6, 2010

On the ___ day of July, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Peter T. Psyllos, 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 on behalf of which the individual(s) acted, executed the instrument.

KRIS G. TSOUKALOS
Notary Public, State of New York
No. 01156167549
Qualified in Monroe County
Commission Expires 06/04/2011

John J. Costello
Notary Public

R/R Tracy Tong 2775 Buffalo Rd Suite 3 Rochester NY 14624

LANGSLOW STREET

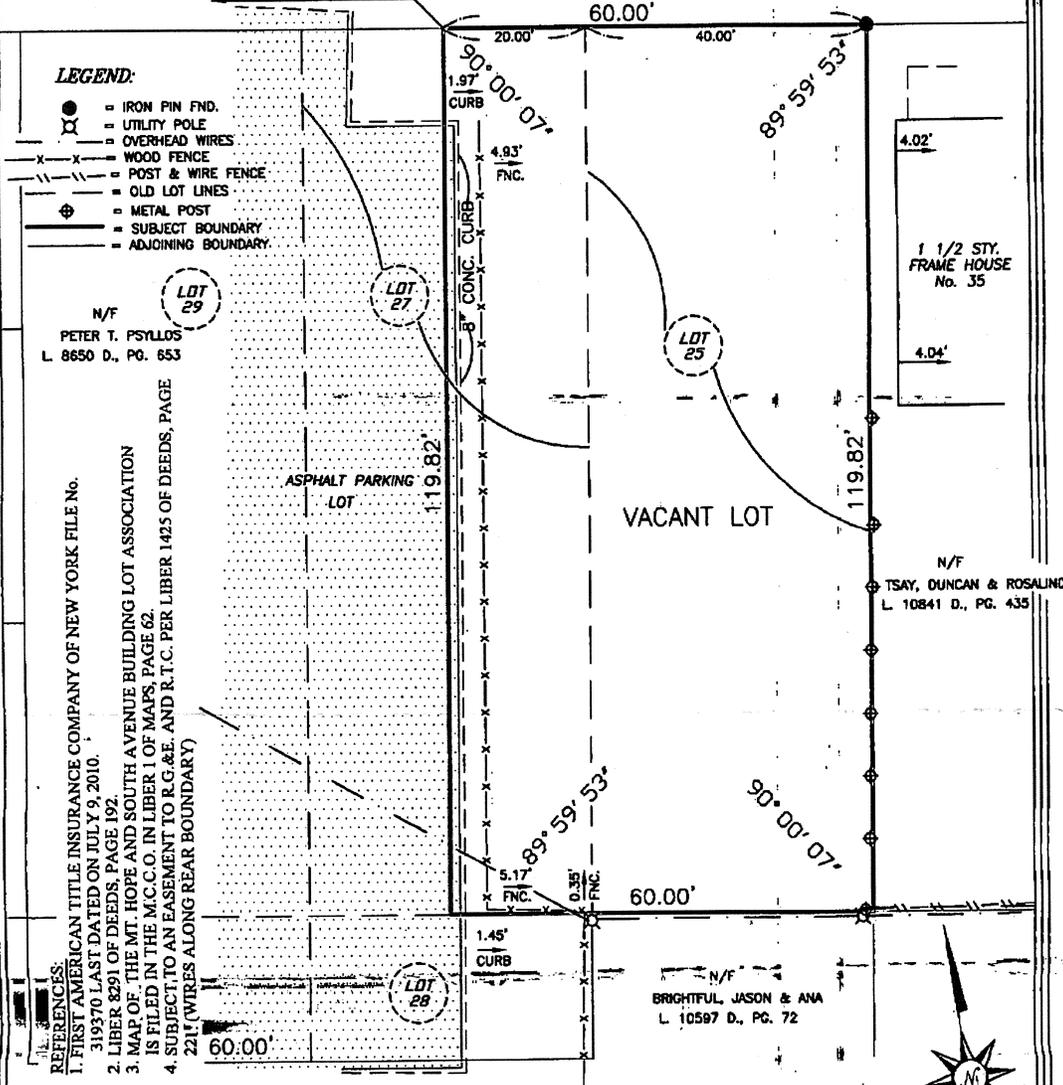
(58.00' WIDE)

180.00' TO MT. HOPE AVE.

- LEGEND:**
- IRON PIN FND.
 - UTILITY POLE
 - OVERHEAD WIRES
 - WOOD FENCE
 - POST & WIRE FENCE
 - OLD LOT LINES
 - ⊕ METAL POST
 - SUBJECT BOUNDARY
 - ADJOINING BOUNDARY

N/F
PETER T. PSYLLOS
L. 8650 D., PG. 653

- REFERENCES:**
1. FIRST AMERICAN TITLE INSURANCE COMPANY OF NEW YORK FILE No. 319370 LAST DATED ON JULY 9, 2010.
 2. LIBER 8291 OF DEEDS, PAGE 192.
 3. MAP OF THE MT. HOPE AND SOUTH AVENUE BUILDING LOT ASSOCIATION IS FILED IN THE M.C.C.O. IN LIBER 1 OF MAPS, PAGE 62.
 4. SUBJECT TO AN EASEMENT TO R.G.&E. AND R.T.C. PER LIBER 1425 OF DEEDS, PAGE 221 (WIRES ALONG REAR BOUNDARY)



1 1/2 STY.
FRAME HOUSE
No. 35

N/F
TSAY, DUNCAN & ROSALIND
L. 10841 D., PG. 435

N/F
BRIGHTFUL, JASON & ANA
L. 10597 D., PG. 72



MAP OF AN INSTRUMENT SURVEY OF
No. 33 LANGSLOW STREET

BEING
LOT No. 25 and PART of LOT 27 of the
MT. HOPE and SOUTH AVENUE CO-OPERATIVE BUILDING
LOT ASSOCIATION TRACT, SECTION 6

SITUATE IN
COUNTY OF MONROE **CITY OF ROCHESTER** **STATE OF NEW YORK**
SCALE 1 INCH = 20 FEET GROVER & BATES ASSOCIATES DATE: JULY 16, 2010

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.

