

**David A. Paterson**  
Governor



Deborah VanAmerongen  
Chairperson

**New York State Division of Housing and Community Renewal**

Hampton Plaza  
38-40 State Street  
Albany, NY 12207

August 25, 2009

SENT VIA ELECTRONIC AND U.S. MAIL

Len Sedney, Director of Environmental Services  
New York State Housing Finance Agency  
641 Lexington Avenue,  
New York, NY 10022

Re: DePaul Community Properties  
744 West Main Street Properties  
733- 739 Brown Street, 750-82 West Main Street  
City of Rochester, Monroe County

Dear Mr. Sedney:

On April 9 and 12, 2009, the New York State Division of Housing and Community Renewal (DHCR), published a "Combined Notice of Finding of No Significant Impact and Intent to Request Release of Funds". DHCR is the designated tax credit agency for the disbursement of funds in connection with the federal Tax Credit Assistance Program authorized under the American Recovery and Reinvestment Act". DHCR based this combined FONSI after compiling its "TCAP Programmatic Environmental Review Record" dated April 9, 2009. On June 17, 2009, DHCR received a notice of Authority to Use Grant Funds, which certifies that the requirements under 24 CFR Part 58 of HUD environmental review regulations had been satisfied.

DHCR has determined that the Environmental Review Record, dated August 13, 2009, for the above referenced project complies with the requirements of 24 CFR Part 58 of HUD Environmental Review regulations. This letter constitutes clearance of the environmental review of this project and removal of the limitation on commitment of HUD TCAP assistance per [24 CFR 58.22(b)].

DHCR, in compliance with the New York State Environmental Quality Review Act (SEQRA), concurs with the New York State Housing Finance Agency's, determination of Unlisted with a Negative Declaration dated July 24, 2009.

If you have any questions or concerns regarding this environmental clearance letter, please contact me at (518) 402-3392 or [bwigzell@nysdhcr.gov](mailto:bwigzell@nysdhcr.gov).

Sincerely,

Barbara H. Wigzell, R.A.  
Certifying Officer  
SEQR Officer

Cc: Cathy Frangella, TCAP Program Manager

**Environmental Assessment**  
**Site Specific Review**

**Responsible Entity:** NYS Division of Housing and Community Renewal (DHCR)

**Certifying Officer:** Barbara H. Wigzell, RA, DHCR

**Program Name:** The Tax Credit Assistance Program (TCAP)  
American Recovery and Reinvestment Act (ARRA) of 2009

**Federal Agency:** U.S. Department of Housing and Urban Development (HUD)

**Project #:** N/A

**Project Sponsor:** **DePaul Community Properties**

**Project Name:** **774 West Main Street Apartments (A.K.A. DePaul Properties)**

**Project Site Address:** 733 Brown Street  
739 Brown Street  
750-782 West Main Street  
Rochester, NY 14611

**Project County:** Monroe

**Estimated project costs:** \$34,837,085

**Total TCAP Award:** \$9,400,000

**Project Sponsor Address:** 1330 Buffalo Avenue  
Rochester, NY 14624

**Primary Contact's Name:** Len Sedney,  
NYS Housing Finance Agency

**E-Mail address:** lsedney@nyhomes.org

**Telephone Number:** (212) 872-0468

**Program Classification:** 58.36 - Environmental Assessment

**ENVIRONMENTAL FINDING:** [58.40(g)]

**Finding of No Significant Impact** - The project will not result in a significant impact on the quality of the human environment.

**Finding of Significant Impact** - The project may significantly affect the quality of the human environment.

The undersigned hereby certifies that NYS Housing Finance Agency has conducted an environmental review of the project identified above and prepared the attached environmental review record in compliance with all applicable provisions of the National Environmental Policy Act of 1969, as amended, (42 USC sec. 4321 et seq.) and its implementing regulations at 24 CFR Part 58.

