DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT
HIGHLAND PARK PROJECT

LOCATION: Former Central Park Plaza Site
(Between Holden Street and Manhattan Avenue)
Buffalo, New York

DATE February 6, 2015

LEAD AGENCY: City of Buffalo Planning Board
Buffalo City Hall
65 Niagara Square, Room # 901
Buffalo, New York 14202

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Generic Environmental Impact Statement: _____

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SECTION 1.0
INTRODUCTION AND PROJECT BACKGROUND

1.1 Proposed Action

The Proposed Action involves the redevelopment of the former Central Park Plaza commercial property in the City of Buffalo into a mixed use, predominately residential neighborhood, including a mix of apartments, walk-up flats and townhouses, and some small areas of supporting commercial development (hereinafter referred to as the "Project"). The Project Area is approximately 27 acres owned by Highland Park Village LLC. Impacts for the wider area have also been evaluated to facilitate redevelopment of an adjacent area of approximately 3 acres located along the southern side of Chalmers Avenue, as discussed below. This document represents the Draft Generic Environmental Impact Statement (DGEIS) for the Project, and also evaluates potential impacts from the redevelopment of the Chalmers Avenue properties in a manner consistent with the development plan presented herein.

1.2 Project Site Description

The project site consists of 27.1 acres of land located on the north side of Central Park Avenue between Holden Street and Manhattan Avenue, in the City of Buffalo ("Project Site" or "Site"). The Project Site consists of one real property parcel owned by Highland Park Village LLC. A survey of the Project Site is included in Appendix A. In addition, there are several parcels located on the south side of Chalmers Avenue that are owned by the City of Buffalo Economic Renaissance Corporation. These parcels are not under the control of the Project Sponsor, and are not included in the Proposed Action. However, these parcels provide an important connection between the Project Site and the adjacent neighborhood, and the City of Buffalo has expressed a desire to see these parcels be redeveloped. This DGEIS has included these additional parcels in the assessment of potential environmental impacts to facilitate their redevelopment by others in the future. Therefore, the discussions in this DGEIS include the area on the south side of Chalmers, although there is no immediate plan for the redevelopment of that area.

The general location of the area, including both the Project Site and the Chalmers Avenue properties, is shown on Maps 1 and 2 in Appendix A. The table on the following page (Figure 1) summarizes the parcels being evaluated in this DGEIS, as based on information from the City of Buffalo On-line Mapping Parcel Viewer:

Figure 1-1: Parcels

Parcel Address	**Tax Parcel Number**	**Size (*acres*)**	**Ownership**
Project Site:			
129 Holden Avenue	90.29-2-43.1	27.1	Highland Park Village LLC
Adjacent Area:			
2335 Fillmore Avenue	89.36-4-1	1.21	Buffalo Economic Renaissance Corp.
55 Chalmers Avenue	90.29-3-1.12	0.63	Buffalo Economic Renaissance Corp.
61 Chalmers Avenue	90.29-3-1.11	0.49	Buffalo Economic Renaissance Corp.
164 Holden Avenue	90.29-3-1	0.53	Buffalo Economic Renaissance Corp.

The Project Site has 1,745 linear feet of frontage along Central Park Avenue, 795 linear feet along Holden Street, and 290 linear feet along Manhattan Avenue. The Project Site is a former commercial shopping center development, with sections of asphalt pavement, concrete, and parking lot lighting standards still in place. Sections of the Site have been re-vegetated with various weeds and grasses. The land is generally level with some elevated fill areas and soil piles from ongoing site remediation activities.

1.3 Project Description

The proposed Highland Park Redevelopment will transform the 27+/- acre former Central Park Plaza shopping center into a new mixed-use residential neighborhood development. The Project is anticipated to have approximately 663 residential units, with a mix of apartments, walk-up flats and townhouses. The Project will introduce a wide range of housing choices, including lofts and senior housing, to the area. The actual number and mix of unit types will depend upon market conditions, but the Project could contain up to a maximum of 800 new residential rental units. In addition, in response to neighborhood input, a small amount of neighborhood commercial development is proposed, designed to meet local demand. At this time, the only non-residential development proposed is a small day care center. Additional non-residential development may be added in response to local demand, with the intent of meeting the needs of local residents. A maximum of 10,000 square feet of non-residential development is proposed for the Project Area, and the actual amount of commercial development is likely to be less. In the event that additional neighborhood services are provided, they would be located on the first floor of the multi-story apartment buildings.

The Project will include a new network of City streets, cutting through the existing superblock and creating block sizes more consistent with the surrounding neighborhood. Chalmers Avenue will be extended east through the site as a boulevard with a grassed median. Additional east-west and north-south thoroughfares will be constructed through the Project Site, connecting into existing City streets. Hill Street, which traditionally was not well-defined through the former plaza site, would be designed as a major axis of the street design, and there will be a traffic circle at the intersection of the Chalmers Avenue extension and Hill Street. Wade Avenue, which currently dead ends at Holden Street, will be extended eastward to provide a connection to Manhattan Avenue.

The new streets will have the character of a neighborhood street, with sidewalks, on-street parking and street trees. A small pocket park is proposed at the northeast corner of the Project Area. The buildings will be built near the street and the proposed parking lots will be located at the rear of the buildings.

Landscaping and open space features for the Project will include both the larger areas of the Site, which will be common open space, and the smaller, more intimate spaces associated with the structures, which will function more as 'private' open space for residents. The larger, more open common areas will be passive, un-programmed green space. Because the Project is on the site of a former quarry, the landscape theme will consist, in part, of a proportional mix of boulders, native grasses, shade trees and maintained turf. The quarry theme will be highlighted in the center of the round-about as well as portions of the larger green spaces. At key node areas, boulders may be used in tandem with standard benches for seating. Judicious placement of public art, yet to be determined, will be incorporated into the landscape in one or two locations along primary sightlines. The smaller, more intimate areas will be planned for the interstitial spaces more commonly used by the adjacent residents. These areas will have native foundation plantings at the building entrances, plantings to screen unwanted views, and more detailed plantings for the courtyard spaces. Deciduous, low growth tree species, perennial massings and a mix of boulders will complete the design palate. Boulders, in conjunction with meandering pathways, will be used to articulate safe pedestrian circulation, while adding vertical and textural interest in the planting areas. The courtyards may include community gardens as an amenity to the residents.

The Project will be coordinated with the City of Buffalo's intention to redevelop vacant lands along the south side of Chalmers Avenue, west of Holden Street. For the purposes of this DGEIS, this area has been shown as additional residential housing, consisting of a mix of walk-up flats and townhouses, which is consistent with the Unified Development Ordinance and City plans. The Project Sponsor, however, does not own these parcels and has no control over their future redevelopment.

The Project will be developed in phases. Full build out of the development is anticipated in 2022. Proposed phasing is shown in Figures 2 and 3, and as a full page illustration in Appendix A.

Figure 1-2: Proposed Development by Phase

	Total Square Feet of Development	Total Number of Units
Phase 1 (southwest portion of site)	272,686 sf	229
Phase 2 (eastern portion of site)	342,751 sf	306
Phase 3 (northwest portion)	142,278	128
Total	757,715	663

Figure 1-3: Proposed Highland Park Redevelopment with Phasing Plan

The anticipated Phasing Plan represents generically what is planned for the Site. Based on market conditions, future development phases may be altered to modify unit size or the total number of units per building, but maximum build-out is not expected to exceed the 800 units specified above.

1.4 Project Purpose, Need and Benefits

1.4.1 Project Purpose

The Highland Park project presents an opportunity to transform an existing abandoned and blighted commercial shopping center into a prominent residential community that features a mix of housing types which support a safe, walkable and sustainable living environment integrated into the broader Fillmore-Leroy neighborhood. Central to the redevelopment strategy is a focus on a Transit Oriented Development approach that can take advantage of transportation, retail and recreational options that are within walking distance of the Project Site. In total, the approximately 27 acre site can support a critical mass of approximately 600 to 725 mixed residential units in close proximity to existing public bus, metro-rail, vehicular and pedestrian transportation networks that provide a sustainable approach for stabilizing and expanding the broader neighborhood. In terms of the Project Site location within the regional transportation network, the Amherst Street Metro Station is located within a .25 mile walk and the Niagara Frontier Transportation Authority operates the #32 Amherst bus line as well as the #23 Fillmore-Hertel bus line that currently serve the Project Site. Ultimately, the Project Sponsor hopes both of these bus lines will be rerouted more directly through the Site, and has had discussions with the NFTA confirming their interest in diverting the lines through the site and establishing shelter locations within the Project Site.

Additionally, the NYS Route 33 Kensington Expressway and NYS Route 198 Scajaquada Expressway are both within 1 mile proximity of the Highland Park site. These locational assets position the property well to take advantage of a Transit Oriented Development approach that can stabilize and improve housing values while providing new, affordable choices for living, learning and working within the greater Fillmore-Leroy neighborhood and Buffalo as a whole.

Critical to the success of the Highland Park project is the strengthening of the Fillmore-Leroy neighborhood fabric by reestablishing the Chalmers Avenue, Wade Avenue, Holden Street, and Hill Street networks through the Project Site. This will create a broader pedestrian and vehicular grid. The Project will be organized around a complete street approach to redevelopment that includes ample sidewalks, pedestrian scale lighting, appropriately sized and placed park spaces, and landscaping throughout the Site that creates an inviting, safe and efficient pedestrian and vehicular network. The Project is planned to include integrated public bus routes with new stations and stops programmed within the development. Residents of the Highland Park community and broader Fillmore-Leroy neighborhood will be afforded new walkable options for engaging the Fillmore Avenue and Main Street commercial corridors. The goal of the Highland Park project is to provide an attractive, walkable and sustainable community that allows residents housing and transportation choices that support a convenient, affordable and pleasant neighborhood.

1.4.2 Project Need

New opportunities are rising in Buffalo in ways not seen in generations. The growing employment base in Buffalo's Main Street corridor currently contains twice as many jobs as housing units within walking distance to the Metro Rail. In an era in which young workers and retired seniors are both rediscovering the advantages of walkable urban communities, the Fillmore-Leroy neighborhood is ideally situated to provide the qualities and locational amenities that will retain and attract the new workforce driving Buffalo's future. While work-related trips total just under 20 percent of all trips by all modes of transportation, they are the largest category of trips by transit, comprising 59 percent of total transit trips.[1] Therefore, while work-related trips total just under 20 percent of all trips by all modes, their impact is disproportionately larger because transportation networks are designed to accommodate the "peak demand" as people head to and from work each day. This results in the major physical alteration of our environment and considerable allocation of limited financial resources to construct and maintain roadway infrastructure that is largely oversized but for 4 to 6 hours of concentrated vehicular trips throughout the typical day. This approach to transportation management results in unnecessary environmental stressors and the inefficient utilization of the finite financial resources local governments and state agencies have to maintain transportation networks. By positioning a concentration of mixed income housing opportunities in close proximity to existing transit options and neighborhood service providers, the Highland Park project supports a sustainable approach to development as well as employment accessibility.

Synergy between centers of employment, transportation networks and densified mixed housing developments is a critical goal when considering regional planning efforts designed to support sustainable economic development. The Highland Park project site is nearly exactly centered between the City of Buffalo Central Business District, Buffalo Niagara Medical Campus, Erie County Medical Center and University at Buffalo South Campus. This location provides the Project Site with unique adjacency and access along a Metro Rail route that provides exposure to a vast range of employment options spanning from medical sciences, research and development centers, professional offices and higher education institutions. In particular, the growth of the Buffalo Niagara Medical Campus is providing a strong need to locate additional housing options along the Main Street Metro Rail corridor. As of today, approximately 12,000 people are employed on the Medical Campus but the 30 square-block area is currently the subject of a major construction and development boom. In varying stages of development are the seven-story Conventus medical office building, the 11-story Roswell Park Clinical Sciences Center and the new University at Buffalo School of Medicine and Biomedical Sciences. In addition, work has officially begun on the new John R. Oishei Children's Hospital. This new development will amount to nearly $1 billion dollars of investment and result in a total employment population on the Medical Campus of 17,000 to 20,000 people, an increase of as much as 67 percent from the current employment base.

[1] *Transit and Employment: Increasing Transit's Share of the Commute* (202nd ed., Vol. 200, p. 3). (2008). Oakland, California: Federal Transit Administration. (http://reconnectingamerica.org/assets/Uploads/employment202.pdf)

The incredible growth of the medical sciences industry is also being matched by the manufacturing industry with the initial development of a planned $5 billion investment at the RiverBend project site through the construction of the SolarCity solar panel manufacturing facility. The initial job projections associated with this development anticipate 3,000 new jobs based on a 10 year site development schedule. Yet another example of job growth success within the Buffalo market can be found within the Central Business District by way of IBM Corp. announcing their occupation of the Key Center office building to develop an information technology hub creating approximately 500 new jobs. In total, the job growth and economic development renaissance being realized in the Buffalo market is creating the need for new mixed housing opportunities that can serve a range of household incomes with proximity to mass transit options. The Highland Park project is ideally suited to address this market need and provide sustainable workforce housing, supporting the positive growth of our region.

Furthermore, location is a critical consideration when considering regional housing strategies that support affordable living environments. According to the Center for Housing Policy, households located in walking proximity to public transit options spend 16% less of household budgets on transportation needs[2]. While overall transportation costs as a percentage of total household income vary greatly, studies have shown that nearly 55% of the budget in very-low-income households can be allocated toward transportation costs. This means basic necessities such as nutrition, healthcare and housing suffer because of the need to support transportation costs. Therefore, it is critical to consider locational strategies when planning housing developments as a region to provide efficient access to transit options that help to lower the financial burden of transportation expenses for lower income households.