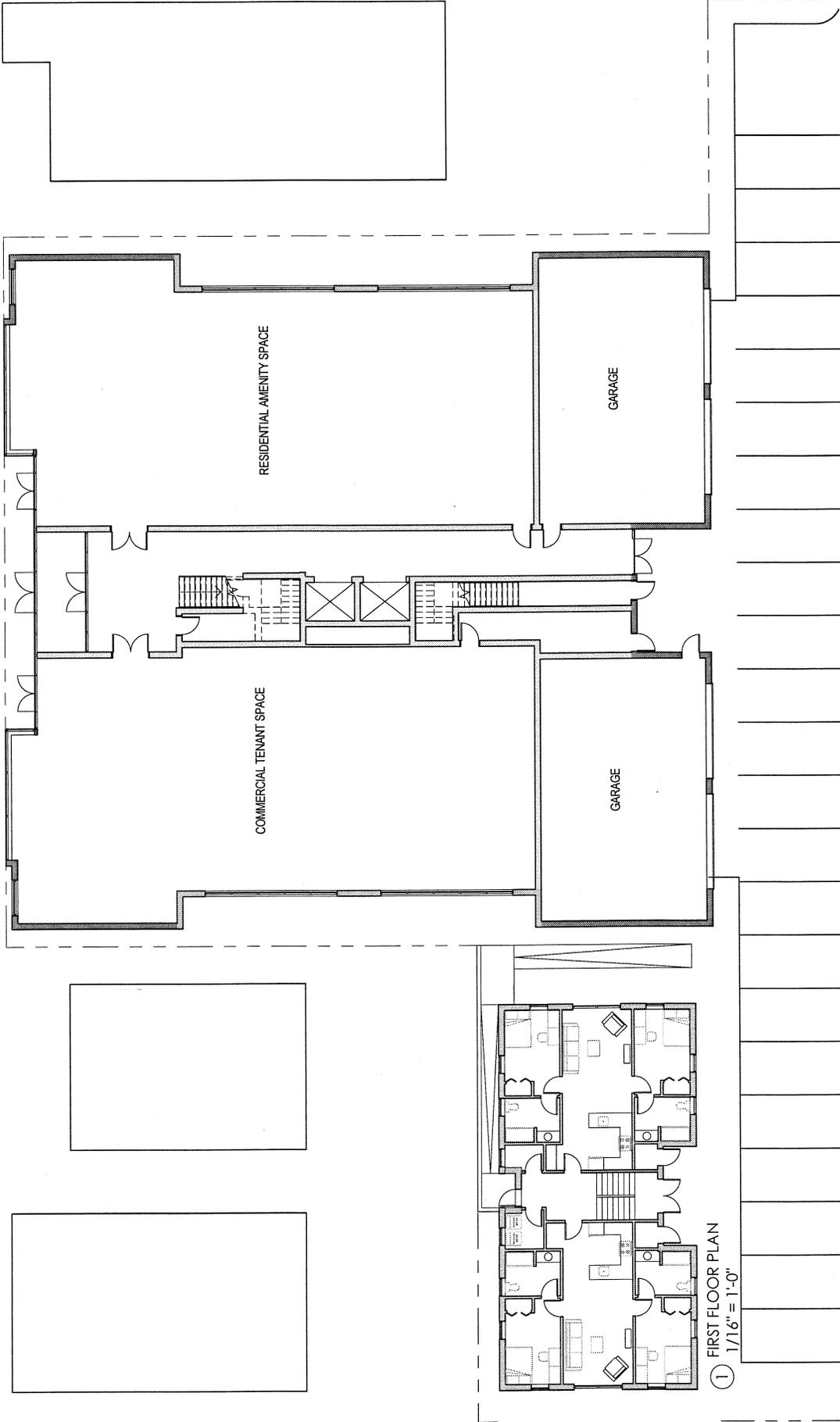
CERTIFICATIONS LISTED HEREON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE G.V.L.S.A. AND THE MONROE COUNTY BAR ASSOCIATION.

WE, GROVER & BATES ASSOCIATES DO HEREBY CERTIFY TO THE FOLLOWING:
1. TRACY JONG LAW FIRM;
2. DUNCAN TSAY;
3. ROSALIND TSAY; and
4. THE TITLE INSURANCE COMPANY INSURING THE MORTGAGE.

THAT THIS MAP WAS MADE FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED ON JULY 15, 2010.

James E. Bates, Jr.
JAMES E. BATES, Jr. LICENCE No. 49464





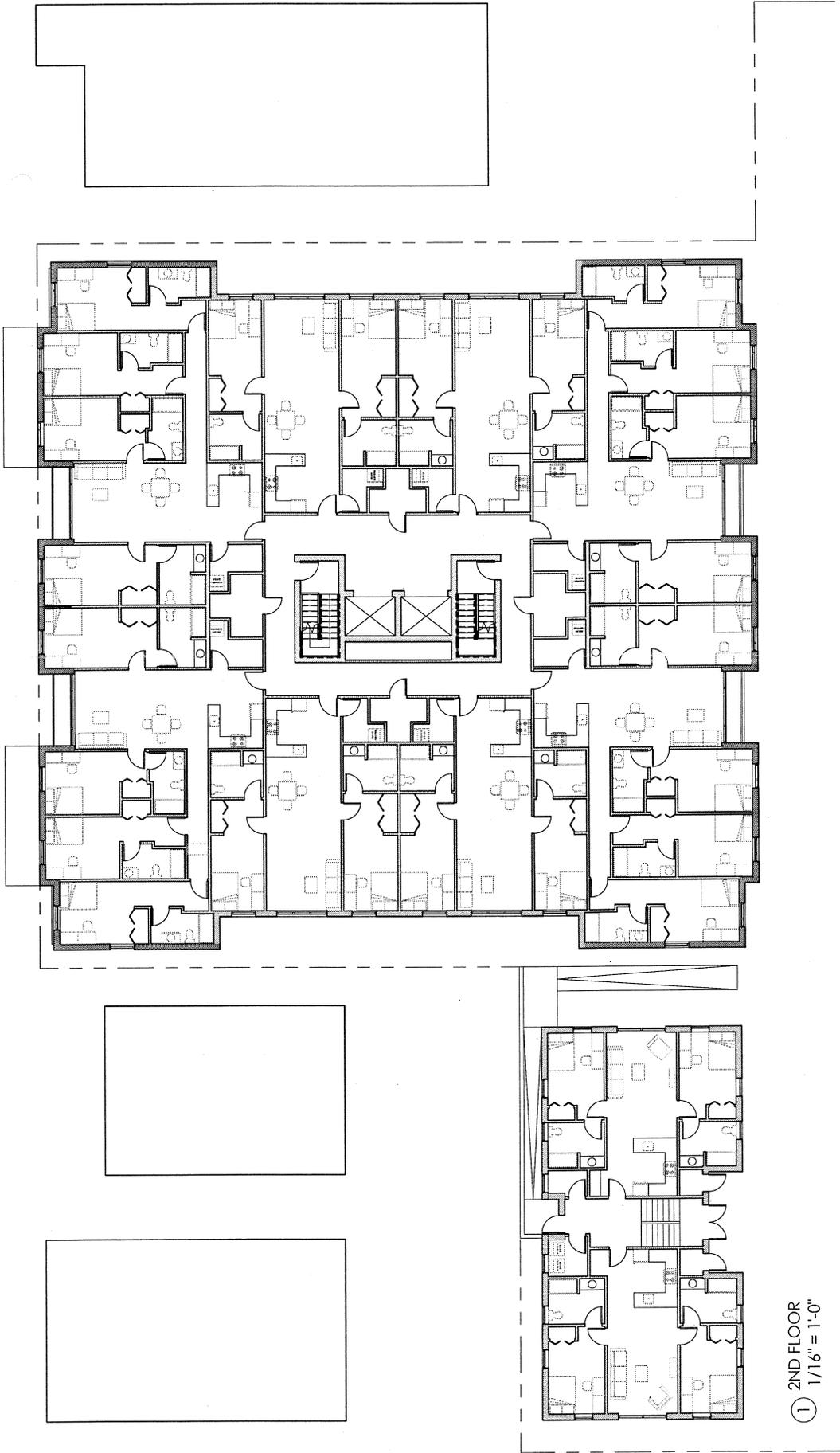
① FIRST FLOOR PLAN
1/16" = 1'-0"