**Preparer Signature:**

\_\_\_\_\_  
**NAME:** Len Sedney  
**Title/Agency:** Director, Env. Services  
NYS Housing Finance Agency

**Date:** 8/13/09

**Project Name:** 774 West Main Street Apartments  
**SHARS #:** N.A.

## **Environmental Assessment** **Site Specific Review**

### **Project Description:**

Funding from HUD's Tax Credit Assistance (TCAP) is being sought in connection with a project known as 774 West Main Street Apartments (the "Project"). The Project will consist of site acquisition, the rehabilitation of an existing building (convent) and the new construction of two additional buildings comprising a total of 113-unit supportive housing rental apartments. The Project site is located at 750-782 West Main Street, 733 and 739 Brown Street in the City of Rochester. It is bordered by West Main Street on the south and Brown Street on the north. The site consists of an existing one-family structure, one two-family structure and a two-story building constructed in 1993 and an attached three-story convent building, along with a vacant lot currently used for parking. The one-family, two-family and two-story building will be demolished. In addition to site acquisition, the Project involves rehabilitation and addition to an existing convent of 14 studio apartment units, the new construction of one three-story building containing 75 studio apartment units, the new construction of one two-story building containing 24 one-bedroom apartment units, and 43 on-site parking spaces. The eighty-nine studio units will be occupied by tenants who are referred from the New York State Office of Mental Health ("OMH") and will be persons with psychiatric disabilities. The remaining 24 units will house families making less than 60% of AMI. The Project will also include approximately 20,000 square feet of community space for use as offices and meeting rooms to provide supportive services to the residents.

DePaul Community Services, an affiliate of the DePaul Group, will provide on-site supportive services to all residents of the Project. The service needs of the tenants will vary, with some needing intensive social work attention with medical and mental health linkages and others taking advantage of employment training and social events provided for the residents. DePaul Community Services will provide residents with assistance in daily living skills, including assuring that their needs for food, clothing and shelter are met, as well as providing assistance with medication, financial management training and support for residents with substance abuse, emotional withdrawal and motivational problems.

The project is determined to require an Environmental Assessment according to 24 CFR 58.36.

The project has been determined to be an "Unlisted" SEQR action.

### **Summary of Findings and Conclusions**

#### **Alternatives and Project Modifications Considered** [24 CFR 58.40(e), Ref. 40 CFR 1508.9]

*(Identify other reasonable courses of action that were considered and not selected, such as other sites, design modifications, or other uses of the subject site. Describe the benefits and adverse impacts to the human environment of each alternative and the reasons for rejecting it.)*

An Environmental Assessment, Statutory Checklist and Environmental Review Record (ERR) was prepared by Michael W. Pufpaff, Development & Environmental Consultants, Inc. for the applicant, DePaul Properties, Inc. See complete ERR (Attachment 1) as well as below.

Project site is current location of DePaul Community Services so no alternative sites were considered. Alternative site designs were limited given the constraints of the site, trying to maintain the existing convent, add to the convent as well as construct new facilities to accommodate DePaul's programs.

No Action:

The No Action Alternative would continue the current land uses as vacant residential and commercial structures within a semi blighted community in the City of Rochester, NY.

The No Action Alternative would not provide much needed housing as determined by the Campaign Nine, Healthy Urban Neighborhoods of the Rochester 2010 Renaissance Plan.

The No Action Alternative would not provide needed community rehabilitation support, counseling and housing for persons with disabilities.

The No Action Alternative would not provide desperately needed employment opportunities for construction and operational requirements, as well as service based sectors in support of the construction materials supply sector, and the daily operation requirements of the Proposed Facilities.

The No Action Alternative would continue the dilapidation of the aesthetic nature of the community, and drain capital requirements for maintenance of the site and vacant structures within the neighborhood.

Action: Refer to "Project Description " above.

**Mitigation Measures Recommended** [24 CFR 58.40(d), 40 CFR 1508.20]

*(Recommend feasible ways in which the proposal or its external factors should be modified in order to minimize adverse environmental impacts and restore or enhance environmental quality.)*

The analysis of the studies, investigations, and site remediation completed in support of the Proposed Project, and presented in the Environmental Record Review has identified four (4) potential environmental conditions in which the Project Sponsor has either completed to date or presented mitigation procedures as part and parcel of the project design, and implemented during the demolition and construction phases of the project. As follows.