While national trends and regional employment growth demonstrate the need for new residential projects such as Highland Park, local planning efforts and development strategies have long expressed the desire for a neighborhood of this type. The following is a summary of local and regional plans supporting the development approach employed for the Highland Park project:

- **Erie Niagara Framework for Regional Growth ("Framework")**
  The Framework is a document prepared and supported by Erie and Niagara Counties. It is recognized as a blueprint to support the actions of county and regional agencies relating to the area's physical development. It is also utilized to inform state and local governments, private developers, and non-profit organizations about the process and actions County government could undertake when making decisions affecting the region's development. The Framework is designed to help County and regional leaders make better policy and investment decisions, more effectively leverage limited resources and provide more consistent direction and useful support to municipalities.[3] The Highland Park Project Site is located within an area identified as

[2] *Mixed-Income Housing: Increasing Affordability With Transit* (201st ed., Vol. 200, p. 5). (2009). Oakland, California: Federal Transit Administration. (http://reconnectingamerica.org/assets/Uploads/091030ra201mixedhousefinal.pdf)
[3] *Framework for Regional Growth, Erie and Niagara Counties, New York, Final Report*, October 2006 (page 4).

"Developed" as per the Framework and is therefore situated within a contiguous block system or urban development served with public sewer, water and transportation infrastructure. These places are considered the most favored future development and public investment as they support the efficient use and maximization of existing public infrastructure and investments. For these areas, county planning and growth management strategies are designed to promote appropriate investment, reinvestment, redevelopment, conservation, adaptive reuse and infill development.[4] The Highland Park project is an opportunity to realize the goals of the Framework through supporting the redevelopment of an existing urban site within a Developed portion of the region.

- **Leroy Neighborhood Action Plan ("LNAP")**
  The LNAP was originally drafted by the City of Buffalo Office of Strategic Planning in 2011 to provide a neighborhood revitalization strategy for the Fillmore-Leroy District. The Highland Park project site (formerly known as the Central Park Plaza site) is directly referenced within the LNAP as property that should be prioritized for the allocation of resources to acquire and raze the vacant buildings due to the adverse effects on surrounding property values, public safety and quality of life. In addition, investments in public infrastructure are suggested to be comprehensive, targeting each street within the neighborhood at a time and including consideration for complete streets with better sidewalks, buried utilities, improved lighting, integrated signage standards and appropriate landscaping. The Highland Park project will be a significant source of momentum in accomplishing multiple action items as identified within the LNAP through the rehabilitation of the Central Park Plaza site and expansion of the complete street network.

- **Queen City in the 21st Century- Buffalo's Comprehensive Plan ("Comprehensive Plan")**
  The Comprehensive Plan was created to guide the achievement of a shared community vision for the future of Buffalo. It was ultimately adopted as of February 7th, 2006 as the preeminent legal document guiding all development in the City of Buffalo and provides the policy framework for local planning efforts including plans for downtown, neighborhoods, the waterfront, special districts and special purposes. The Plan prioritizes the clean-up of brownfield sites by declaring the effort "central to the investment corridor strategy."[5] Additionally, public transit is identified as a key issue that provides a critical element in Buffalo's economic development work and in the implementation of the principles of sustainability and smart growth. The Plan recognizes the importance of providing suitable housing in the City; "When the economic development initiatives specified in this plan begin to bear fruit in the form of new jobs it is crucial that new employees be able to find housing in the city. If they cannot, Buffalo will lose a major part of the benefit of its own effort to grow the economy."[6] The Plan recommends the development of new infill housing, transit oriented mixed-use neighborhoods, streetscape, lighting and landscape

[4] *Framework for Regional Growth, Erie and Niagara Counties, New York, Final Report*, October 2006 (page 35).
[5] *Queen City in the 21st Century- Buffalo's Comprehensive Plan* (p. 76). (2006). Buffalo, NY: City of Buffalo Office of Strategic Planning.
[6] *Queen City in the 21st Century- Buffalo's Comprehensive Plan* (p. 88). (2006). Buffalo, NY: City of Buffalo Office of Strategic Planning.

improvements, pedestrian focus and place making as a way of connecting the Medical Campus to the revitalization of adjacent neighborhoods. The establishment of a ten-year housing program to create a healthy private residential real estate market is a key initiative of the Plan. It is intended that private investment will drive housing beyond the initial ten-year program.[7] The Highland Park project represents the realization of the Plan goals by providing an infill housing development in close proximity to public transit that will retain residents in the City who have found new employment opportunities through recent economic development efforts. Furthermore, the Project will connect and restore existing neighborhoods while remediating existing brownfield and blighted areas such as the former Central Park Plaza site.

1.4.3 Project Benefits

The Highland Park Project Site is the previous location of the Central Park Plaza, a neighborhood commercial shopping center with approximately 275,000 square feet of retail space. Historically, the Site prospered as a shopping destination from the time it was initially constructed in 1958 through the 1960's and 1970's. However, during the latter portion of the 1970's, the Central Park Plaza neighborhood began to experience a rise in poverty and housing vacancy throughout the broader Fillmore-Leroy neighborhood. At the same time, businesses began vacating the plaza.

As a sizeable 27 acre site with very few tenants and little to no security or oversight, the former Central Park Plaza property became a constant concern with regular vandalism and crime issues.. The poor conditions at the Project Site further exacerbated and accelerated housing vacancies and general abandonment in the surrounding neighborhood. The condition of the Central Park Plaza did not go unnoticed by the City of Buffalo Permit and Inspection Services. The previous owner was cited by the City of Buffalo for multiple Housing Code violations on a number of occasions. Eventually, due to the inactivity of the previous ownership to properly manage the Site, the Central Park Plaza property had elevated to a concern of the New York State Attorney General's office, and as such, resulted in the issuance of a settlement and Consent Order to clean-up the property and improve security measures.

It was at this point that the current Project Sponsor elected to acquire the Site and move forward with planning and design for the Highland Park project. The benefits of the Project Sponsor's involvement with the property and surrounding neighborhood have already been partially realized through the demolition of the existing vacant and dilapidated structures and installation of security measures throughout the project location. This effort has already drastically reduced the need for emergency responses to the area due to criminal activity at the previously abandoned Central Park Plaza site. The redevelopment of the site will help to further stabilize the community and provide a permanent home to new residents committed to the Fillmore-Leroy neighborhood. While negative impacts were not as severe at the adjacent Chalmers Avenue site, it also is vacant and underutilized.

[7] *Queen City in the 21st Century- Buffalo's Comprehensive Plan* (p. 90). (2006). Buffalo, NY: City of Buffalo Office of Strategic Planning.

The Highland Park project will provide for social and economic benefits and significant environmental improvements for the neighborhood. The Project Site was previously home to the Buffalo Cement Company that operated a rock quarry operation. Upon the ceasing of quarry operations at the Site circa 1948, the area was filled in with materials such as general clay and sand fill, slag and associated industrial fill. This process left behind potential environmental concerns related to stable metal contaminants that were present within the fill material. Based on the environmental assessment at the Site and identification of existing contaminants, the Project Sponsor has entered in the New York State Department of Environmental Conservation ("DEC") Brownfield Cleanup Program ("BCP"). Under the terms of the BCP, and as monitored by the DEC, the redevelopment and remediation effort at the Site will include the excavation and proper off-site disposal of contaminated material. This includes the removal of approximately 736,000 square feet of existing asphalt and sub-base material and the implementation of a site cover system that will permanently prevent any exposure to any remaining contaminants at the Site.

Ultimately, the Highland Park project represents an opportunity to realize the infill development of an existing urban site that will address current housing market needs and further the goals and objectives of local and regional strategic plans. In addition to supporting and stabilizing the positive growth of the Fillmore-Leroy neighborhood, the Project will expand housing choices and transportation options for existing residents. The development also provides a significant step forward in resolving existing environmental contamination and brownfield issues within the community. As a Transit Oriented Development, the Highland Park project is ideally suited to maximize existing public investments, support smart growth within the City of Buffalo and contribute to the development of vibrant, diverse and walkable residential neighborhoods within our community.

SECTION 2.0
ENVIRONMENTAL REVIEW OF THE PROJECT PURSUANT TO SEQRA

2.1 Legislative Intent of SEQRA

Pursuant to Article 6 of the New York State Environmental Conservation Law (6 NYCRR, Part 617), the New York State Environmental Quality Review Act (SEQRA) provides a process for governmental and other agencies to consider potential significant adverse environmental impacts during the initial stages of funding, permitting or approving proposed actions. By incorporating a systematic, interdisciplinary approach to environmental review in the early stages of the process, impacts can be identified and projects or actions can be modified, as needed, to avoid or minimize potential adverse impacts to the environment. All discretionary actions or approvals by state, regional or local agencies to approve, fund or directly undertake an act that may affect the environment are subject to review under SEQRA. It is the intent of SEQRA that protection and enhancement of the environment and community resources be balanced with social and economic factors as part of the decision-making process.

2.2 Summary of Public and Agency Involvement

The SEQR process includes three types of agencies: Involved Agencies, Interested Agencies and the Lead Agency. Involved Agencies are agencies that have jurisdiction to fund, approve or directly undertake an action. Interested Agencies are agencies that do not have (at the time of the environmental review) permitting, funding or approval jurisdiction directly related to the proposed action, but may desire to participate in the review process because of their expertise or concern regarding the action.

The Lead Agency is the Involved Agency that has the responsibility, under SEQR, to coordinate the environmental review process for the proposed action. As noted in Section 2.1.3, the City of Buffalo Planning Board was designated as the Lead Agency for this action because this Board has the primary jurisdiction over the Site Plan review and approval for the proposed Project. Through the coordinated review process, other agencies were provided the opportunity to provide comments on the proposed action and concur with this designation.

The following is a list of the Involved and Interested Agencies that have an interest in the proposed Project.

<u>Identified Involved Agencies:</u>
City of Buffalo Common Council
City of Buffalo Planning Board – Subdivision approval; eventual site plan approval

City of Buffalo Zoning Board of Appeals
Erie County Industrial Development Agency
Buffalo Department of Public Works
Buffalo Sewer Authority
Buffalo Water Board
New York State Department of Environmental Conservation
Erie County Department of Health

Identified Interested Agencies:
Erie County Department of Public Works
Erie County Department of Environment and Planning
Buffalo Public Schools
Buffalo Police Department
Buffalo Fire Department

Pursuant to the requirements of SEQR, this DGEIS and the conceptual development plan for the proposed action will be subject to review and comment by these Involved and Interested agencies and the public. Opportunities for future agency and public involvement include the publication of notifications related to the Project, a public comment period for the DGEIS, a public hearing, a public consideration period following the completion of the Final Generic Environmental Impact Statement (FGEIS) and preparation of the Statement of Findings by the Lead Agency and other Involved Agencies (if they so desire).

2.3 Steps in the Environmental Review Process

An overview of the important steps in the required SEQR review process for the Highland Park Project is provided as follows. The goal in providing this overview is to enable the reader to understand the manner in which identified potential environmental impacts must be considered before a decision can be made on a discretionary land use approval.

- Lead Agency Designation and Determination of Significance

  As part of the application process for the subdivision of the property and the subsequent development of the Site, the applicant included Part 1 of the full Environmental Assessment Form (FEAF) with the application that was submitted to the City of Buffalo on October 22, 2014. The process was started by the submission of a subdivision application, but the Applicant and the City understood that the SEQR process would include the overall development of the Site. The applicant also acknowledged that the Project may result in the issuance of a Positive Declaration and require a GEIS. The FEAF provided information about the proposed Project and identified agencies that have permitting and approval

jurisdiction over the Project. The package also included a schematic Site Plan of the overall development of the Site. Based on the information provided, the City classified the proposed Project as a Type I action under SEQR. A copy of the FEAF is included in Appendix B.

To coordinate the environmental review process, the City of Buffalo Planning Board issued a solicitation letter to Involved Agencies (those that have approval, funding or permitting discretion for the proposed action) to declare its interest in being designated the Lead Agency for the SEQR review. The Lead Agency is primarily responsible for overseeing and coordinating the environmental review process and approving the proposed action. After the coordinated review, the City of Buffalo Planning Board was established as the Lead Agency for this action on December 27, 2014. A copy of the Lead Agency notification letter, City Planning Board resolution to declare Lead Agency status and comments received from the Involved and Interested Agencies and will be included in the appendix.

Based on the FEAF Part 1 and its supplemental information (including a draft scoping document), the City of Buffalo prepared Part 2 of the FEAF to further identify the range of potential impacts, their scale and whether impacts that were identified can be mitigated or reduced. Subsequently, the City agreed with the Applicant that the proposed action and the future development of the subject property could have a significant adverse impact on the environment. Based upon its Determination of Significance, the City Planning Board (after assuming Lead Agency) issued the Positive Declaration on January 27, 2015, requiring the preparation of an EIS. Reasons supporting this determination included the potential physical disturbance of more than 10 acres of land, impacts to the local transportation network, impacts on the growth and character of the surrounding area and impacts to infrastructure. Because the proposed action involves the potential mixed use development of the Site that will be constructed over an extended period of time and may include alternatives for development based on market trends, the Applicant agreed to undertake a generic environmental assessment through the preparation of a Generic Environmental Impact Statement (GEIS).

- <u>Draft and Final Environmental Impact Statements and SEQR Findings</u>

  The DGEIS identifies the relevant impacts of the proposed action, discusses measures to mitigate or lessen these impacts, and evaluates reasonable alternatives to the proposed action. After the City of Buffalo Planning Board, as Lead Agency, has reviewed the DGEIS and determined it is complete, the DGEIS is released for public review and comment. After a complete document has been accepted, the length of the public review and comment period will be a minimum of 30 days. The Planning Board, as SEQR Lead Agency, will establish the public review time period that satisfies the SEQR requirements, and will schedule a public hearing to gather additional public input.