LOFTS AT GOLD ST
1180 MT HOPE AVE

GROUND FLOOR PLAN

04/13/16



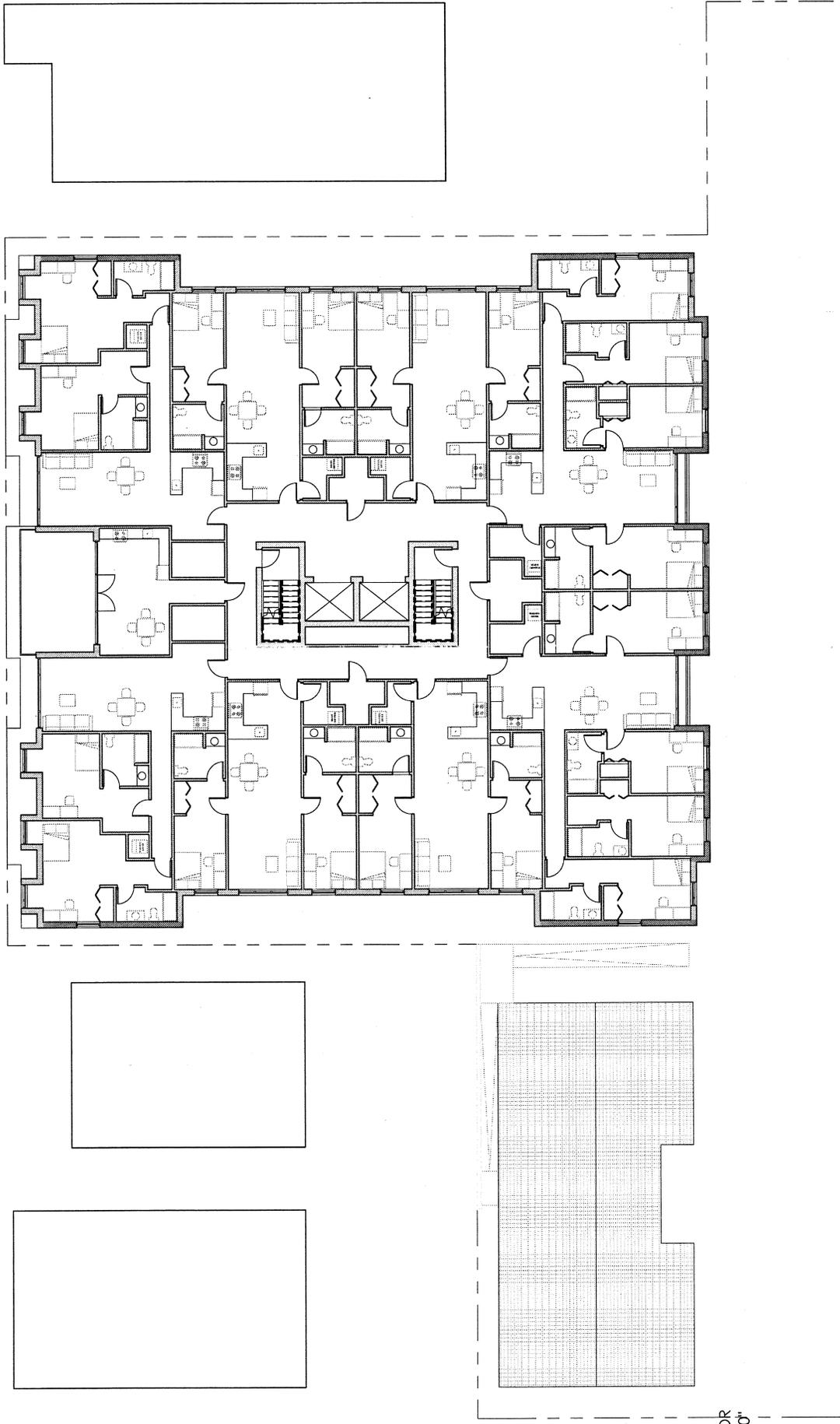


① 2ND FLOOR
1/16" = 1'-0"