- 1.) Asbestos Abatement and Disposal.
- 2.) Lead Based Contaminant Contingencies and Disposal.
- 3.) Completed Spill Remediation and Disposal.
- 4.) Foundation Vapor Barriers and Active Radon/Vapor Control Systems.

**Additional Studies Performed**

Phase I Environmental Site Assessment.

City of Rochester Planning Commission, Zoning Board and NYS Department of Environmental Conservation Part 617, SEQR Review.

NYSDEC Correspondence.

GeoQuest Environmental, Inc. Subsurface Investigation, Remedial Action Plans and Site Remediation.

Asbestos Containing & Lead Based Paint Surveys.

Radon, Background Sampling Event & Report

Airport Clear, Accident Potential Zones and Noise Documentation.

Railroad Noise Worksheet D, Noise Investigation and Desktop Study.  
Cultural Resources Request of NYS Natural Heritage Program.  
NYS Office of Parks Recreation and Historic Preservation Project Clearance Investigation.

**List of Attachments**

1. Environmental Assessment, Statutory Checklist and Environmental Review Record (ERR) prepared by Michael W. Puffaff, Development & Environmental Consultants, Inc. for the applicant, DePaul Properties, Inc.
2. No Impact Determination from the NYS Office of Parks, Recreation and Historic Preservation & Documentation of Consultation with THPO
3. Flood Insurance Rate Map; Community Panel # 36055 C 0194 G
4. NYS Housing Finance Agency SEQR Determination (Negative Declaration)

**List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]**

Mr. Arthur Lentilucci, AICP  
Director of Zoning  
City of Rochester  
Department of Community Development  
City Hall, Room 125B  
30 Church Street  
Rochester, NY 14614-1290  
585-428-6526

Mr. David Dake, Engineering Geologist I  
New York State Department of Environmental Conservation, Region 8  
Division of Environmental Remediation  
6274 East Avon-Lima Road  
Avon, New York 14414-9519  
Phone: 585-226-2466

Mr. Joseph Albert  
Monroe County Health Department  
Division of Environmental Health  
111 Westfall Rd.  
Room 976  
Rochester, NY 14620  
Phone: 585 753-5564

Mr. Bill Johnston  
Greater Rochester International Airport  
1200 Brooks Avenue  
Rochester, NY 14624  
(585) 753-7000

Mr. William Gentilman  
Genesee Wyoming, Inc.  
(Rochester Southern Railroad)  
1200-C Scottsville Road, Suite 200  
Rochester, New York 14624  
Phone: 585-328-8601

Mr. John Connelly

CSX Transportation  
419 Atlantic Avenue ·  
Rochester, NY 14609  
(585) 238-4864

Mr. Gary Smith, P.E.  
Parrone Engineering  
349 West Commercial Street  
Suite 3200  
East Rochester, NY 14445  
Phone: 585-586-0200

Mr. Joseph Gibbons, R.A.  
SWBR Architects & Engineers  
387 East Main Street  
Rochester, NY 14604-2107  
Phone: 585-232-8300

Mr. Michael Loftus  
Director Environmental Services  
DePaul, Inc.  
1931 Buffalo Avenue  
Rochester, NY 14624  
Phone: 585-426-8000

Mr. James Whalen  
Comptroller  
DePaul, Inc.  
1931 Buffalo Avenue  
Rochester, NY 14624  
Phone: 585-426-8000

Mr. Scott Hammond, Manager (Asbestos & Lead Consultant)  
IsleChem, LLC  
2801 Long Road  
Grand Island, NY 14072  
Phone: 716-773-8100

Mr. Steven DeMeo, Geologist (Petroleum Spill Consultant)  
GeoQuest Environmental, Inc.  
43 Legionnaire Drive  
Rochester, New York 14617  
Phone: 585-467-1696

Michael Pufpaff (Regulatory Consultant)  
Development & Environmental Consultants, Inc.  
P.O. Box 249  
Hamburg, NY 14075-0249  
Phone: 716-639-5958



**APPENDIX A**  
**Statutory Checklist**  
**Site Specific**  
[24CFR §58.5 and 58.6]

Project #: N/A  
Project Name: 774 West Main Street Apartments  
Project Address: 750-782 West Main Street, Rochester, NY 14611