Upon completion of the public review period for the DGEIS, the Lead Agency must prepare or cause to be prepared a Final Generic Environmental Impact Statement (FGEIS) that responds to comments received from the public and reviewing agencies. The FGEIS includes the DGEIS, the substantive comments received, responses to those comments, revisions to the DGEIS and reasons for these revisions.

The SEQR process concludes with the preparation of the Findings Statement. Before the Lead Agency can take any action (approving the request for subdivision and site plan approval), it must prepare a Findings Statement. The Findings Statement determines whether the proposed action minimizes or avoids the potential adverse environmental effects to the maximum extent practicable, and that the proposed action incorporates practical measures that were identified through the SEQR process.

These determinations must be based on facts and conclusions that are derived from the DGEIS, comments received from the public and reviewing agencies, any public hearing records and the approved FGEIS. The Findings Statement identifies the considerations that have been weighed and the Lead Agency's rationale for its approval or disapproval of the proposed action.

2.4 Reasons Supporting the Preparation of a DGEIS

The Highland Park Project is the subject of a Generic Environmental Impact Statement (GEIS). The GEIS affords the opportunity to evaluate a broad range of anticipated impacts and ensures that related actions will not be segmented in order to avoid the required analysis of future development actions on the Project Site. The GEIS allows the Lead Agency to establish thresholds for future environmental review that may arise in the future, as outlined in the Findings Statement.

The plans that were developed for the Project Site illustrate the organization of potential land uses and the magnitude for future use of the site. The final form of Site development may change and will depend on market demand and cannot be precisely determined at this time. Therefore, a generic assessment of future site development is an appropriate mechanism for evaluating the potential impacts of this action. This GEIS is based on what is anticipated to be the maximum likely build out for the Site. It also includes a number of parcels on Chalmers Avenue adjacent to the Project Site, although those parcels are not under the control of the Applicant and are not part of the proposed action. In this manner, it is a conservative evaluation of potential impacts, assessing the largest potential for impacts.

SECTION 3.0
ENVIRONMENTAL SETTING

3.1 Topography and Soils

3.1.1 Topography

The City of Buffalo is located on the Eastern end of Lake Erie at the mouth of the Niagara River. The City is situated in the northwest corner of Erie County adjacent to Canada via the Peace Bridge. The Project Area sits in the northeastern quadrant of the City of Buffalo. The Project Area is bound by Central Park Avenue to the south, Manhattan Avenue to the east, and Holden Street to the west. The northern boundary of the site is an unnamed alley providing service to parcels fronting on Bennett Village Terrace. The Project Area generally slopes from south to north with slopes ranging from 1% to 5%. Due to prior disturbance, the grade on site has been previously developed and does not represent natural conditions.

3.1.2 Soils

NRCS Soils Map at Project Location: Soil maps have been included in Appendix C showing the Map Unit Symbols of the local soils. This information was acquired through the Web Soil Survey database hosted by the USDA National Resource Conservation Service (NRCS). The Project Site and some adjacent parcels on Chalmers Avenue were defined on the website and the above-mentioned maps were generated. The following information gives a general overview of the types of soils that are present within the Project Area, and targeted adjacent properties.

Figure 3-1: Soils

Erie County, New York (NY029)			
Map Unit Symbol	**Map Unit Name**	**Acres in AOI**	**Percent of AOI**
Ud	Urban land	29.5	93.2%
UeB	Urban land-Benson complex, 3 to 6 percent slopes	1.2	3.9%
Ux	Urban land-Wassaic	0.9	2.9%
Totals for Area of Interest		**31.6**	**100.0%**

The soils across Project Area are all classified as a types of urban soils. Urban soils behave differently than its original (natural) condition due to human activities including land leveling, land filling, contamination, compaction, etc. Due to previous disturbance and the potential for a high level of variability, the hydraulic soils group is not provided for urban soils. In recent years the New York State Department of Environmental Conservation (NYSDEC) has designated the Site as a brownfield

due to the presence of contaminated soils requiring cleanup under the New York State Brownfield Cleanup Program. For additional info regarding the cleanup plans see section 3.12.1 regarding current remediation plans.

3.2 Hydrology and Water Resources

The Project Area is located within the Scajaquada Creek watershed which discharges to the Niagara River. However, much of the stormwater across the Site either infiltrates into the soils or drains into the adjacent City of Buffalo combined sewer system.

3.2.1 Groundwater

NYSDEC publications indicate that there are no primary or principal aquifers underlying the Project or surrounding Area. Based upon a review of the USGS soils report for the Project Area and boring logs from the Site remediation plan Appendix C, groundwater in the vicinity of the Site is estimated to lie at a depth of greater than 13 feet below the ground surface. The direction of flow in the area may be sub-parallel to surface drainage patterns and is assumed to be generally towards the Niagara River. However, groundwater flow directions can be only accurately evaluated through the installation and survey of groundwater monitoring wells. Estimated groundwater levels and/ or the direction of flow in this area may vary due to seasonal fluctuations in precipitation, local usage demands, geology, underground structures or dewatering operations. Attached in Appendix C is a Remedial Action Work Plan from GZA GeoEnvironmental of New York (GZA).

3.2.2 Surface Water

There are no lakes, ponds, or other waterways in the Project Area. The Project Area slopes generally from the southwestern corner to the northeast towards Bennett Village Terrace. Much of Project Site still has surface features of the former commercial development including pavement, concrete, stone, or other compacted soils that are impervious, therefore current infiltration is limited and much of the rainfall runs off to be collected in the local sewer system. The adjoining properties on the south side of Chalmers Avenue which are being included in the impact assessment generally slope from the southern edge to the northeast towards Chalmers Avenue.

3.2.3 Floodplains

According to the Erie County mapping for flood hazard areas Appendix G for the Project Area, as prepared from Federal Emergency Management Agency (FEMA), no portion of the Project Site falls

within a floodplain. There is, however, a floodplain located approximately 2 miles southwest of the Site, but the feature does not extend onto the Project Area. Therefore, the Project Area is determined to not be located within a 100 year flood plain.

3.3 Terrestrial and Aquatic Ecology

3.3.1 Vegetation

As mentioned, the Project Area was Site of a former commercial development and much of the Site is still covered with asphalt, stone, or concrete. Patches of weeds and successional grasses have established on other areas around the Project Area. Due to the Site's urban location and previous commercial use, a threatened and endangered species study was not conducted. According to NYSDEC Mapping there are no significant natural communities within the Project Area.

3.3.2 Wetlands

According to New York State Department of Environmental Conservation (NYSDEC) and Fish and Wildlife Service (FWS) mapping there are no state or federal wetlands within the Project Area. Therefore, no further Site investigation was conducted relating to wetlands.

3.3.3 Wildlife

As previously noted, the Project Site consists of urban soils from a former commercial development. The NYSDEC indicated that no threatened, endangered plant or species of special concern are known to inhabit the Project Area. Therefore, no further investigation was conducted relating to wildlife within the Project Area.

3.4 Climate and Air Quality

3.4.1 Climate

The climate for the Project Area, and for Erie County as a whole, is northern temperate and relatively mild, as compared to other locations at similar northern latitudes in the United States. The general climate and daily weather conditions in the area are influenced and tempered by the proximity to Lake Erie and Lake Ontario, as well as the other Great Lakes. The area is relatively humid, with warm summers and fairly long, cold winters. Lake Erie and the local topography of the region contribute to the moderation of temperatures during each season of the year. As water takes longer to

heat up and cool down than land, Lake Erie is a source of heat during the fall, which provides for a longer frost-free growing season in Erie County than surrounding areas.

3.4.2 Air Quality

To protect humans and the environment from damage by air pollution, the NYSDEC Division of Air Resources continually measures levels of pollutants in the air and regularly reports the results of these measurements. NYSDEC measures air pollutants at more than 80 Sites across the state, using continuous and/or manual instrumentation. These Sites are part of the federally-mandated National Air Monitoring Stations Network and the State and Local Air Monitoring Stations Network. Real time direct reading measurements include gaseous criteria pollutants (ozone, sulfur dioxide, oxides of nitrogen, carbon monoxide), fine particulates with a diameter less than 2.5 microns ($PM_{2.5}$), and meteorological data. Filter based $PM_{2.5}$, lead, and acid deposition samples are collected manually and shipped to the laboratory for analysis. The objectives of the State's ambient air monitoring network are to provide air pollution data to the general public in a timely manner, support compliance with ambient air quality standards and emissions strategy development and gain support for air pollution research studies.

In 2005 NYSDEC released a report that discussed air quality testing results for VOC, CO, NOx, SOx, and total PM across the Buffalo/ Niagara Region. The report is attached in Appendix F for reference. During the study, the NYSDEC indicated the following…

"After considering the nine factors required by EPA guidance, the Department recommends that the entire two county Buffalo/ Niagara Falls MSA be designated as "unclassifiable" area for the 24-hour PM2.5 standard. This recommendation was based on the insufficient margin between the monitored values and 24-hour PM2.5 standard to support a definitive conclusion that the attainment that was monitored in the 2004-2006 period will persist. The annual 24-hour values are also inconsistent, exhibiting no downward trend in the data. This is likely due, at least in part, to weather differences from year to year, and the variation in PM2.5 transported into the areas from out of state. Additionally, the result of the application of the nine factors required by EPA taken together does not weight this recommendation toward a clear conclusion that the Area should be either attainment or nonattainment."

Based on an additional three years of monitoring data ending December 2008, the Environmental Protection Agency designated 30 counties in New York State as nonattainment Areas for ozone, including Erie County. Exceedance of the 8-hour standard for ozone was somewhat more common near the Buffalo Area.

3.5 Land Use and Zoning

3.5.1 Existing Land Use Patterns

The Site is located in the northeast section of the City of Buffalo, in the northern portion of the Masten District. Buffalo is the major urban center for the region, and is densely developed with a mix of residential, commercial, manufacturing and open space uses. The City has experienced population loss, and there has been some disinvestment in the surrounding neighborhoods, particularly south of the Site. The City's land use plans call for revitalization of the city's neighborhoods with a mix of residential and commercial development.

As noted in Section 1.2, the subject property encompasses approximately 27 acres. In addition, this DGEIS is evaluating certain properties along the south side of Chalmers Avenue that are not controlled by Highland Park Village LLC. The Project Site, owned by the Project Applicant, was previously developed as a suburban-style retail plaza, with strips of stores located along a central parking lot. The Site operated as a shopping plaza from 1958 through 2011, when the last of the tenants vacated the property. Prior to its use as a plaza, the property was a large quarry. To enable redevelopment of the Site, remediation was required mitigate contamination issues associated with a number of prior uses on the property. The Site is being remediated through the New York State Department of Environmental Conservation Brownfield Cleanup Program (BCP) and is currently vacant. All former structures have been demolished, and contaminated soils will be removed and/ or capped to the extent required for redevelopment.

The surrounding neighborhood is a mix of residential and commercial uses. A townhouse development known as Bennett Village Terrace exists north of the Site, where the area is characterized by fairly dense multi-family housing. A large apartment complex is north of the townhouses, facing East Amherst Street, and additional apartment complexes are found north of East Amherst Street.

South of the Site, the residential neighborhood consists largely of one- and two-family homes on individual lots. This neighborhood includes a number of vacant properties, where former homes have been demolished due to dilapidated conditions. In general, the homes immediately south of the Site face Rodney Avenue, or on adjoining north-south roadways, with rear or side property lines facing the former plaza property. No homes front on Central Park Plaza Drive.

A United States Post Office is located due east of the Site, fronting on Manhattan Avenue, although the post office cannot be accessed directly from the Highland Park area. North of the Post Office is an apartment complex on Manhattan Avenue. Along Holden Street there are several non-residential uses, including a church, a Laundromat, a dry cleaners, a Dollar General and a social services office. The church, the Elim Christian Fellowship, occupies the parcel on the corner of Chalmers and Holden

Streets and is a key anchor for the Site. A former bowling alley, currently vacant, is on the corner of Holden Street and East Amherst Street north and west of the Site.

To the west of the Site, properties fronting on Pannell Street and Main Streets are generally commercial in nature, including several automotive uses, storage, and a supportive living apartment complex. The former Kauffman's bakery dominates the corner of Fillmore and Chalmers Avenues. This large former industrial Site is vacant. Further to the west, a mix of retail uses are located along Main Street, including a Rite Aid pharmacy at Main Street and Fillmore Avenue. The Amherst transit stop for the Niagara Frontier Transportation Authority light rail transit system is approximately 0.2 miles from the northwest corner of the main development area, and approximately 0.1 miles from the western edge of the Chalmers Street portion of the Site. See Appendix B for the Surrounding Land Use map which illustrates the area and adjacent neighborhoods.

3.5.2 Community Planning Efforts

The proposed Project falls within the Fillmore-Leroy neighborhood. The surrounding neighborhood is an area of the City that has suffered from disinvestment. Home values and college attainment rates are half the Erie County average, and poverty and unemployment rates are twice the County average. However, there are many assets, including a good housing stock, nearby shopping and institutions. NFTA's light rail transit system has a station at Main and Amherst, that is approximately 0.28 miles from the northwest corner of the proposed Highland Park development, and there are several nearby bus routes, on Main Street, Fillmore Avenue and Amherst Street, making jobs at the Erie County Medical Center, the University at Buffalo and the Buffalo Niagara Medical Campus easily accessible.