LOFTS AT GOLD ST
1180 MT HOPE AVE

04/13/16

TYPICAL FLOOR PLAN



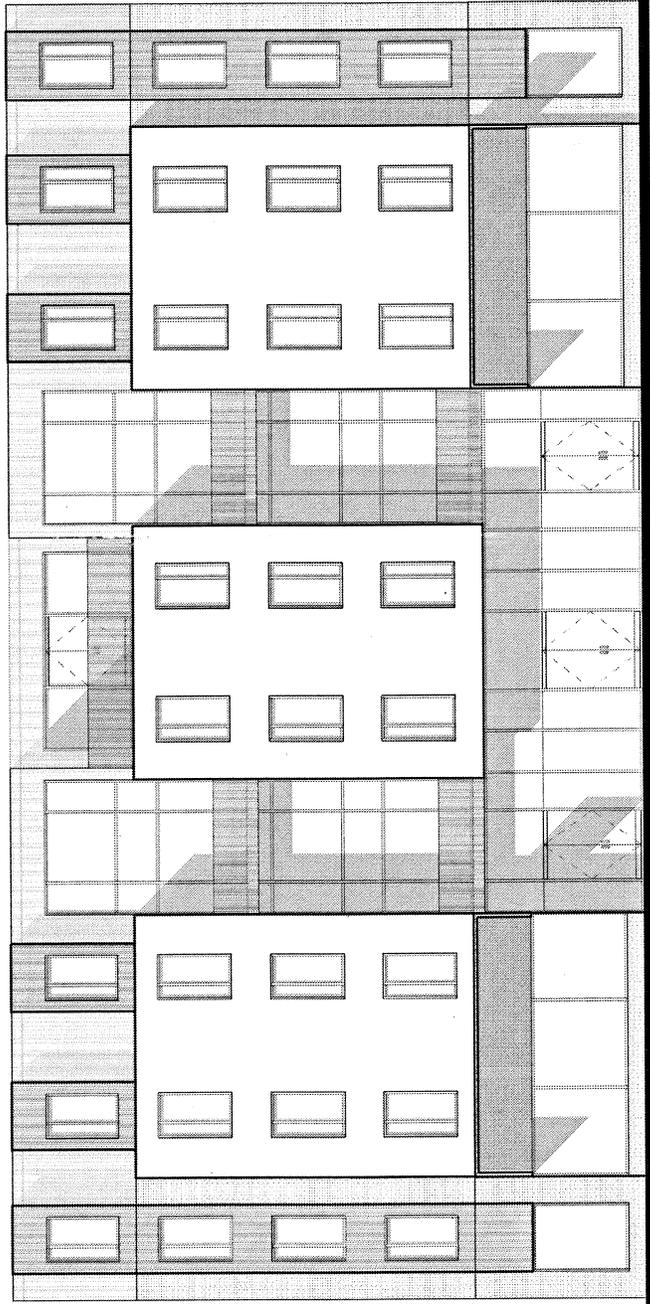
① FIFTH FLOOR
1/16" = 1'-0"

LOFTS AT GOLD ST
1180 MT HOPE AVE

04/13/16

FIFTH FLOOR PLAN





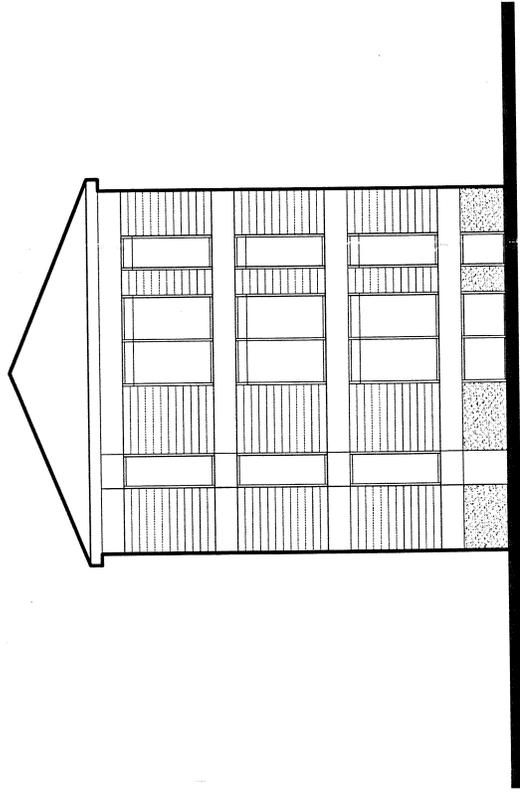
① Elevation 2 Copy 1
3/32" = 1'-0"