Date: 08/13/2009

*For each listed statute, executive order or regulation, record the determinations made. Note reviews, consultations or mitigation measures required:*

**A - Not Applicable to this project OR B - Consultation, Permit and/or Mitigation Required**

*Then, make a determination of compliance or consistency in the Section provided.*

Factors	A	B	Determinations and Compliance Documentation
<b>Historic Preservation</b> [36 CFR 800]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project has been reviewed in accordance with Section 106 of the National Historic Preservation Act of 1966 by the New York State Office of Parks, Recreation and Historic Preservation. An April 28, 2008 final determination letter from the NYS Office of Parks, Recreation and Historic Preservation states that the proposed construction will have No Effect upon cultural resources in or eligible for inclusion in the National Registers of Historic Places.  The Seneca Nation of Indians, Cattaraugus Reservation Historic Preservation Office and the Tonawanda Band of the Seneca nation of Indians were consulted (Attached Letters to THPO dated 8/11/09).
<b>Floodplain Management</b> [24 CFR 55, Executive Order 11988]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project site is not in a Special Flood Hazard Area, according to the FIRM Map Number 36055C0194G, Effective Date August 28, 2008.
<b>Wetlands Protection</b> [Executive Order 11990]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project site is not in a coastal zone. No mapped or identified State or Federal jurisdictional wetlands are located within the project area or neighboring community.
<b>Coastal Zone Management Act</b> [Sections 307(c),(d)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project site is not located in a coastal zone according to the NYS Coastal Area Map.
<b>Sole Source Aquifers</b> [40 CFR 149]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project site is not located near a Sole Source Aquifer according to the EPA SSA map.
<b>Endangered Species Act</b> [50 CFR 402]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	A letter dated July 24, 2009, from the New York State Information Services Division of the New York Natural Heritage Program determined No impacts to rare, threatened or endangered species, or associated critical habitat are anticipated as a result of this action. There are no protected or endangered species or flora located at the project site.
<b>Wild and Scenic Rivers Act</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project site is not located near a wild or scenic river according to the

[Sections 7 (b), (c)]			WSRR list prepared by the NYS Department of Environmental Conservation.
<b>Air Quality</b> [Clean Air Act, Sections 176 (c) and (d), and 40 CFR 6, 51, 93]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	According to the Record and Review conducted by the City of Rochester, in Compliance with the City of Rochester Chapter 48 Municipal Code, documented heretofore as the Notice of Determination, and, in Compliance with New York State Environmental Conservation 6NYCRR, Part 617 et. seq. (SEQR) documented heretofore as the Notice of Determination and Negative Declaration, Dated: 05-12-2008. There are no significant short or long term air quality impacts anticipated.
<b>Farmland Protection Policy Act</b> [7 CFR 658]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project site is not located in a designated Farmland Protected area, and will not cause disturbance to Prime, Unique or Statewide Important Farmland.
<b>Environmental Justice</b> [Executive Order 12898]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This project will facilitate the creation of Health Care and Affordable Housing units. There are no negative long term impacts due to the development of this project.
<b>Noise Abatement and Control</b> [24 CFR 51 B]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>According to the Record and Review conducted by the City of Rochester, in Compliance with the City of Rochester Chapter 48 Municipal Code, documented heretofore as the Notice of Determination, and, in Compliance with New York State Environmental Conservation 6NYCRR, Part 617 et. seq. (SEQR) documented heretofore as the Notice of Determination and Negative Declaration, Dated: 05-12-2008. The type and scale of this project in not anticipated to increase noise levels in the community.</p> <p>According to the Railroad Noise Investigation conducted by Development &amp; Environmental Consultants dated July 2009. The calculations for dbl levelsof train noise were found to be less than or equal to 65 dbl, at the proposed project location. These levels are acceptable.</p>
<b>Toxic or Hazardous Substances and Radioactive Materials</b> [HUD Notice 79-33]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>A Phase I Environmental Assessment (ESA), prepared by Development and Environmental Consultants dated July, 2009 reported that based on site reconnaissance, database review and historical investigation, cited potential Asbestos Containing Materials (ACM) and Lead Based Paint (LBP) in the existing facilities. No additional recognized environmental conditions (RECs) were noted.</p> <p>Subsequent, ACM and LBP Invesigations conducted by IsleChem Services identified both ACM and LBP in two (2) of the facilities planned for demolition.</p> <p>All buildings to be Demolished will be Abated of all ACM per NYS Code Rule 56, and DEC Part 360, Solid Waste Management requirements.</p> <p>All demolition materials will be disposed of as Lead Contaminated and transported to a C&amp;D Landfill, permitted to accept said waste per NYS DEC Part 360, Solid Waste Management requirements. Demolition Materials will not exceed the EPA recommended threshold of 5% by volume of the aggregate total weight.</p>