The sponsors of this Project undertook an extensive community-based planning process to obtain local input on the goals and needs of the surrounding Area. The effort included conversations with neighborhood block groups and other stakeholders, such as churches and business owners. Planners for Highland Park also met with city and county representatives, FLARE and the Buffalo Promise Neighborhood initiative. Two large-scale community meetings, open to the general public were held in November 2013 and February 2014. The community meetings were interactive, and residents were able to articulate their goals and priorities and provide specific input on area-wide planning maps. Work was also coordinated with other planning efforts, including the Queen City in the 21st Century (the City's Comprehensive Plan), the Leroy Neighborhood Action Plan, prepared by the City's Office of Strategic Planning in 2011, and the more recent land use planning efforts associated with the City's new zoning initiative.

The proposed redevelopment will integrate the former plaza into the surrounding neighborhood by establishing a more traditional street network and adding new public spaces, new housing and a mix of supporting neighborhood retail development. The intent is to promote a new 'sense of place' for the community, with gateways, parks and neighborhood open space. High quality architectural character is planned, and the development is intended to accommodate a diverse mix of people and a

range of housing choices, including apartments, townhouses and senior housing. It is hoped that the investment at Highland Park will spark continued redevelopment and renovation of neighborhood housing throughout the Fillmore-Leroy area.

3.5.3 Existing Zoning

The Project Site is presently zoned CM General Business District, as shown on the City of Buffalo Zoning map in Appendix B: Current Zoning. It is surrounded by areas of R4 Apartment District, R2 Dwelling District and TS Transit Station District.

The City of Buffalo's current zoning is hierarchical in nature and uses allowed in the CM General Business District include any of the uses permitted in residential districts and more restrictive commercial districts (C1, C2 or C3). As such, residences, apartments and a mix of commercial uses are allowed by right under the current zoning. The general list of permitted uses includes the following as examples:

- Single-family residential;
- Multi-family residential;
- Row Housing;
- Nursing Homes;
- Day Care facilities;
- Dry cleaning facilities;
- Automotive sales, repair or gas station;
- Light manufacturing;
- Veterinary clinic;
- Hotel or lodging house;
- Trade school;
- Grocery or Drug store;
- Bank or professional office; and
- Restaurant.

The bulk requirements (yards, height, etc.) differ for residential and commercial uses. For strictly residential structures with no commercial components, there are requirements for front, side and rear yards, as follows:

- Minimum front yard: 2.5 feet per story of building height and equal to either 15% of the lot depth or 25 feet, whichever is greater, to a maximum of 40 feet.
- Minimum rear yard: 2.5 feet per story of building height, with a minimum equal to either 15% of the lot depth or 25 feet.
- Minimum side yard: 2.5 feet per story of building height, with a minimum of 5 feet and a maximum of 40 feet.

For commercial buildings, or residential buildings where the first floor is designed and used for commercial purposes, there is no required front yard. Side yards are also not required unless the building adjoins a residential district.

The maximum building height is the horizontal distance from the building to the opposite side of the street for both residential and commercial properties. However, there are certain exceptions for specific types of uses, such as hotels and office buildings. There are also exceptions for appurtenances such as spires, chimneys and water tanks.

3.5.4 Revised Zoning (Unified Development Ordinance)

The City of Buffalo is currently in the process of adopting a new zoning ordinance, known as the Green Code, or the Unified Development Ordinance (UDO). This new code is a modified form-based code, where the design and style of development is carefully controlled, in addition to use.

Under the proposed new zoning code, the Site would be in the D-R Residential Campus District. Under the UDO, the purpose of the D-R zone is to allow large-scale, integrated development of residential campuses, which is consistent with the intent of the proposed redevelopment plan for the Site.

A range of residential and civic uses are allowed by right in the D-R district. As examples, these include:

- Dormitories;
- Single-, Double- and Multiple-Unit dwellings;
- Group Homes;
- Residential Care facilities;
- Assembly uses;
- Cultural facilities; and
- Public Safety facilities.

In addition, there are many uses allowed with a special use permit. As examples, these include:

- Lodges or private clubs;
- Bed and Breakfasts;
- Hotels or Hostels;
- Rooming Houses/ S.R.O.;
- Day Care Centers (not home-based);
- Medical clinics;
- Open-Air Markets;

- Restaurants, Taverns, Outdoor Dining;
- Retail and Services, General; and
- Professional Offices.

The UDO provides much stronger guidelines in regard to building design and setbacks. There is no minimum lot size. The maximum lot coverage is 80%, which includes both structures and any impervious surfaces. There are no minimum yard requirements (front, side or rear). Building height is limited to the width of the widest adjacent roadway, with an allowance for 1 additional foot of height for each foot of step back. The code requires the height of the ground story of the principal building to be 9 feet for residential buildings and 13 feet for any other use. Upper stories must be at least 9 feet in height from floor to floor.

The frontage of the ground floor must have a minimum transparency of 20% for residential uses, 70% for retail and service uses, and 40% for any other uses. On upper stories, the front and corner side facades must have at least 20% transparency for residential and 40% for all other uses (including retail and service). The main entrance to any building must be on the front façade.

For lots that are 20,000 square feet or more in area, there must be at least 10% of total contiguous area under single ownership or control devoted to accessible open space, such as squares, greens or greenways. This open space must be located at high-use portions of the Site, and framed by building facades where possible. This open space may be provided cooperatively, on an aggregate basis, by groups of owners of contiguous lots, as long as the combine space is equal to or greater than what would be required on each individual lot, and the open space is within 1,320 feet of the Sites being served.

Buildings must be oriented to the street, with front and side façades parallel or radial to the adjacent roadways, unless the building is located more than 200 feet from the street. In terms of building materials, reflective wall surfaces with a Visible Light Reflectance (VLR) of greater than 15% are prohibited.

3.6 Community Facilities

The Project Site has access to or is serviced by a number of community services and facilities. These include parks and recreation sites, emergency services, educational facilities and health care facilities.

3.6.1 Parks and Recreation

The following parks/ recreation areas are located in the immediate area and offer both passive and recreation activities to the residents around the Project Area (in alphabetical order).

- Buffalo Zoo – Parkside Ave, City of Buffalo
  The Buffalo Zoo is located on 23.5 acres of Delaware Park and exhibits a diverse collection of wild and exotic animals, and more than 320 different species of plants. The facility is open year-round and serves as a source of conservation, education, and recreation for Western New York.

- Delaware Park – Meadow Drive, City of Buffalo
  This 350-acre park features meadow, forest, and lake setting. This park is part of Buffalo's Historic Olmsted Parks and Parkway System and features picnic shelters, playgrounds, basketball courts, tennis courts, lawn bowling, football/ soccer/ rugby fields, baseball/ softball diamonds, and an 18-hole golf course. Park buildings such as Marcy Cabins and Parkside Lodge offer community programs and recreational rental facilities. The various garden areas (Japanese and Rose Garden) complement all the facilities with unique experiences. The park offers many opportunities for passive and active recreation activities year round.

- Dewey Playground – Dewey Avenue, City of Buffalo
  Dewey Playground is an approximately 4.5-acre park that is located directly approximately 0.5 mile south of the Project Site. The facility offers basketball courts, baseball, and soccer fields as well as other opportunities for public recreation activities.

- Forest Lawn Cemetery – Main Street, City of Buffalo
  This is a 240 acre cemetery located along sections of Scajaquada Creek between Main St. and Delaware Ave. north of Delavan Avenue in the city of Buffalo. Forest Lawn is adjacent to Delaware Park and is one of America's premier historic cemeteries and has served not only as a cemetery but as a park arboretum and outdoor museum. The cemetery offers passive recreation through its network of walking trails and natural scenery year round.

- McCarthy Park - Cordova Avenue., City of Buffalo
  This 32-acre park features baseball/ softball fields, playgrounds, soccer/ football/ field hockey fields, and walking trails. McCarthy Park is within walking distance of the Project Area and also offers many opportunities for passive and active recreational activities year round.

- Roberson Park – Manhattan Avenue, City of Buffalo
  This is an approximate 9-acre park that is located directly east of the Project Site. It includes a playground, basketball court, picnic shelter, play fields and a restroom facility.

- Shoshone Park – Hertel Avenue, City of Buffalo
  This 15-acre park features baseball/ softball fields, basketball / tennis courts, and a large public pool open during the summer. Shoshone Park is within walking distance of the Project Area and also offers many opportunities for passive and active recreational activities year round.

Additional recreational facilities around the Project Area are offered by the local schools and discussed in greater detail in the following sections.

3.6.2 Emergency Services

The City of Buffalo is served by the City of Buffalo Police and the NFTA Police. The local Buffalo Police Department facility is located on Bailey Ave. approximately 1 mile southeast of the Project Site in the City of Buffalo. The local NFTA Police station is located on Main Street approximately 2.5 miles southwest of the Project Area in the City of Buffalo. All wireless and land line 911 emergency calls are processed through Erie Counties emergency dispatch system.

Fire protection and other emergency services for the City of Buffalo are provided by the local Buffalo Fire Department Engine 34 at 2837 Main St. in the City of Buffalo. Back up assistance to the Project Site may be provided by another Buffalo Fire Department along Bailey. The area is also served by Rural Metro Ambulance Service.

3.6.3 Educational Facilities

The Project Area is located within the Buffalo Public School system. Specifically, the Project Area is within the Ferry district of the Buffalo public schools. The following schools are the closest to the Project Area (it should be noted that although these are the schools that are closest geographically, school aged children in this area may attend other schools in the Buffalo school system, charter schools or private schools):

Figure 3-2: School Facilities

School	Grade Levels	2011 Enrollment	Staff
City of Buffalo Public Schools:			
PS 200 Bennett High School	9-12	729	75
PS 61 Early Childhood Center	PK-4	268	30
Charter Schools			
Buffalo United Charter School	K – 8	614	38

Opportunities for higher or continuing education are offered at Erie County Community College, University at Buffalo and Canisius College, among others located in Buffalo.

3.6.4 Health Care Facilities

There are several health care facilities located near the Site. Erie County Medical Center (ECMC) is approximately one mile south of the Site. Sisters of Charity Hospital is located approximately one mile southwest of the Site, and Veteran's Hospital is approximately 1.5 miles to the northeast. Other hospitals are easily accessible from the property, including Buffalo General Medical Center, Gates Vascular Institute, Buffalo Women and Children's Hospital and Roswell Park Cancer Institute. In addition, there are many medical clinics, doctor's offices and other health care facilities available near the Site, or a short distance away.

3.7 Historic and Archaeological Resources

In the early 1900's the Project Area, and a considerable amount of the land area around it in northeastern Buffalo, was utilized by Buffalo Cement as a limestone quarry (see Figure 3-3, next page). In the late 1940's and early 1950's operations at the quarry began to slow due to the continued expansion of the City. Quarry activities in this area resulted in extensive disturbance and removal of soils and subsoils, significantly impacting existing historic and archaeological artifacts. Throughout Buffalo, former quarry Sites were being developed for public housing, factories and, in the vicinity of the Project Site, for a mixed-use development known as Bennett Village. In the 1950's, the Project Area was restored and redeveloped, including the installation of a large area of asphalt pavement, into the Central Park Plaza development to provide an urban shopping destination for residents in the area. Central Park Plaza once included grocery stores, daycare facilities, and various other popular stores, as well as a dry cleaner, photo mart, laundromat and some automotive uses that left a legacy of contamination on the Site. In the 1980's, success of the plaza dropped due in part to the construction of larger suburban shopping malls, and the properties on the Site experienced abandonment and disrepair. The Site now sits as a vacant former commercial property and brownfield. Due to soil contamination issues, remediation efforts are currently proposed on the Site that will result in additional soils being removed and further Site disturbance.

A search of mapping files at the New York State Office of Parks, Recreation and Historic Preservation indicates that a small portion of the Project Area falls within a cautionary circle for Delaware Park (See Appendix E). However, considering the long history of Site disturbance, development that has occurred, and continues to occur on this property, there are no historic structures or resources in existence on the property, and it is highly unlikely that archaeological artifacts would exist any longer on the Site. Any resources that may have existed in the past were disturbed and removed long ago.

Figure 3-3: Historic photograph of the Buffalo Cement Quarry (circa 1925)

3.8 Visual Resources

The Project Site consists of 27.1 acres of land located on the north side of Central Park Avenue. The Site is generally bounded by Holden Street to the west, Manhattan Avenue to the east, Central Park Avenue to the south, and Bennett Village Terrace to the north. The Site is the former location of the Central Park Plaza, which consisted of suburban-style strip retail development adjoined by a large central parking area. The Site was dominated by buildings and pavement, with limited areas of landscaping or green space (see Figure 3-4, next page). The plaza served the local area from 1958 through 2011.

Figure 3-4: View of former Central Park Plaza, prior to Site clearance for remediation

Prior to the development of the plaza, the Site and surrounding area had been used extensively as a limestone quarry. In the 1980's, activity at the Central Park Plaza began to decline and the property slowly fell into disrepair and abandonment. From the surrounding area, Central Park Plaza offered views of suburban style retail strip development, with buildings with flat roofs and façade signage, large open parking areas and tall lighting standards. As the plaza suffered from disinvestment, the visual character of the plaza deteriorated over the years.

Today, the Site is vacant. In general, the scenic character of the Site is that of a large abandoned, property located within an area of residential development (see Figure 3-5). The housing in the surrounding area is older, vernacular working class homes that were built in the early to mid - 1900's. As seen in Picture 3, the Project Site and surrounding area largely consists of a developed urban setting consisting of higher density residential development and a small number of commercial uses.

Figure 3-5: Aerial view of the subject property and surrounding area

As shown in Figures 3-6, 3-7, 3-8 and 3-9, the Project Site stands vacant and unutilized. After the last businesses moved out around 2011, all of the structures on the property were removed as part of ongoing remediation activities that are required to mitigate site contamination associated with former uses at the plaza. The land is generally level with some existing areas of elevated fill and soil associated with the ongoing remedial activities. Currently, sections of the Site contain non-functional lighting standards from the former parking areas, remnants areas of asphalt pavement and concrete (partial building foundations). Various weeds, grasses and shrub vegetation have taken hold in many other locations over the years, adding to the abandoned visual character of the Site.