1180 MT HOPE WEST ELEVATION

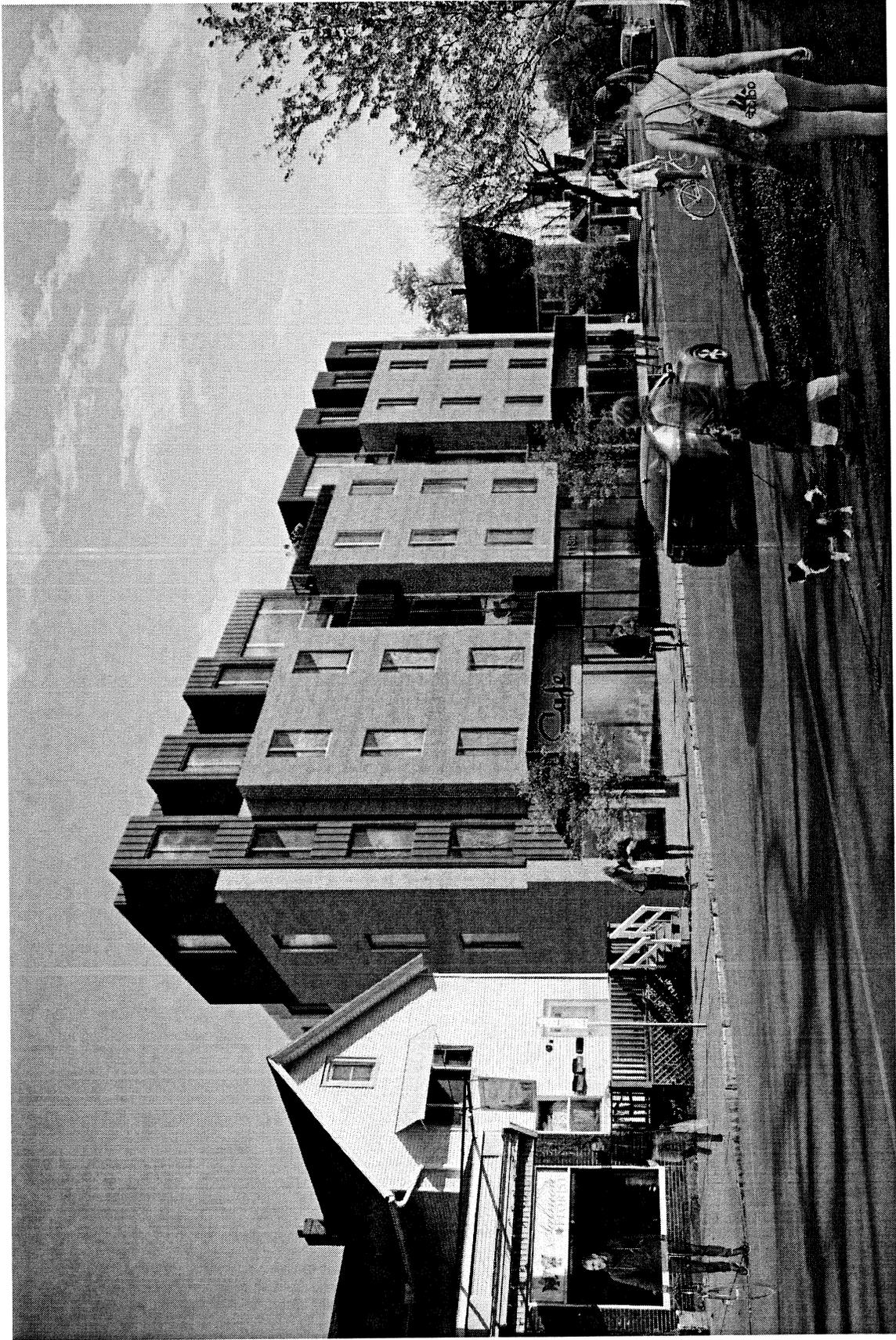
LOFTS AT GOLD ST
1180 MT HOPE AVE

04/13/16





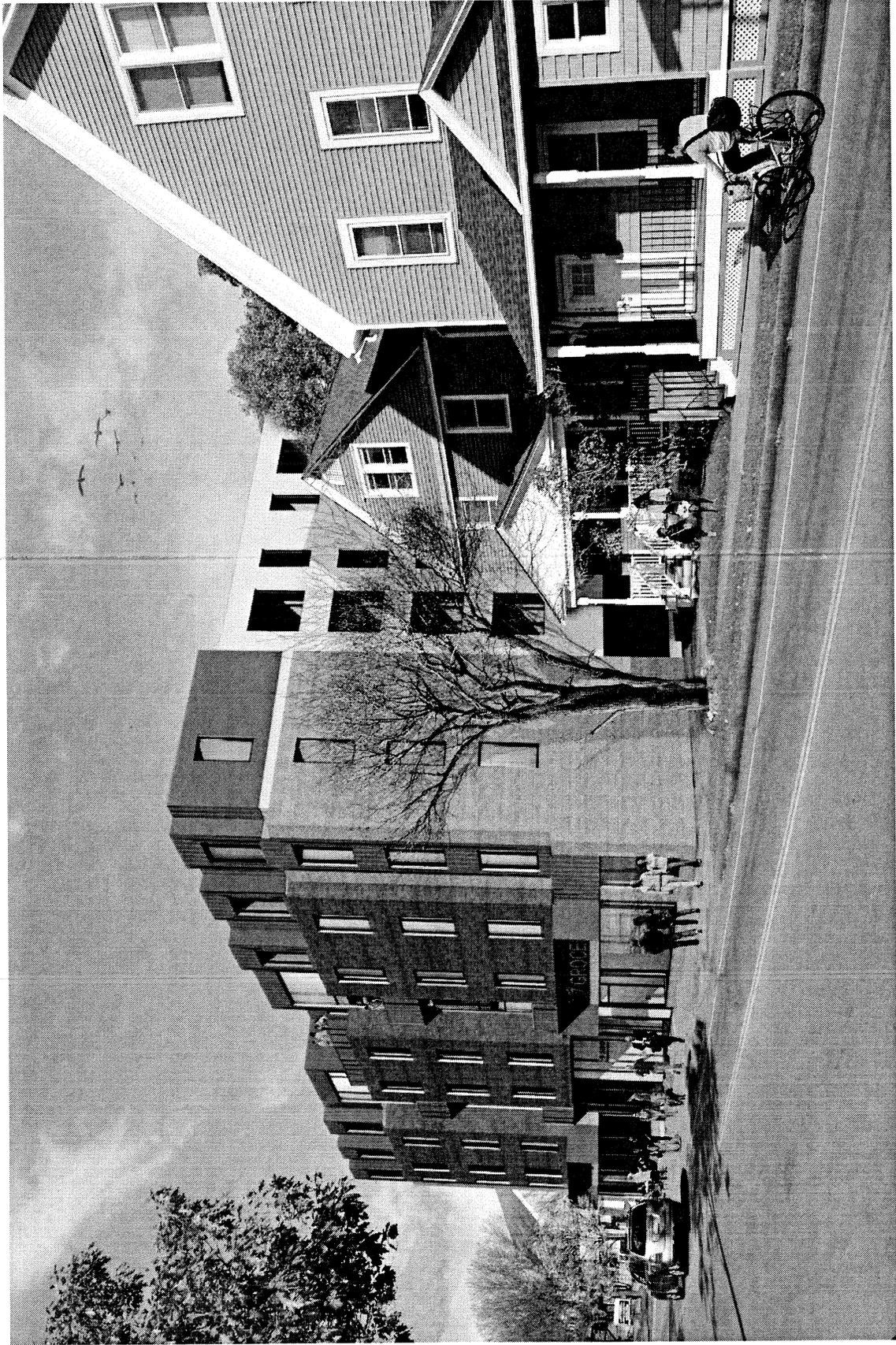
① 10 GOLD ST SOUTH ELEVATION
3/32" = 1'-0"