		<p>The EPA Map of Radon Zones for New York State indicates that properties in the City of Rochester have a moderate potential (Zone 2) for radon levels to exceed the EPA action level.</p> <p>A background Radon Air Sampling event was conducted from 6/1/2009 through 6/4/2009. The results determined radon levels below EPA recommendations of less than 4.0 pCi/L.</p> <p>A “passive” soil depressurization system has been incorporated into the building design in accordance with EPA "Model Standards and Techniques for Control of Radon in New Residential Buildings", EPA 402-R-94-009, March 1994.</p> <p>Radon testing must be conducted when the building is complete, prior to occupancy, with test results forwarded to the HTFC Environmental Analysis Unit and the Design Services Unit. If radon testing indicates that the radon level in the building exceeds the EPA action level of 4 pCi/L, an active fan, complete with alarm system, will be installed and re-tested in the building prior to occupancy to determine that radon levels are being maintained below recommended limits.</p>
<b>Siting of HUD-Assisted Projects near Hazardous Operations [24 CFR 51 C]</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/> <p>A community wide visual surveillance investigation for all operations located within a 1,000 ft. radius of the Proposed Project for Hazardous and/or Thermal Explosive Hazards on June 4, 2009, by a representative of Development and Environmental Consultants. The findings of that investigation determined that no explosives, incendiary or flammable materials located, stored or in use above or visible on site or adjacent to the site.</p>
<b>Airport Clear Zones and Accident Potential Zones [24 CFR 51 D]</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/> <p>According to the NEPA Statutory checklist prepared by the Development &amp; Environmental Consultants dated July 16, 2009, the project site is within 15 miles of the Greater Rochester International Airport (GRIA) and 3,000 feet of an active railroad. A noise assessment was conducted and the noise levels were determined to be "acceptable". A site noise assessment worksheet is final site evaluation for railroad noise concluding that the day-night level (DNL) of noise at the site is at or below 65 decibels. Documentation provided by the GRIA Engineer, presented confirms airport generated Noise levels at the project location below statutory requirements. No further action is necessary.</p>

**NOTES:** The EPA Map of Radon Zones for New York State indicates that properties in Monroe County have a moderate potential (zone 2) for radon levels to exceed the EPA action level. A “passive” soil depressurization system has been incorporated into the building design in accordance with EPA "Model Standards and Techniques for Control of Radon in New Residential Buildings", EPA 402-R-94-009, March 1994. Radon testing must be conducted when the building is complete, prior to occupancy, with test results forwarded to the HTFC Environmental Analysis Unit and the Design Services Unit. If radon testing indicates that the radon level in the building exceeds the EPA action level of 4 pCi/L, an active fan, complete with alarm system, will be installed and re-tested in the building prior to occupancy to determine that radon levels are being maintained below recommended limits.

**Prepared by:** Len Sedney  
**Title/Agency:** Director, Env. Services  
 NYS Housing Finance Agency

**Date:** 8/13/09

**END OF STATUTORY CHECKLIST**

**APPENDIX B**  
**Environmental Assessment Checklist**  
**Site Specific**

SHARS #: N/A  
 Project Name: **774 West Main Street Apartments**  
 Project Address: 750-782 West Main Street, Rochester, NY 14611

Date: 08/13/09

[Environmental Review Guide HUD CPD 782, 24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27]

Evaluate the significance of the effects of the proposal on the character, features and resources of the project area.