The Project Site is framed by residential uses directly to the north along Bennett Village Terrace (Figures 3-10 and 3-11), and the south along Central Park Avenue (Figures 3-12 and 3-13). As shown in these photographs, the residences along Bennett Village Terrace are suburban style single family homes and townhouse properties that were built in the 1950's, after the quarry was closed and the lands were restored. Residences south of the Site, are primarily older, more traditional one- and two-story single family structures. These homes date to the early part of the 20th century.

Figure 3-6: View of the Site looking northeast from Central Park Avenue

Figure 3-7: View of the Site looking east from Holden Street

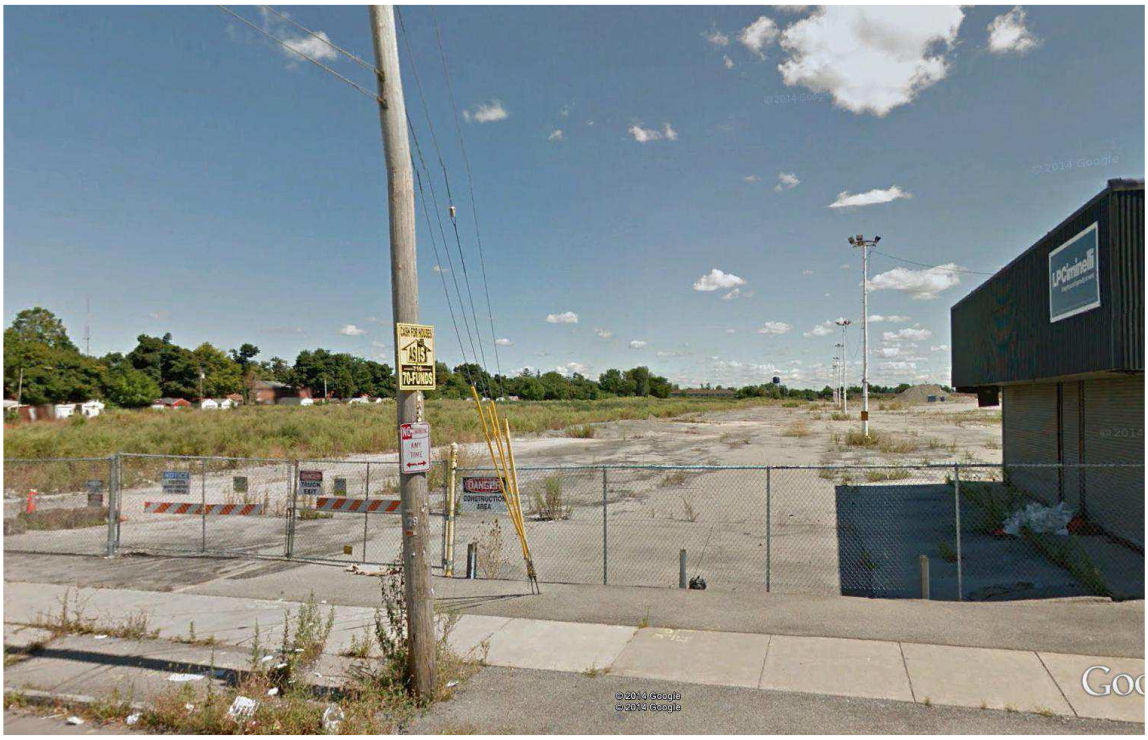


Figure 3-8: View of the Site looking south from the rear of homes on Bennett Village Terrace

Figure 3-9: View of the Site looking southwest from Manhattan Avenue

Figure 3-10: View looking east along Bennett Village Terrace toward Manhattan Avenue

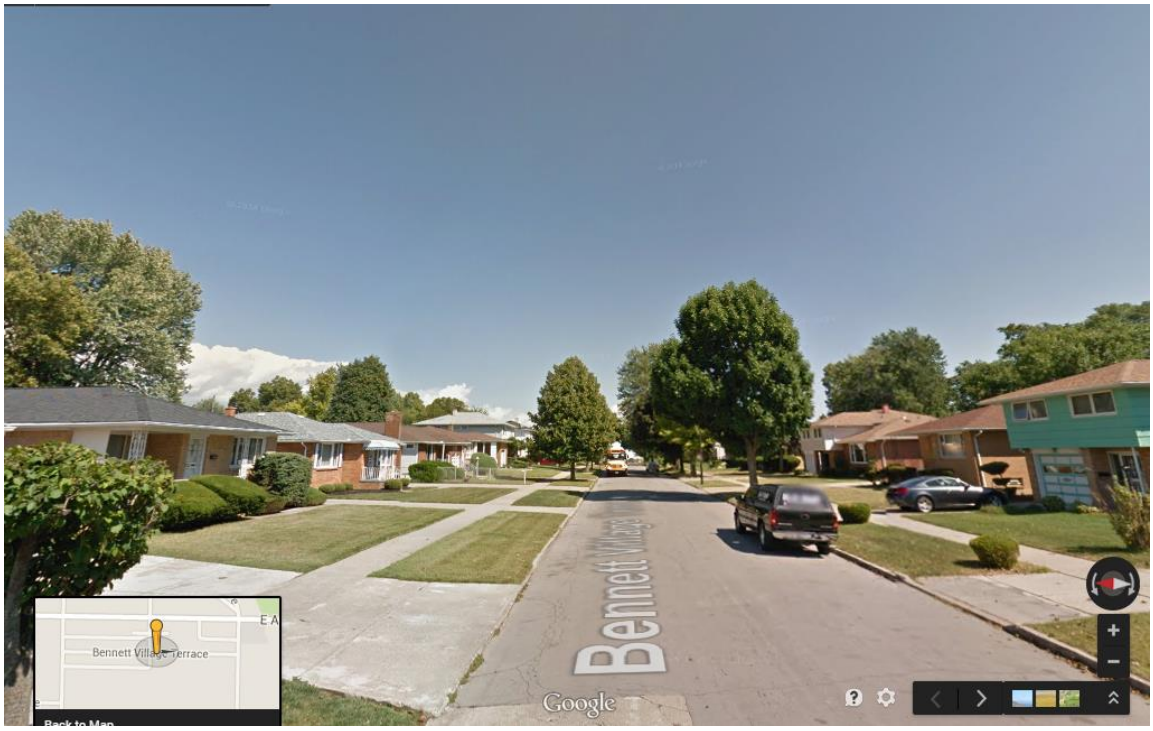


Figure 3-11: View looking east along Bennett Village Terrace from Holden Street

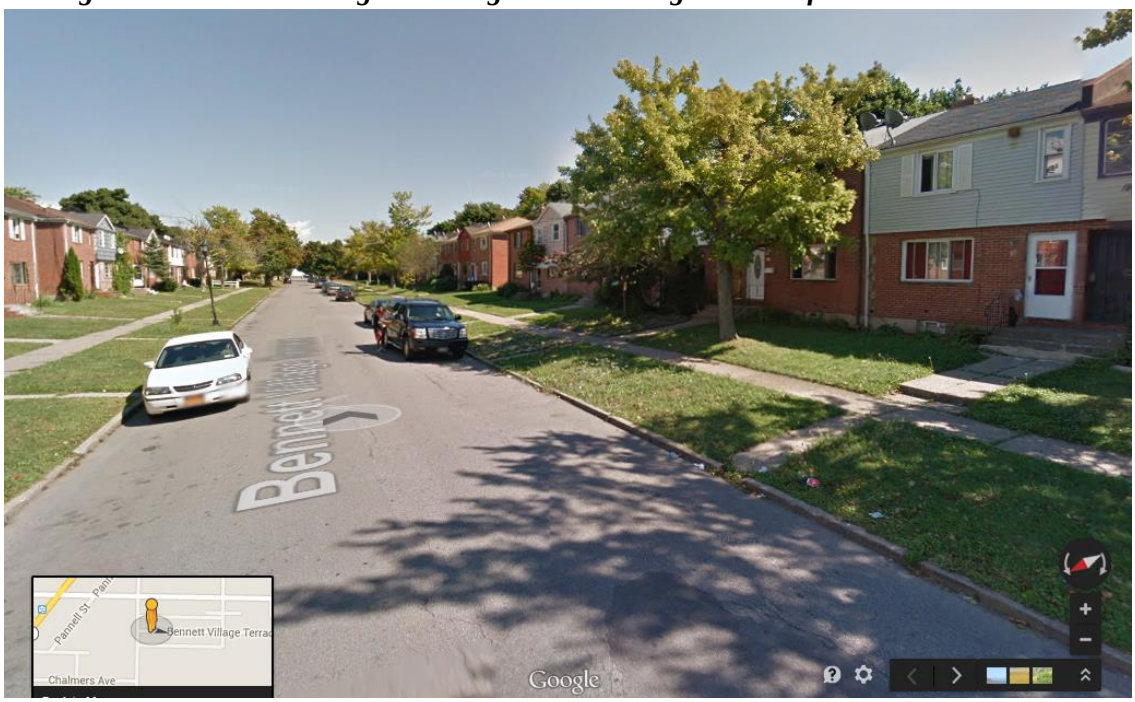


Figure 3-12: View looking east along Central Park Avenue toward Manhattan Avenue

Figure 3-13: Views looking west along Central Park Avenue toward Holden Street

Commercial and civic uses comprise the streetscape to the west of the Project Site, along Holden Street (see Figures 3-14 and 3-15). Uses in this area include Brooks Cleaners, a small office building, the City Clean Laundromat, Elim Church and a Dollar General retail store. Most of these uses are small in scale with the exception of the church and Dollar General, which are larger properties that both include a wide extent of paved parking area along the street frontage (Figure 3-14). Similarly, commercial, multi-family residential and recreational uses border the Site to the east (see Figure 3-16 and Figure 3-17), along Manhattan Avenue. The commercial uses found in this vicinity include the U.S. Post Office facility and Buffalo Weatherization.

With the exception of the Elim Church and the other businesses located along Holden Street, west of the Site, and Buffalo Weatherization on Manhattan Avenue, the properties that adjoin and surround the subject Project are visually oriented away from the Site. None of the residential structures that border the Site directly face the property (see Figures 3-12 and 3-13 as an example). This would include the Manhattan Square multi-family apartment complex, located immediately north of the Post Office on Manhattan Avenue (and is seen in Figure 3-16), where all of the buildings are designed to face away from Site or to face other buildings on the Site (which block the views).

Figure 3-14: Looking north on Holden Street in the vicinity of Elim Church and Dollar General

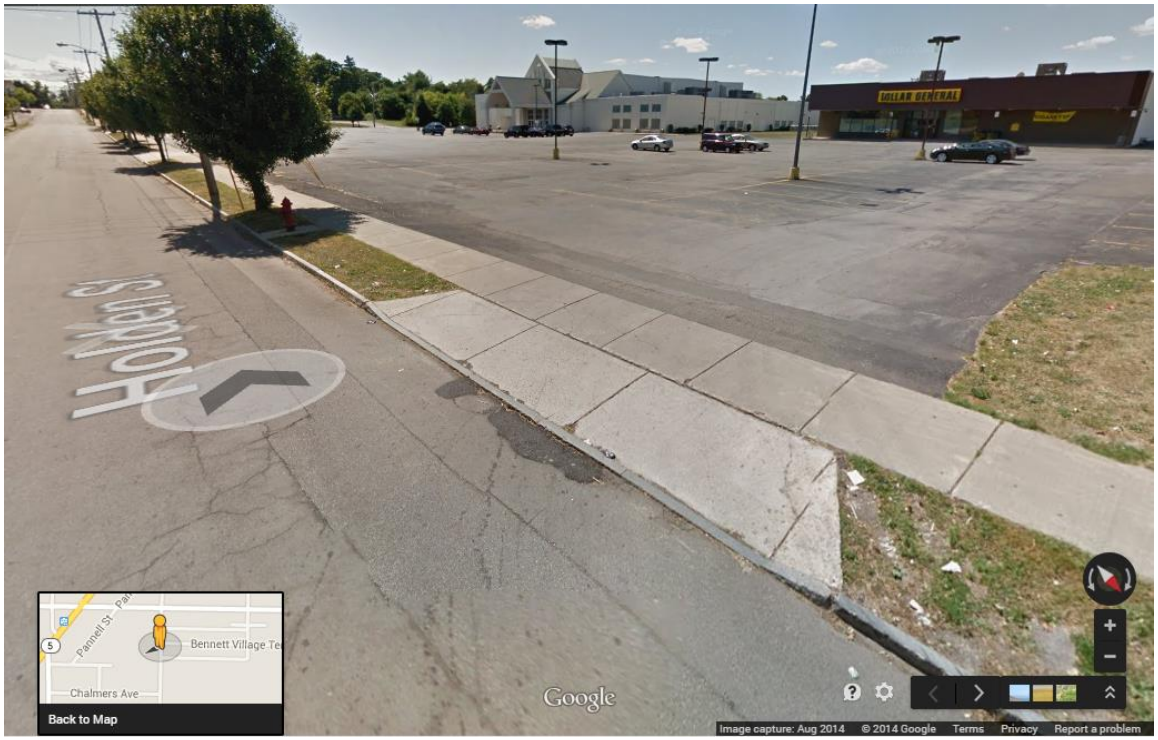


Figure 3-15: Looking north on Holden Street from the intersection with Central Park Avenue

Figure 3-16: View looking south along Manhattan Avenue from Bennett Village Terrace

Figure 3-17: View looking south along Manhattan Avenue in the vicinity of the Post Office

3.9 Public Utilities and Infrastructure

3.9.1 Public Water Supply

Public water for the Project Area is supplied through the City of Buffalo water system which originates in Lake Erie near the mouth of the Niagara River. Water flows underground by gravity to the City of Buffalo water treatment facility. From this treatment plant the water is pumped to the City of Buffalo distribution mains. The distribution system is maintained by City of Buffalo Water Board. In 2013, the Buffalo Water Board made various improvements to their water system to ensure continued reliability of the system. The improvements include the following, among others:

- SCADA upgrades within their pumping facility
- Replacing two 20 MGD high service pumps at the pumping station
- Replacement of more than 120 hydrants throughout the distribution system

Even with these improvements, the City has acknowledged that they will need to continue to work with the applicant to ensure that water pressures will not adversely be affected in this neighborhood. Additionally there were more improvements planned for the 2014 calendar year.