LOFTS AT GOLD ST
1180 MT HOPE AVE

EXTERIOR PERSPECTIVE

04/13/16



LOFTS AT GOLD ST
1180 MT HOPE AVE

04/13/16

EXTERIOR PERSPECTIVE

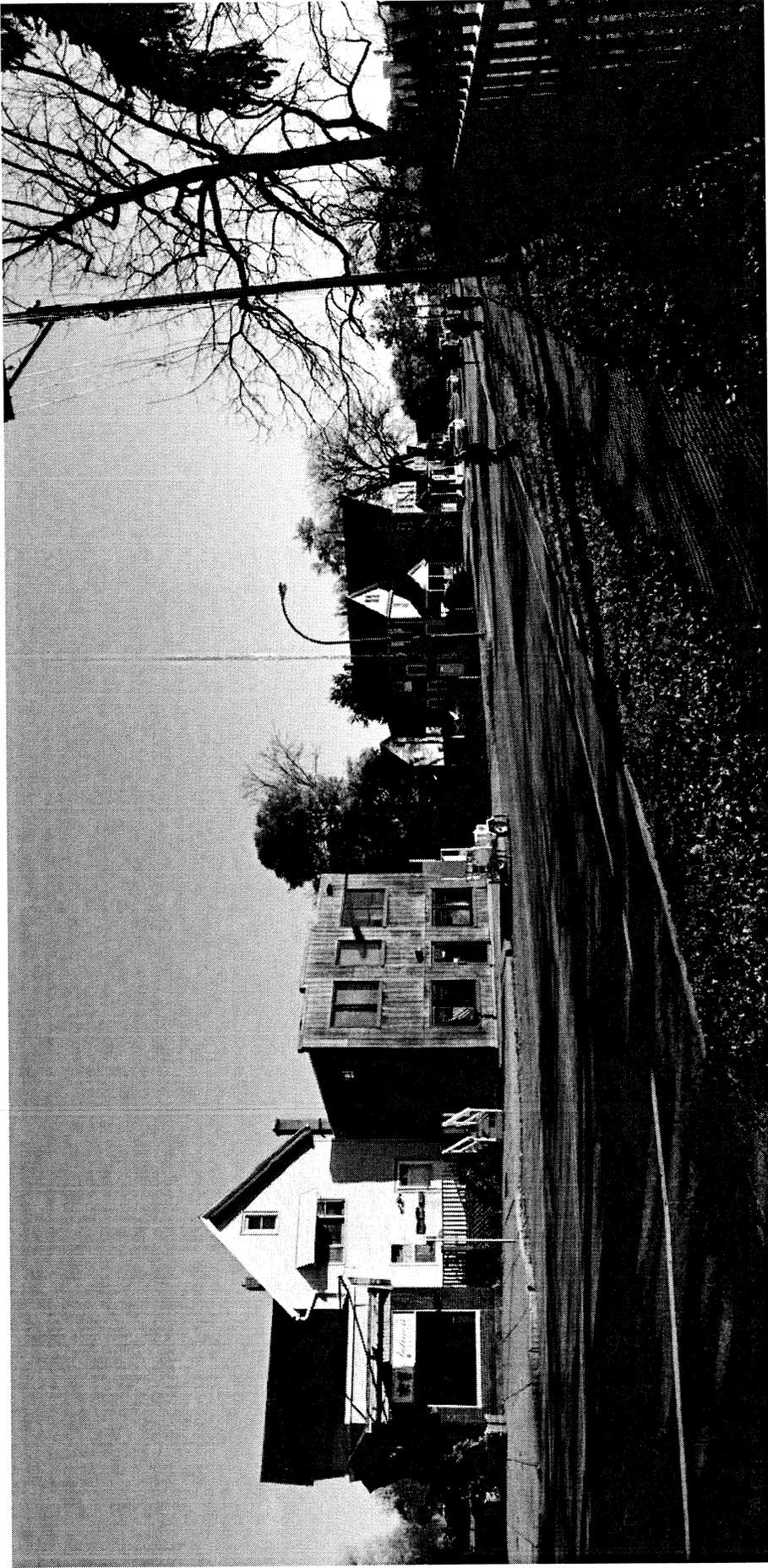
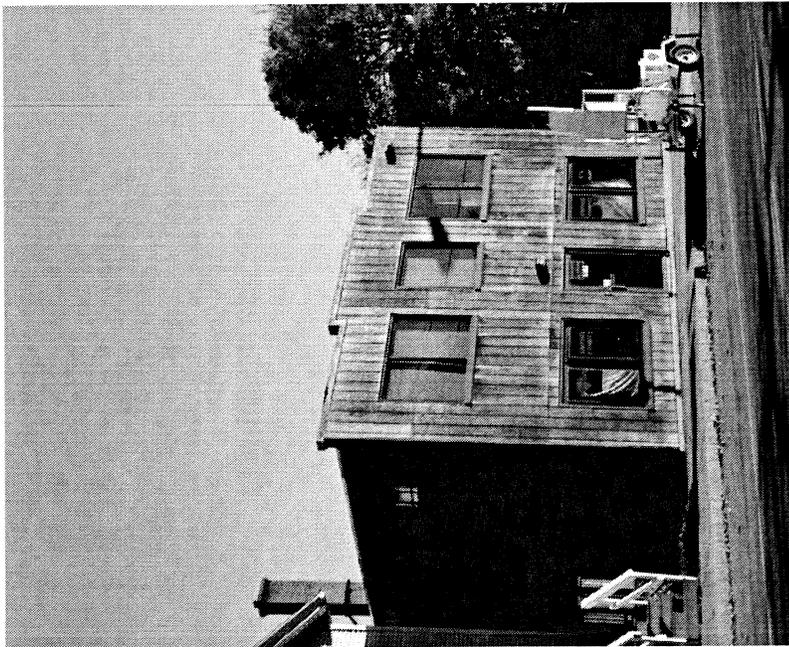
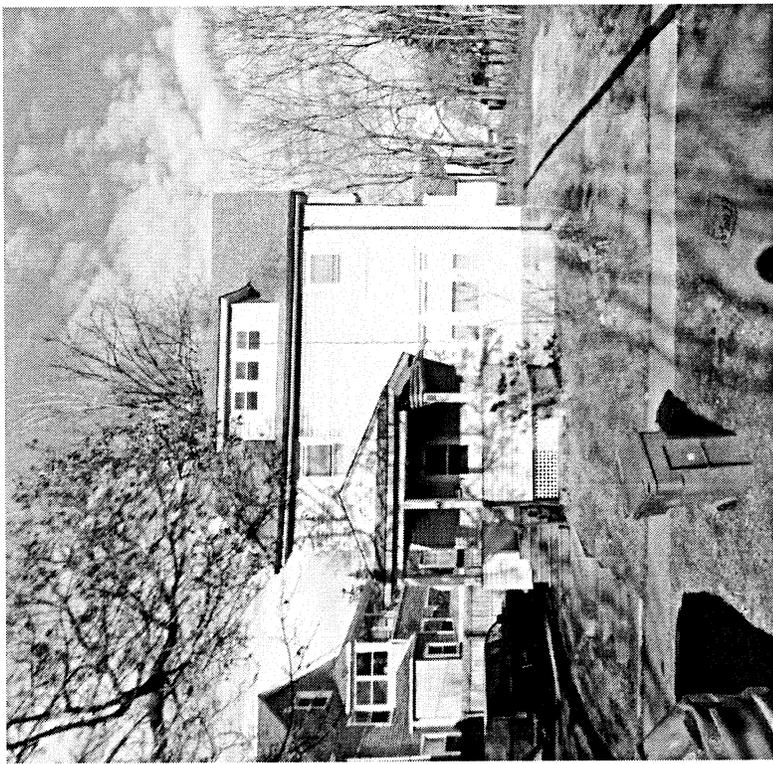