Enter relevant base data and verifiable source documentation to support the finding. Then enter the appropriate impact code from the following list to make a finding of impact. **Impact Codes:** (1) - No impact anticipated; (2) - Potentially beneficial; (3) - Potentially adverse; (4) - Requires mitigation; (5) - Requires project modification. Note names, dates of contact, telephone numbers and page references. Attach additional materials as needed.

Land Development	Code	Source or Documentation
<p>Conformance with Comprehensive Plans and Zoning</p>	1	<p>The Proposed Project is located at 750-782 West Main Street, Rochester, NY. The area of the project encompasses approximately 2.32± acres.</p> <p>The Project as proposed includes demolition of three (3) existing facilities, one (1) two-family, one (1) single family residential structures and one (1) two (2) story 40,000± sq. ft. former addiction treatment and rehabilitation clinic.</p> <p>The Demolition Phase includes Asbestos Containing Materials (ACM) abatement and disposal, special handling and disposal considerations of potential Lead Based Contaminated demolition debris and acquiring a Final Site Closure Determination form New York State Department of Environmental Conservation, Division of Environmental Remediation for the former Historical subsurface spill.</p> <p>The New Construction Phase of the Project plans two (2) new buildings and one (1) addition consisting of one (1) new, three (3) story 75 bed SRO, approximately 55,000± sq. ft., for persons with special needs. The second proposed structure is a new construction addition to an existing Convent and conversion of that existing building into 14 dwelling units. The total sq. footage of the proposed addition is 4,854± sq. ft. And finally, new construction of one (1) 24,800± sq. ft. two (2) story 24 unit apartment building serving the general public. The Proposed Project also includes landscaping, associated parking, security and utility upgrades. A new construction Site Plan is presented in Appendix A, Figure-3, Site Plan.</p> <p>The project conforms with the Comprehensive Plan of the City of Rochester.</p>

Compatibility and Urban Impact	1	The project as designed is compatible with the former land use.
Slope	1	The site does not contain steep slopes (Monroe County Geographic Information System database).
Erosion	1	<p>The project will follow the NYS permitting and design requirements to limit erosion during and after construction.</p> <p>Compliance with the SPDES General Stormwater Permit for Construction Activities NOI is required since the site is greater than one acre.</p> <p>A Stormwater Pollution Prevention Plan (SWPPP) is not required for the project. The City of Rochester maintains a dual storm and sanitary sewer system in the area, all off-site storm discharges are treated by the City system.</p> <p>On-site disturbed areas will be controlled from off-site discharges by engineered controls as provided and established by the New York Standards and Specifications for Erosion and Sediment Controls (August, 2005).</p>
Soil Suitability	1	Based on surrounding development on-site and within the existing area, soil is suitable for use.
Hazards and Nuisances including Site Safety	1	<p>The project site will not produce significant Hazard, Nuisances or Safety impacts</p> <p>Impacts related to construction activity but will be typical of construction activities including sidewalk closures, fugitive dust and construction noise. Construction Impacts will be limited to typical daytime hours. All construction will be conducted in compliance with existing local municipality regulations governing construction activities.</p>
Energy Consumption	1	The design and construction of the project will follow the NYS Division of Housing and Community Renewal's guidelines for the "Green Building Initiative" which include sustainable building practices that place value on improved energy performance, comfort and simplified maintenance requirements that lead to financial efficiencies for the project.
<b>Neighborhood Impacts</b>		
Noise - Contribution to Community Noise Levels	1	There will be temporary and minor increase in ambient noise during construction. The property is within 15 miles of the Greater Rochester International airport and 3000 feet of an active railroad; a noise assessment has been conducted. The NEPA review completed by the Monroe County Department of Planning & Development on June 18, 2009 states that "The type and scale of this project it is not expected to affect existing air or water quality