3.9.2 Wastewater Management

The Project Site is located within the City of Buffalo Sewer Authority (BSA) service area, which was established in 1935, by an Act of State Legislature, as a public benefit corporation that is legally and financially independent of the City of Buffalo. The BSA maintains a sewer collection system of approximately 850 miles in length with 10 outlying pump stations and a 17 million gallon capacity storm retention basin. The collection system conveys on average nearly 150 million gallons per day from outside municipalities tributary to the BSA system. Aside from the City of Buffalo, the BSA collection serves in part or in total the towns of Alden, Cheektowaga, Elma, Lancaster, Tonawanda, and West Seneca and the Villages of Depew, Lancaster and Sloan as well as Erie County Sewer District Numbers 1 and 4. The Project Area is located within the BSA Scajaquada District which contains 11 Combined Sewer Overflows (CSO's). The main associated receiving waters are Black Rock Canal and Scajaquada Creek.

3.9.3 Other Utility Services

- Electric – Electric service in the Project Area is supplied by National Grid. Service is made available to the Project Area via aboveground power lines along the adjacent streets.

- Natural Gas – National Fuel provides natural gas service to the Project Area. Supply lines along the bordering streets to the Project Area would provide service connection.

- Telecommunications/Telephone service / Cable service – Verizon and Time Warner Cable are the providers of land-line telephone service in the Project Area. Additionally, several companies provide wireless communication service to the area. Time Warner provides cable television service to the area. Satellite television service would also be available through Dish Network or Direct TV. Service connections would need to be made to the Project Area to provide cable and internet service. Therefore, future development is not expected to result in any adverse environmental impacts to telecommunications, telephone, and cable service and was not analyzed further in the potential environmental impacts section.

3.9.4 Solid Waste Management

Municipal solid waste collection and disposal service in the Project Area is provided by the City of Buffalo Street Sanitation department. This is a subset of the City of Buffalo department of public works. Buffalo provides collection services for recyclable materials. Therefore, recyclables are also collected as a part of the weekly services. Accepted materials include paper (cardboard, paperboard, paper bags), office paper and junk mail (including magazines and catalogs), newspaper and telephone

books, clear class, aluminum cans, steel and tin containers, kitchen cookware (metal pots, pans, tins and utensils), household plastic containers (nos. 1 through 7), plastic jugs and bottles and plastic bags.

From the City of Buffalo, waste is delivered to the Modern waste transfer station on Ogden Street in the City of Buffalo. This facility accepts non-hazardous municipal and commercial solid waste.

3.10 Lighting and Noise

The Highland Park Site is currently vacant; therefore, no permanent noise is generated from the Site at this time. However, the Project Site is undergoing environmental remediation, which involves the operation of some construction equipment and associated machinery. This activity occurs during daytime hours; no noise is generated on the Site during evening hours or on weekends. The noise is temporary in nature and will cease when the remediation activities are complete.

The Project Site is located in an urban area. The Site is surrounded by a mix of land uses, including residential housing and a mix of small commercial uses that generate minimal background noise. Adjacent uses include a post office, a church, a Laundromat, a dry cleaning shop and a few other similar businesses that are not prone to excessive noise. In addition, the Project Site is near Main Street and East Amherst Street, with are both streets with higher traffic levels that contribute to local background noise. Existing noise levels reflect a typical urban setting.

Lighting in the vicinity of the Site consists of typical street lighting, with standard cobra head light poles situated along the streets that extend around the perimeter of the Site. Other ambient light is generated by the local businesses located along Holden Street and Manhattan Avenue. Lighting levels in the Project Area reflect that of a typical urban setting. During its prior use as a commercial shopping plaza, a large number of tall, lighting standards with multiple fixtures, operated on this Site to provide lighting for parking areas. Some of these lighting fixtures were removed during the Site preparation activities for environmental remediation. As the property is vacant, there is no light currently emanating from the Site.

Chapter 293 of the City of Buffalo Charter regulates ambient noise and is designed to control "excessive and unreasonable noise." Certain activities are specifically listed in this ordinance as constituting unreasonable noise. This section lists a number of representative activities that could create unreasonable or excessive noise. These activities include (but are not limited to) loud "sound–reproduction devices" (e.g. stereo or loudspeaker systems), construction activities outside normal business hours, cars without mufflers, loud horns, etc. (Section 293-4). Further, "unreasonable noise" is defined as those noises that exceed ambient noise conditions by five decibels or more (Section 293-5).

3.11 Transportation

Appendix H includes the full traffic impact study that was prepared for this Project, which includes details on modeling that was conducted as a part of the study. The following is a summary of the existing conditions section from the traffic impact study.

3.11.1 Existing Conditions

Major thoroughfares which provide access to the Site include Main Street, Fillmore Avenue and East Amherst Street. With concurrence from the City of Buffalo Department of Public Works, the following intersections were selected for inclusion in this Traffic Impact Study. These intersections were selected for study due to existing traffic volumes, the presence of signalized intersections to facilitate turning movements and the trip distribution pattern attributable to the Highland Park Development. As shown in Figure 2, the study areas includes Main Street intersections with Rodney Street, Fillmore Avenue, and East Amherst Street. In addition, Amherst Street intersections with Parker Avenue and Manhattan Avenue are included in the Study. These intersections are under the jurisdiction of the City of Buffalo.

Figure 3-18: Study Area Traffic Study Locations

The street sections can be described as follows:

- Main Street - the street consists of approximately 57 feet of pavement with two (2) travel lanes in each direction with a dedicated left turn lane. In general, parking and standing are prohibited in this segment. The posted speed limit is 30 MPH.

- Fillmore Avenue - the street consists of approximately 40 feet of pavement with a single travel lane in both directions and parking lanes. Time restricted parking and standing are allowed in this segment. The posted speed limit is 30 MPH.

- East Amherst Street – east of Main Street, the street consists of approximately 40 feet of pavement with a single travel lane in each direction and parking lanes. Time restricted parking and standing are allowed in this segment. The posted speed limit is 30 MPH.

- Amherst Street – west of Main Street, the street consists of approximately 38 feet of pavement with a single travel lane in the westbound direction and separate travel lane and dedicated left turn lane in the eastbound direction. Parking and standing not is allowed in this segment. The posted speed limit is 30 MPH.

- Parker Avenue - the street consists of approximately 32 feet of pavement with a single travel lane in each direction. Parking and standing not is allowed in this segment. The posted speed limit is 30 MPH. South of Amherst Street, Parker Avenue is used by the NFTA to stage bus transfers to the Amherst Street Metro Station.

- Rodney Street - the street consists of approximately 30 feet of pavement with a single travel lane in each direction. Alternating side parking is allowed in this segment. The posted speed limit is 30 MPH.

Six intersections were analyzed a part of the Traffic Impact Study:

- Main Street and Amherst Street - this signalized intersection consists of four legs. The eastbound and westbound Amherst Street approaches consist of a dedicated left turn and shared thru/right turn lanes. Northbound and southbound Main Street approaches consist of three lanes, with one thru lane, one lane for shared thru/right lane and a dedicated left turn lane. All left turns have protected phases. The intersection incorporates pedestrian crossing facilities.

- Main Street and Parker Avenue - this signalized intersection consists of three legs. The eastbound Parker Avenue approach consists of dedicated left turn and right turn lanes. The northbound and Main Street approach consists of one thru lane and one shared thru/left turn lane.

Only buses are permitted to make left turns to access the Amherst Street Metro Station. The southbound Main Street approach consists of one thru lane and one shared thru/right turn lane. The intersection includes an extension of the dedicated left turn lane for the Fillmore Avenue intersection. This acts as a thru movement at this intersection. The intersection incorporates pedestrian crossing facilities.

- Main Street and Fillmore Avenue/Vernon Street - this signalized intersection consists of four legs. The westbound Fillmore Avenue approach consists of dedicated left turn and shared thru/right turn lane. Vernon Street is one way in the westbound direction and does not have approach traffic. Northbound and southbound Main Street approaches consist of three lanes, with one thru lane, one lane for shared thru/right lane and a dedicated left turn lane. All left turns have protected phases. The intersection incorporates pedestrian crossing facilities. Pedestrian crossing of Main Street is restricted to the crosswalk located south of Fillmore Avenue.

- Main Street and Rodney Street - this signalized intersection consists of three legs. The westbound Rodney Street approach consists of shared left/right turn lane. The northbound and Main Street approach consists of one thru lane and one shared thru/right turn lane. The southbound Main Street approach consists of one thru lane and one shared thru/left turn lane. The intersection incorporates pedestrian crossing facilities.

- Amherst Street and Parker Avenue - this signalized intersection consists of four legs. The eastbound and westbound Amherst Street approaches consist of a shared left turn, thru and right turn lane. Northbound and southbound Parker Avenue approaches consist of a shared left turn, thru and right turn lane. The intersection incorporates pedestrian crossing facilities.

- Amherst Street and Manhattan Avenue - this signalized intersection consists of four legs. The eastbound and westbound Amherst Street approaches consist of a shared left turn, thru and right turn lane. Northbound and southbound Manhattan Avenue approaches consist of a shared left turn, thru and right turn lane. The intersection incorporates pedestrian crossing facilities.

Synchro Version 8 traffic modeling software was used to analyze traffic operations. Synchro is based on methodologies presented in the 2000 Highway Capacity Manual that describe the operation of both signalized and unsignalized intersections. Although the 2000 Highway Capacity Manual does take into account the effects of adjacent traffic signals on overall operations, Synchro provides a more refined process to account for signal actuation, progression between signals and impacts of traffic queues. This program is an industry accepted standard and was used to determine the Levels of Service (LOS) for traffic traveling through the study area intersections.

The LOS for both signalized and unsignalized intersections are defined in terms of control delay. Control delay is a measure of the total travel time lost and includes slowing delay, stopped delay, queue move up time and start up lost time. LOS thresholds are defined as average delay in seconds

per vehicle over a fifteen-minute analysis period and range from LOS A to LOS F for both signalized and unsignalized intersections. LOS A represents operating conditions of freely flowing traffic with little or no delay. LOS F represents operating conditions of highly congested traffic with forced (breakdown) flow and substantial delays. The following provides a summary of the Level of Service thresholds as defined in the 2000 Highway Capacity Manual.

Figure 3-19: Level of Service Thresholds

Level of Service Thresholds	**Signalized Intersections (seconds of delay)**	**Unsignalized Intersections (seconds of delay)**
A – Little or no delay	Less than 10.0 seconds	Less than 10.0 seconds
B – Minor, short delays	10.1 to 20.0 seconds	10.1 to 15.0 seconds
C – Average delays	20.1 to 35.0 seconds	15.1 to 25.0 seconds
D – Long but acceptable delays	35.1 to 55.0 seconds	25.1 to 35.0 seconds
E – Long, near unacceptable delays	55.1 to 80.0 seconds	35.1 to 50.0 seconds
F – Unacceptable delays	More than 80.0 seconds	More than 50.0 seconds

An overall intersection LOS D or better is generally considered acceptable at a signalized intersection. An overall intersection LOS E or better is considered acceptable at unsignalized intersections. The acceptable Level of Service thresholds are lower for an unsignalized intersection because drivers generally expect longer delays at unsignalized verses signalized intersections.
The TIS utilizes accepted traffic impact study processes and methodology accepted by the City of Buffalo Department of Public Works, Parks and Streets.

Peak Intervals for Analysis

Given the functional characteristics of the Project study limits and the proposed residential use of the development, the peak hours selected for analysis are the weekday AM and PM commuter peaks. The combination of Site generated traffic and peak hour commuter traffic produces the greatest demand during these time periods.

Peak Hours associated with commuter traffic were determined from 24-hour counts available from the Greater Buffalo Niagara Regional Transportation Council (GBNRTC). Based on counts taken at study area intersections on Main Street as well as traffic counts taken at the remaining study intersections, the Morning Peak Hour is between 7:30 and 8:30 AM and the Evening Peak Hour is between 4:30 and 5:30 PM.

Level of Service Results (Existing Conditions)

- Main Street and East Amherst Street - The intersection operates at overall LOS C for the morning peak hour and LOS D for the evening peak hour. The eastbound thru/right movement on East Amherst Street operates at LOS F during the morning and evening peak hours. During the morning and evening peak hours, there is not sufficient storage to accommodate the queue lengths for the eastbound through and right turning traffic on East Amherst Street. During the evening peak hour, there is not sufficient storage for the westbound through and right turning traffic on East Amherst Street and northbound through and right turning traffic on Main Street.

- Main Street and Parker Avenue- The intersection operates at overall LOS C for the morning peak hour and LOS D for the evening peak hour. The eastbound left/right and right only movements on Parker Avenue operate at LOS F during the morning peak hour. Due to the proximity of the Fillmore Avenue and East Amherst Street intersections, there is insufficient storage to accommodate the queue lengths for this intersection.

- Main Street and Fillmore Avenue/Vernon Street - The intersection operates at overall LOS B for the morning peak hour and LOS C for the evening peak hour. For both peak hours, LOS for all turning movements is D or better. There is sufficient storage to accommodate the queue lengths for the intersection.