PHOTO OF THE SITE

LOFTS AT GOLD ST
1180 MT HOPE AVE

04/13/16



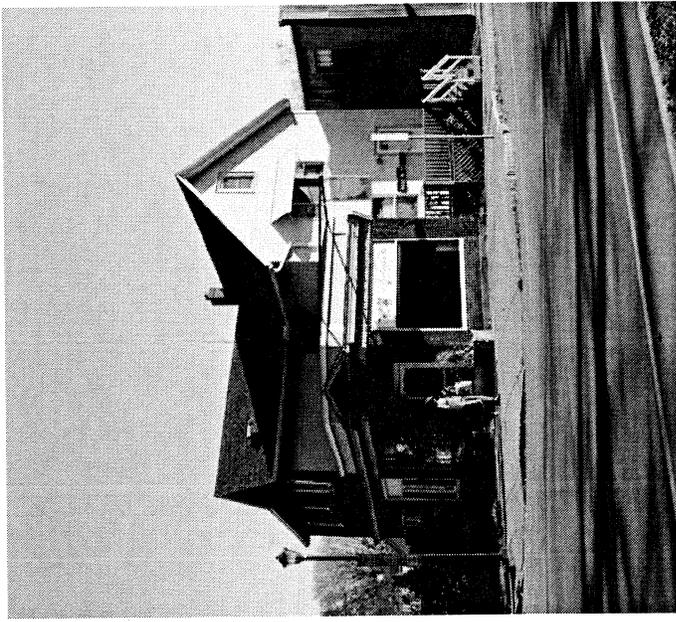


LOFTS AT GOLD ST
1180 MT HOPE AVE

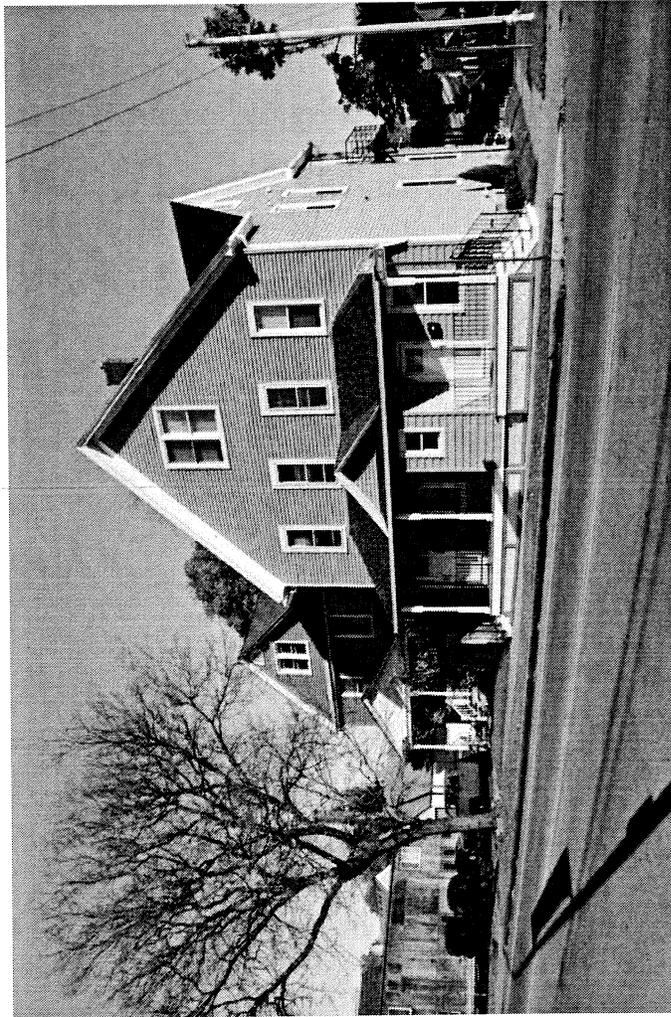
PHOTOS OF STRUCTURES ON THE SITE

04/13/16





SURROUNDING PROPERTIES ON MT HOPE



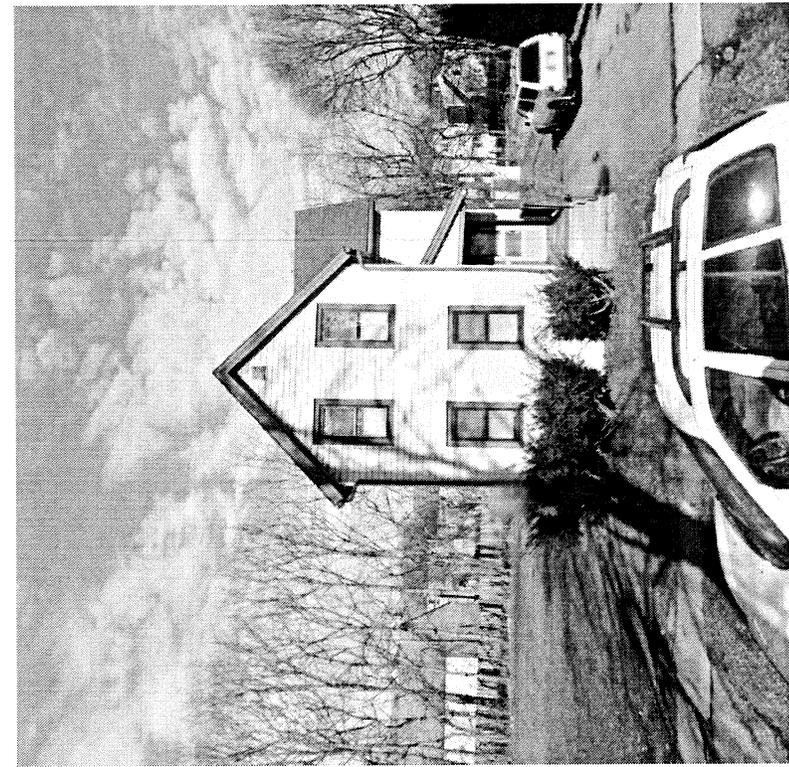
SURROUNDING PROPERTIES ON MT HOPE

LOFTS AT GOLD ST
1180 MT HOPE AVE

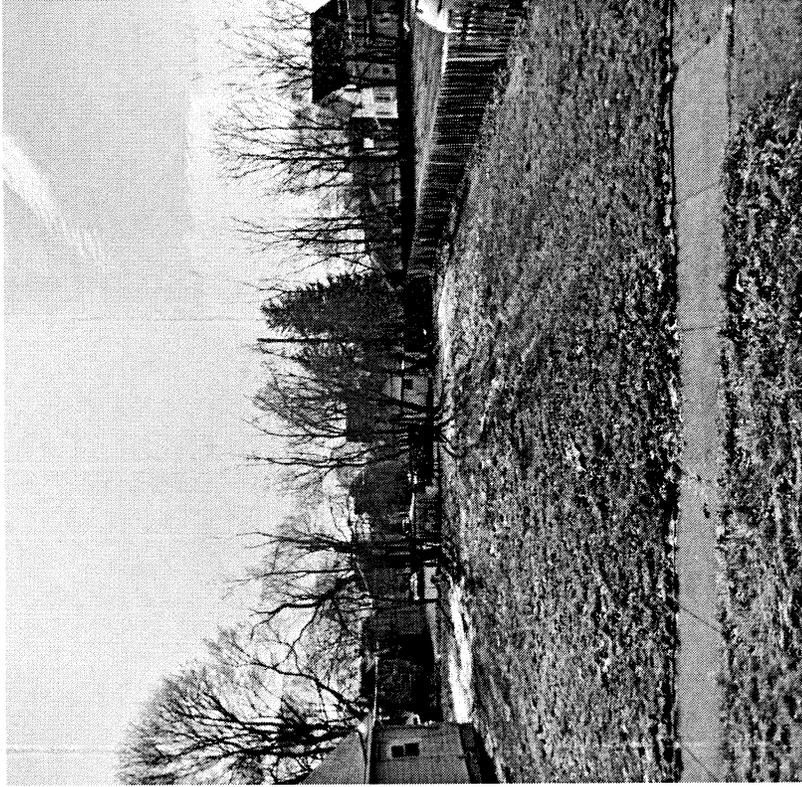
04/13/16

PHOTOS OF ADJACENT PROPERTIES





SURROUNDING PROPERTIES ON GOLD ST



SURROUNDING PROPERTIES ON LANDSLOW ST

PHOTOS OF ADJACENT PROPERTIES

LOFTS AT GOLD ST
1180 MT HOPE AVE

04/13/16





Langslow St
Rochester, New York
Street View - Jan 2016



Back to Map



Satellite



241 Langslow Street, Rochester,...



Add a photo



Hide imagery >>





Gold St

Rochester, New York

Street View - Jan 2016



Back to Map



Satellite