		or increase noise levels or solid waste production and disposal."
Air Quality - Effects of Ambient Air Quality on Project and Contribution to Community Pollution Levels	1	According to the Record and Review conducted by the City of Rochester, in Compliance with the City of Rochester Chapter 48 Municipal Code, documented heretofore as the Notice of Determination, and, in Compliance with New York State Environmental Conservation 6NYCRR, Part 617 et. seq. (SEQR) documented heretofore as the Notice of Determination and Negative Declaration, Dated: 05-12-2008, has determined the type and scale of this project it is not expected to affect pre or post construction air quality.
Environmental Design Visual Quality - Coherence, Diversity, Compatible Use and Scale	1	The project will not alter visual quality, coherence, diversity, compatible use and/or scale. No negative effects related to environmental design are anticipated and significant positive effects related to compatibility and urban impact are anticipated.
<b>Socioeconomic</b>		
Demographic Character Changes	1	The project will not alter the demographic character of the area. the inhabitants of the proposed projects would have similar demographic characteristics as the population residing in the surrounding neighborhood.
Displacement	1	No displacement will occur, the existing on-site facilities are vacant.
Employment and Income Patterns	2	The project creates construction and operational employment opportunities.
<b>Community Facilities and Services</b>		
Educational Facilities	1	The project population will not place a significant demand on public schools operated or chartered by the State of New York.
Commercial Facilities	2	The project will result in a significant positive effect on existing commercial establishments since they are proximate to the project site. Project residents will frequent retail establishments in the neighborhood, which can potentially be a benefit to commercial facilities.
Health Care	1	The proposed project will not place a significant additional demand on local health care facilities.
Social Services	1	The proposed project will not place a significant additional demand on local social services.
Solid Waste	1	The proposed project will not place a significant additional demand

		on solid waste disposal services since it will be served by private haulers.
Waste Water	1	The proposed project is not of sufficient scale to place a significant additional demand on municipal sewer systems.
Storm Water	1	<p>The project will follow the NYS permitting and design requirements to limit erosion during and after construction.</p> <p>Compliance with the SPDES General Stormwater Permit for Construction Activities NOI is required as the site is greater than one acre.</p> <p>A Stormwater Pollution Prevention Plan (SWIPP) is not required for the project. The City of Rochester maintains a dual storm and sanitary sewer system in the area, all off-site storm discharges are treated by the City system.</p> <p>On-site disturbed areas will be controlled from off-site discharges by engineered controls as provided and established by the New York Standards and Specifications for Erosion and Sediment Controls (August, 2005).</p>
Water Supply	1	The project will be served by the municipal water supply system and is sited within an existing service area. The project will not place a significant additional demand on the municipal water supply.
Public Safety - Police	1	Given the type and scale of this project, no significant impact is expected.
- Fire	1	Given the type and scale of this project, no significant impact is expected.
- Emergency Medical	1	Given the type and scale of this project, no significant impact is expected.
<b>Open Space and Recreation</b>		
- Open Space	1	No significant impact.
- Recreation	1	No significant impact.
- Cultural Facilities	1	No significant impact.
- Transportation	1	Given the type and scale of this project, no significant impact is expected.
<b>Natural Features</b>		
Water Resources	1	No significant impact.

Surface Water	1	No significant impact.
Unique Natural Features and Agricultural Lands	1	No such features are expected to be impact by the proposed project.
Vegetation and Wildlife	1	The project will be built on previously disturbed land; vegetation and wildlife are not expected to be impacted b the proposed project. No impact is indicated by the NYS DEC and US FWS databases.
Flood Disaster Protection Act [Flood Insurance]	1	The project site is not in a Special Flood Hazard Area, according to the FIRM Map Number 36055C0194G, Effective Date August 28, 2008.
Coastal Barrier Resources Act/ Coastal Barrier Improvement Act [§58.6(c)]	1	No impact. The project area is not within a coastal barrier area (USFWS Coastal Barrier Resources System) or a coastal erosion hazard area (NYS DEC Coastal Erosion Hazard Map).
Airport Runway Clear Zone or Clear Zone Disclosure [§58.6(d)]	1	According to the NEPA Statutory checklist prepared by the Monroe County Department of Planning and Development on June 8, 2009, the project site not within five miles of clear zone. Thermal or explosive hazards are not a risk to the project.
<b>Other Factors</b>		
<b>Other Factors</b>		
<b>Other Factors</b>		

Comments:

\_\_\_\_\_  
Preparer

\_\_\_\_\_  
Date

**END OF ENVIRONMENTAL ASSESSMENT CHECKLIST**