- Main Street and Rodney Avenue - The intersection operates at overall LOS B for the morning peak hour and LOS A for the evening peak hour. For both AM and PM peak hours, LOS for all turning movements is B or better. There is sufficient storage to accommodate the queue lengths for the intersection.

- Amherst Street and Parker Avenue - The intersection operates at overall LOS B for the morning peak hour and LOS C for the evening peak hour. For both AM and PM peak hours, LOS for all turning movements is D or better. There is sufficient storage to accommodate the queue lengths for the intersection.

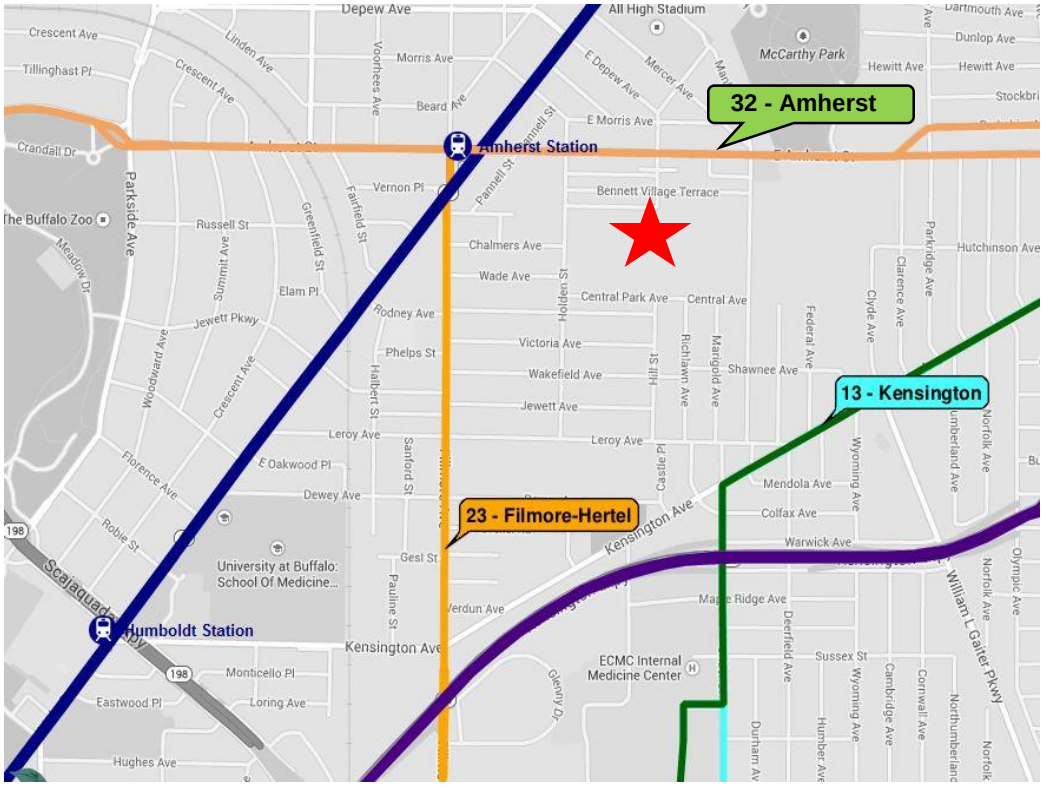
- Amherst Street and Manhattan Avenue - The intersection operates at overall LOS B for the morning peak hour and evening peak hours. For both AM and PM peak hours, LOS for all turning movements is B or better. There is sufficient storage to accommodate the queue lengths for the intersection.

Detailed traffic simulation results for Existing Conditions are included as Appendix A of the traffic impact study (Appendix H of this report).

- *Pedestrian and Bicycle Facilities*
  Existing City streets in the study area provide sidewalks for pedestrians. There are no dedicated bicycle facilities within the study area. Bicycle traffic would share the vehicular travel lanes.

- *Transit Bus and Light Rail*
  The NFTA bus and light rail routes in the vicinity of the Project Area can be seen in Figure 4. The Site is located in close proximity to the NFTA Metro Rail Amherst Street Station. In addition, the Site is served by the Number 23 Fillmore-Hertel and Number 32 Amherst Metro Bus Routes.

Figure 3-20: NFTA Bus and Light Rail Routes



3.12 Environmental and Human Health Conditions

3.12.1 Site History and Investigations

The former Central Park Plaza was comprised of approximately 275,000 square-feet single story retail buildings. These buildings have been demolished to make way for the new development.

In recent years, the Project Site was identified as a Brownfield Site by the NYSDEC as it was known to contain contaminated soils both from fill material brought in after the quarry was closed and chemical spills that occurred from commercial facilities located in Central Park Plaza over the years. The current owner, Highland Village Park, LLC (Highland) has elected to pursue cleanup and redevelopment of the Site under the New York State Brownfield Cleanup Program (BCP).

The property previously contained five vacant commercial buildings, four of which have been demolished as a part of site preparation and mobilization efforts for environmental remediation. Only a small, single-story building remains, which is located along Holden Street, in the vicinity of Chalmers Avenue.

A Phase I Environmental Site Assessment was undertaken on the Site in August 2011 to evaluate the historic usage of the Site and identify the need for further investigation. Based on the information obtained from the assessment of historic usage, environmental concerns were recognized and further investigation was recommended.

As a follow up to the Phase I Environmental Site Assessment, a Phase II Environmental Site Assessment was performed in October 2011. This Site investigation involved soil sampling and other more invasive efforts to identify specific contaminants and the extent of contamination on the Site. The Phase II study identified volatile organic compounds (VOC), semi-volatile organic compounds (SVOC), polychlorinated biphenyls PCBs and metals contamination in the fill soil on the Site that exceeded NYS Environmental Conservation Law Part 375 regulations. A petroleum spill was also detected, which was reported to the NYSDEC.

A Remedial Investigation/Alternative Analysis (RI) was conducted that found no VOCs, PCBs, herbicides or pesticides were detected in soil samples analyzed as part of the RI that were above the respective NYSDEC Part 375 Restricted Residential Soil Cleanup Objectives. The RI identified that a significant amount of fill material was placed on the Site after the quarry operations ceased and prior to the construction of Central Park Plaza in the early 1950's. The analysis, however, did not identify the specific sources of the various compounds and contamination that was found on the Site. The results of groundwater sampling did not identify specific contaminants of concern or groundwater problems at the Site. Therefore, no groundwater remediation is required as part of remedial action.

Thirteen Areas of Concern (AOCs) were identified; five areas were found within the AOCs that had soil contamination levels that exceeded the Restricted Residential Soil Cleanup Objectives. Therefore, it was determined that remedial actions are required in order to achieve a NYSDEC Brownfield Cleanup Program Track 4 Restricted Residential Cleanup. See Appendix C for the full Remedial Action Work Plan created by GZA GeoEnvironmental of New York (GZA).

SECTION 4.0
POTENTIAL ENVIRONMENTAL IMPACTS

4.1 Impact on Topography, Geology and Soils

There will be temporary, short-term impacts to the land and soils associated with construction-related activities. Impacts will include earthwork to construct the buildings and parking areas, and to install on-Site infrastructure, including the access roads and utility lines. As previously noted, the topography of the Site is generally flat and grading will only occur, as required, in the areas where Site development will occur. No Site development activities will affect bedrock or require blasting.

During the construction phase of the Project, there may be temporary construction impacts, such as erosion, sediment run-off or dust. The contractor will be required to abide by the provisions of a Stormwater Pollution Prevention Plan (SWPPP), prepared in compliance with all applicable regulations of the New York State Department of Environmental Conservation, during the course of Site construction activities.

Potential long-term impacts will result from the conversion of an estimated 27 acres of previously developed open land to buildings and impervious surfaces. The Project will comply with the City's Site Plan provisions regarding required open space and required landscaping, which will help mitigate the impacts of Site development. Landscaping and open space features for the Project will be provided for both the larger, common open space areas, and the smaller, more intimate spaces associated with the structures. The larger common areas will be passive, un-programmed green space, with a "quarry" theme to reflect the Site's history. Landscaping in these common areas will consist of a mix of boulders, native grasses, shade trees and maintained turf. The smaller, more intimate "yard" areas for the residents will have native foundation plantings at the building entrances and plantings to screen unwanted views. The courtyards will be landscaped with more detailed plantings, including deciduous, low growth tree species, perennial plantings and boulders. With these measures in place, no negative impacts to lands or soils are anticipated as a result of the proposed action.

In general, there will be an increase in elevation due to the addition of the post remediation soil cover. However, soil on-site will still be considered and behave like urban soils as described in section 3. Therefore, future development of the Project Site is not expected to result in significant adverse impacts to topography, geology, and soils. See the section on impacts to human health and the remediation work on-site for additional discussions on the impact to soils.

4.2 Impact on Water Resources

4.2.1 Groundwater and Surface Water Resources

NYSDEC publications indicate that there are no primary or principal aquifers underlying the Project or surrounding Area. See the attached GZA Remedial Action Work Plan in Appendix C for specifics. However, in general, during the Site investigation groundwater was encountered in the test boring/ monitoring wells at depths ranging from around 13 feet to 26 feet below ground surface. Therefore, groundwater is not expected to be encountered during construction on the Project Area. However, if groundwater and/or perched water is encountered during construction it will be managed in accordance with BSA regulations and in consultation with the NYSDEC. Therefore, the future development of the Project Site is not expected to result in any adverse environmental impacts to groundwater resources.

4.2.2 Stormwater Management

At present, the Site generally drains from the southern edge of the Site to the north towards Central Park Plaza. Stormwater is collected in existing drain inlets on-site and along the adjacent roads where it is conveyed into City of Buffalo combined sewer system. Site development will alter existing drainage patterns on-site. Stormwater management facilities will be designed in accordance with the following guidelines/ regulations:

- New York State Stormwater Management Design Manual (SMDM), August, 2010;
- City of Buffalo Stormwater Design Standards;
- New York State Standards and Specifications for Erosion and Sediment Control, August, 2005; and
- Erie and Niagara Counties Regional Planning Boards Stormwater Drainage Design Manual, October 1981.

The BSA requires that the peak stormwater discharge from a proposed development for a 25-year, 24-hour storm event cannot exceed the peak discharge from the existing Site for a 2-year, 24-hour storm event. This is commonly referred to as Pre-2/ Post-25 detention. Section 5 discusses mitigations to prevent significant adverse environmental impacts to stormwater management.

The Project will meet the detention requirements using a variety of strategies. The new development will include a reduction in impervious area when compared to the previous use as a shopping plaza. This reduction in impervious area will reduce the peak discharge. We will use green infrastructure elements to capture the stormwater. One example is the use of bioretention areas in the parking lots of the new development. If additional stormwater

reductions are needed after implementation of green infrastructure, this will be accomplished using underground detention storage in the parking areas.

4.3 Impacts on Terrestrial and Aquatic Ecology

No significant terrestrial or aquatic species are present on the Site, which is primarily covered with asphalt, stone and concrete, with small patches of weeds and grasses. There are no wetlands or lands with habitat value. Therefore, no impacts to terrestrial or aquatic ecology are anticipated.

4.4 Impacts on Climate and Air Quality

No significant impacts on climate are anticipated from the Project (high density, transit oriented multi-family housing and the design of modern, high efficiency heating and cooling systems, minimizes greenhouse gas emissions). The proposed project/ uses will not have any significant impact on air quality.

4.5 Impacts on Community Plans and Zoning

4.5.1 Community Plans

The development of the Highland Park neighborhood will change land use in the Area. The Site previously was a commercial shopping plaza and is currently vacant land. The new development will be more consistent with the surrounding neighborhood, and re-establish a traditional street grid. The land use planning completed as part of the City's Green Code/ Unified Development Ordinance (UDO) effort depicts the Area as residential in nature. Therefore, the proposed action would be consistent with the City's land use recommendations for this area of the community. See the Goody Clancy report, "Fillmore- Leroy and Highland Park: A Place That Matters for Buffalo's Future" in Appendix I for additional information on the planning efforts in this area.

4.5.2 Zoning

Under the City's current zoning, the Project Site is zoned for general commercial use (CM General Commercial District). The CM district allows residences, apartments and a mix of commercial uses by right, along with many uses that would have much greater potential impacts than the uses proposed for Highland Park. For example, the CM district allows automobile collision service, various types of manufacturing, sports arenas, stone works and

kennels, among other uses. The types of residential and non-residential uses proposed for Highland Park would be allowed in the CM district.

The City of Buffalo is in the process of revising the existing zoning code. Under the current draft of the proposed new UDO, the property would be zoned D-R Residential Campus. The purpose of the D-R district is to allow large-scale, integrated development of residential campuses, which is consistent with the intent of the proposed redevelopment plan for the Site. The proposed uses allowed within the D-R district are consistent with the types of uses proposed for Highland Park, which are a range of residential types and a limited amount of non-residential uses. The Applicant is proposing a small day care facility at this time, and up to a maximum of 10,000 square feet of non-residential development (including the Day Care) as needed to serve area residents. No specific, non-residential uses other than the day care are planned at this time. Under the most recent draft of the UDO, a conditional use permit would be required for the day care center and any future commercial uses, allowing the City a greater level of review for these uses.

The UDO does not specify minimum lot sizes or yard requirements in the D-R district. Maximum lot coverage is 80%, which includes both the area of buildings and any impervious surfaces. It provides stronger guidelines in regard to building design. For example, it requires that the main entrances be located on the front façade, and it sets standards for the height of the ground floor, depending upon the building type (residential vs. non-residential.) For larger lots (20,000 square feet or more), there are requirements for open space and green space.