24 Langslow Street, Rochester...

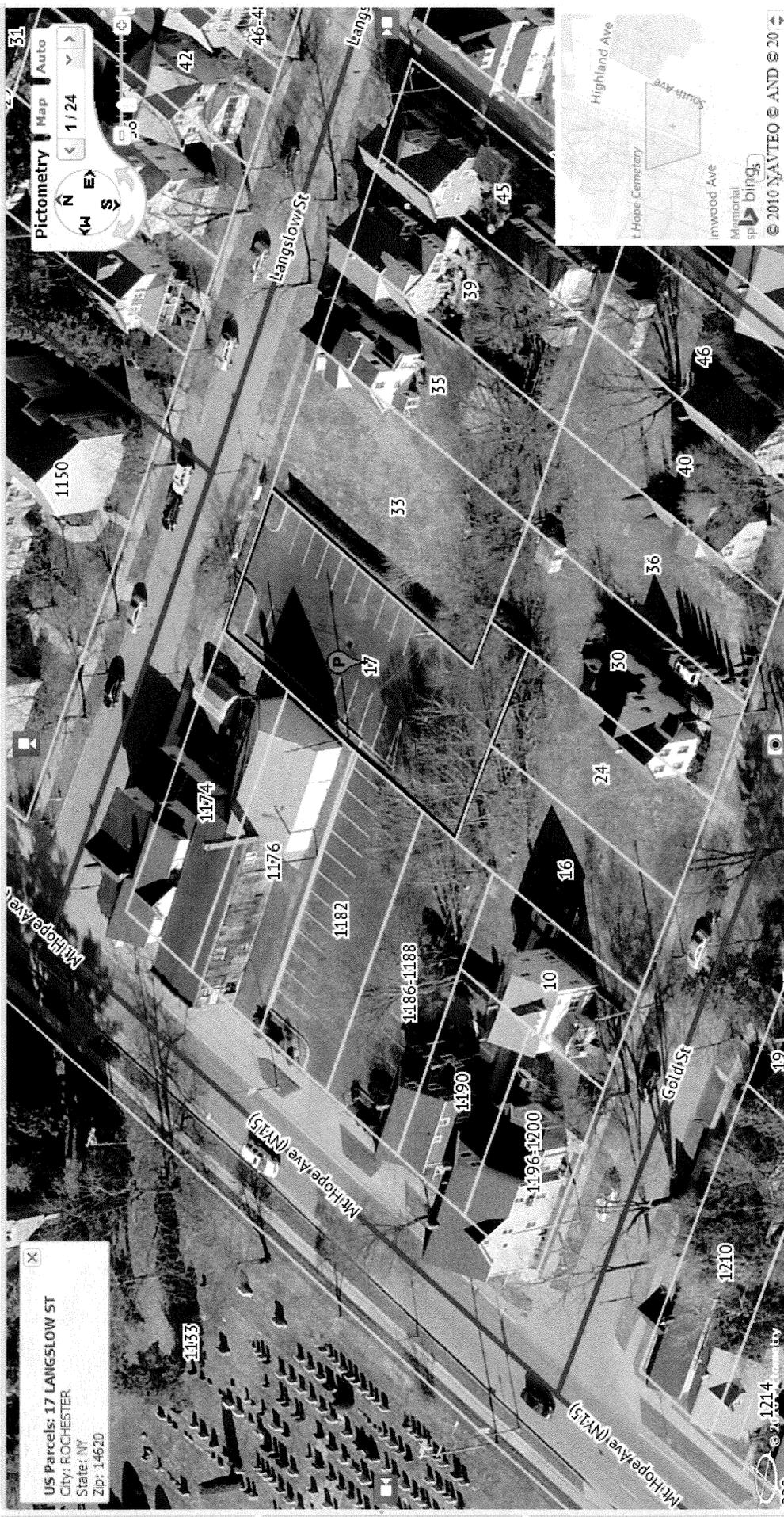


Add a photo

Google

Hide Imagery >>

Image capture: Jan 2016 © 2016 Google Terms Privacy Report a problem



US Parcels: 17 LANGSLOW ST
City: ROCHESTER
State: NY
Zip: 14620

Pictometry Map Auto
1 / 24
N
E
S
W

Highland Ave
South Ave
Memorial
inwood Ave
Hope Cemetery
bing
© 2010 NAVTEQ © AND © 2011

Date: 04/11/2015 | Level: Neighborhood | Scale: 75%

5.27 Feet | Area: 8654.88 Square Feet



City of Rochester, NY
Property Information

17 langslow st

Search By: Address Owner SBL

SBL Address

136.46-1-12.001 17 Langslow St



17 LANGSLOW ST



May 4, 2016

This map is intended for general reference only.
The City of Rochester makes no representation
as to the accuracy or fitness of the data presented.



City of Rochester, NY
Lovely A. Warren, Mayor

City of Rochester, NY