Development within the Highland Park neighborhood, as proposed, would be able to comply with the provisions of the zoning, whether the Project is developed under the existing or the proposed zoning code for the City of Buffalo. The proposed plan is consistent with the goals of the City of Buffalo. It encourages redevelopment of an underutilized area, and provides green space and other amenities that will benefit the surrounding neighborhood. Therefore, the future development of the Project Site is not expected to result in any adverse impacts on community plans and zoning.

4.6 Impacts on Community Facilities

4.6.1 Parks:

The project does not include any new recreational facilities with the exception of one potential playground. It will not adversely affect the City's existing nearby recreation/ park facilities which will provide adequate services to the residents of the Project. The new green space on the Site will consist of lawn and occasional trees to allow for open passive recreation.

4.6.2 Fire, Police and Emergency Services:

Site development will create additional demand for fire, police and emergency services.

The nearest fire station is less than ½ mile away from the Site. Engine 34 and Ladder 7 are housed at 2837 Main Street, at the corner of Mercer Avenue. Coordination meetings have taken place with Fire and Emergency service providers (including the Commissioner) to discuss potential Project impacts. It was noted that all proposed structures must be constructed in accordance with New York State Building Code requirements. The Site and buildings will conform to the New York State Building Code. Building-level details will be addressed during individual code review for each building with City officials.

The Project Site falls in Police District E, which is headquartered at 2767 Bailey Avenue, and is approximately a mile southeast of the Site. Continuing meetings with Police department representatives are helping to ensure that the police will be able to properly service the Site and new residents to the area.

Based upon these discussions and the Project's design, it was determined that existing fire, police and emergency service providers should have the capacity and capability to accommodate and serve the new uses, buildings and residents that would be located on the Project Site.

4.6.3 Educational Facilities

The redevelopment of the Site into residential uses will create additional school age children and will impact the City of Buffalo school systems.

Utilizing the 2007-2011 PUMS (Public Use Micro Survey) Data Table for the Buffalo MSA as per the Census Bureau, and the current Highland Park unit and phasing plans unit breakdown, it can reasonably anticipated that approximately 170 to 200 new school aged children could be generated at the full development of the Project. This estimate is conservatively high as it is likely there will be a higher concentration of young professionals and seniors, as compared to working families with children. Further, not all of these children would attend the Buffalo Public Schools, as some would go to private or parochial schools. Assuming that there is an even distribution of 1/3 share across Elementary, Middle, and High School students, there would be an estimated 56 to 67 new students per division. It also needs to be noted that these figures are at potential full build out of the Project, which could take 7 to 10 years. The amount of students impacting the school system would gradually increase over the next 7 to 10 years.

Figure 4-1: Public Use Micro Survey Data Base

Housing Type	**Persons**	**School Aged Children**
Renter Occupied Home		
2 Bedroom Unit	1.8	0.2
3 Bedroom Unit	2.7	0.7
4 Bedroom Unit	3.7	1.2

Source: Census Bureau 2007-11 PUMS (Buffalo MSA)

Based upon the understanding that the number of school aged children would gradually increase over an extended period of time and the availability and capacity of public, private and charter schools, the Project should not have a significant impact to the school systems. The project sponsor will continue to work with the City of Buffalo to help in estimating and projecting these impacts (phasing plans and unit sales analysis).

4.6.4 Health Care Facilities

The proposed Highland Park development is well served by health care facilities, including hospitals, clinics and doctors' offices nearby. No significant impact on health care facilities is anticipated.

4.7 Impacts on Historic and Cultural Resources

The Project Site was previously the site of a quarry operation and has been subject to significant prior disturbance. Subsequent development of the Site as a commercial plaza introduced significant amounts of fill. Required remediation activities have further disturbed the Site more recently. While mapping at New York State Office of Parks, Recreation and Historic Preservation indicates a small area of the Site has the potential to have archeological resources, it is very unlikely that any such resources remain.

Delaware Park and Forest Lawn Cemetery have been identified as important historic sites near the Project Site. They are both located well outside the Project's limits of disturbance, and will be physically unaffected by the Project. Therefore, the Project will have no impact on either historic site.

It is concluded that no significant impacts to historic or cultural resource would result from the proposed Highland Park development.

4.8 Visual Impacts

In developed areas, urban design changes have the potential to affect the visual character of neighborhoods by introducing buildings of different size, form, bulk, scale or arrangement. These changes can affect block form, street patterns and streetscape elements. Visual resource changes have the potential to improve neighborhood character by directly changing visual features, view corridors and vistas and providing access to these new features. This will be the case with the proposed Project. Future redevelopment of Highland Park will change and improve the visual character of the Project Site, with views of three-dimensional structures and new street corridors replacing the existing views of an open and generally flat, unutilized, barren property. Redevelopment of the Site will provide more aesthetically pleasing views from surrounding areas by offering a variety of buildings, landscaped streets and grounds, and other public realm improvements.

It should be noted that prior to the removal of the retail structures that were a part of Central Park Plaza, views from the surrounding neighborhood were characteristic of a typical suburban strip commercial development of mid-sized, attached structures with flat roofs and façade signage, situated within a large area of asphalt pavement and minimal landscaping, with tall lighting standards that illuminated the area. Many of the homes in the surrounding area had views of the stark, backside of the buildings. The visual impacts of the new buildings and landscaping associated with the proposed Project will be much improved over former and current conditions.

The proposed Highland Park development will include a mix of residential structures, including apartment buildings, townhouses and walk-up flats. These structures will be designed at varying heights, with a variety of façade textures and architectural details to enhance the character of the new development. Measuring up to 50 feet in height, the proposed four-story apartment buildings will be the tallest structures on the Site. The two and three-bedroom townhouse structures will achieve a height of approximately 33 feet. The three-story walkup flats will fall in between, measuring approximately 41 feet in height. The buildings will be situated in a graduated layout, with the taller, four-story structures located toward the center of the Site and the three-story walk up flats, and two and three-bedroom townhouses designed around the outside in an effort to transition the view from surrounding areas (see Figure 4-2, on the following page and Figure 4-3, on page 4-10).

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Figure 4-2: Highland Park Concept Plan

All proposed residential structures will face toward or front along the street, with parking areas centrally located between or behind the buildings. There will also be on-street parking on most of the through streets. Proposed areas for both on-street and off-street parking are shown on fold-out Figure 4-5: Overall Parking Concept Plan. The buildings will be attached or built in close proximity to one another, offering diverse visual character that fills the streetscape, reinforces the existing urban setting, and creates a stronger sense of place. The extension of Chalmers Avenue will be constructed as a boulevard, with a planted median along the center which will enhance and soften views of this new roadway.

As previously noted, the Highland Park development will replace a vacant, unutilized Site (which formerly contained older, dilapidated commercial structures) with a denser mass of buildings and activity. The development of the Site will create urban-style building parcels, served by a new grid pattern of streets through the construction and/or extension of Rockwood Avenue, Chalmers Avenue, Wade Avenue, Richlawn Avenue and Hill Street. There will be a progression of building massing and scale as one moves toward the development. Attention to building location and streetscape design will help to expand the public realm in the area and provide aesthetic views of the Site. The introduction of trees, parks and other green spaces throughout the Site will help to moderate views of the larger mass of structures.

The Project Site is surrounded by a mix of uses. Residential uses are situated to the north and south; commercial, multi-family residential and civic uses to the east and west. Views of the Site's development will be available from most vantage points; some views will be partially or

fully screened by existing structures or vegetation on adjoining properties. Residential dwellings located immediately adjacent to or in close proximity to the Site are visually oriented to face away from, or are constructed parallel to, the subject property. Views of new development from adjacent residential properties will, therefore, be available from rear or side yards, or along street corridor sight lines.

Figure 4.3, on the following page presents proposed elevations from three perspectives.

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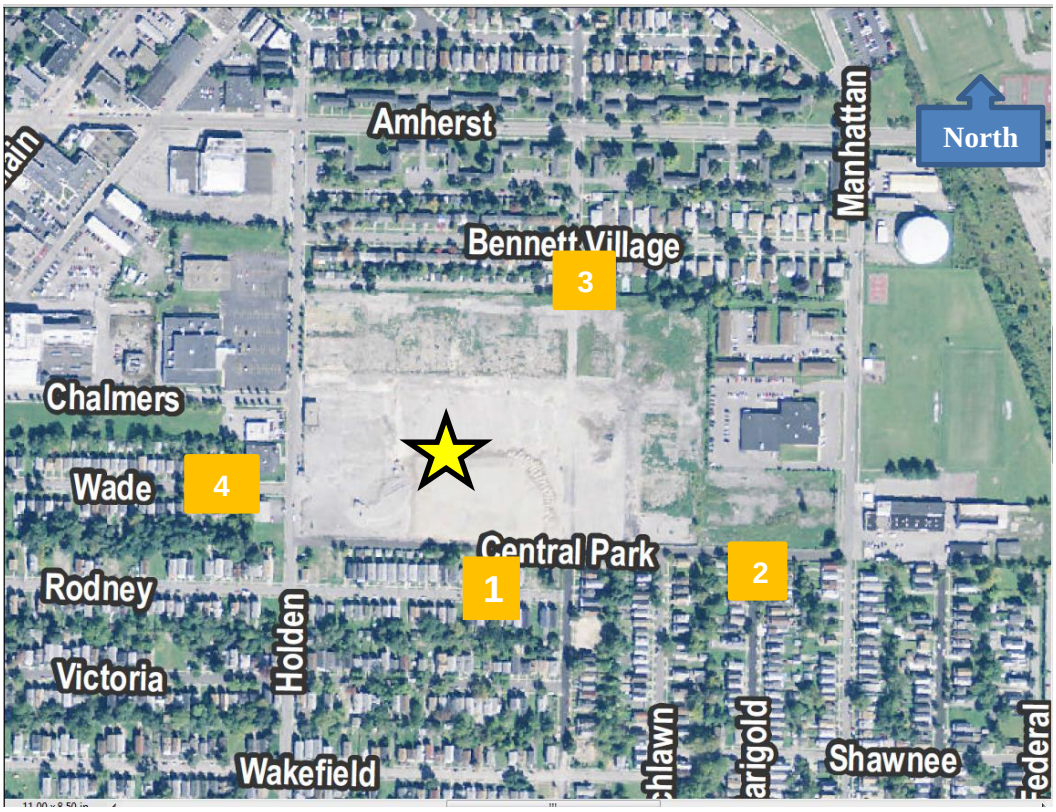
Figure 4-3: Streetscape Elevations

To evaluate the potential visual impacts of future Site redevelopment, viewsheds of the Site were examined from four observation points in nearby residential neighborhoods. These include:

(1) Views looking northeast from Rodney Avenue;
(2) Views looking north from Marigold Avenue;
(3) Views looking south from Bennett Village Terrace; and
(4) Views looking east from Wade Avenue.

Photo simulations were prepared for each location to illustrate future views.

Figure 4-4: Project Area street layout showing photo simulation locations



1– Rodney Avenue

At present, looking north from Rodney Avenue, the Site is vacant, with views of weeds and scrub vegetation that has taken hold on the Site. There is some vegetation, primarily trees, that exists along the rear lot lines of the homes on Rodney Avenue, but for the most part, these homes back up to Central Park Avenue and have partial views of the Site from the rear (see Picture 1A). The homes further to the west along Rodney Avenue, closer to Holden Street, have garages in the back. Therefore, views of future development from this area would be gained primarily from second story windows at the rear of the homes.

Picture 1A – Existing view of Site looking north from Rodney Avenue

Picture 1B – Simulated view of the Project Site looking north from Rodney Avenue

Once the Site is developed, views from Rodney Avenue will change and be filled with closely spaced, two-story townhouses and walk up apartments which will cover the vacant land on this

portion of the Project Site. From some vantage points, views of the three-story apartment buildings will be evident. The new structures will be designed with different façade textures and colors, along with architectural detailing, which will be attractive to the eye. The height of the structures in this area will be fairly consistent with that of existing housing along Rodney Avenue, and the three-story buildings will be located further into the Site, behind the two-story townhouses, to moderate and transition views. In addition, the installation of sidewalks, lawns, landscaping and other elements will enhance views of the new structures and soften the presence of parking areas that face out to Central Park Avenue (see Picture 1B). The aesthetic character in this area of the Site will be improved after development is complete.

2 – Marigold Avenue

At present, views of the Site, looking to the north, from the intersection of Marigold Avenue and Central Park Avenue, are that of a flat, vacant field (see Picture 2A). This area of the Project Site is overgrown with weeds and similar field vegetation. This view will be replaced by the dense massing of two-story townhouses and three-story apartment buildings which will occupy this

Picture 2A – Existing view of the Project Site looking north from Marigold Avenue

Picture 2B – Simulated view of the Project Site looking north from Marigold Avenue

portion of the Site. Residences along Central Park Avenue, directly south of the Project Site are oriented to face Marigold Avenue; no homes directly face the Project Site. The proposed

townhouses will be constructed parallel to Central Park Avenue, with the sides of these structures visible from Marigold Avenue (see Picture 2B). Therefore, views of the new development will be gained from the sides of the homes located along Central Park Avenue or from sight lines along Marigold Avenue.

Here again, different façade textures and colors, along with architectural detailing, will be used on the new buildings. The height of the two-story townhouse structures in this area will be fairly consistent with that of existing housing. The three-story apartment buildings will be situated behind the townhouses, further back from Central Park Avenue, so the change in height from two- to three-stories will be transitioned as you move north, into the Project Site. Additionally, the installation of sidewalks, lawns, landscaping and other elements will enhance views of the new structures and soften the visual impacts of parking areas that face out to Central Park Avenue. The aesthetic character of the subject property in this area will be improved after Site development is complete.

3 – Bennett Village Terrace

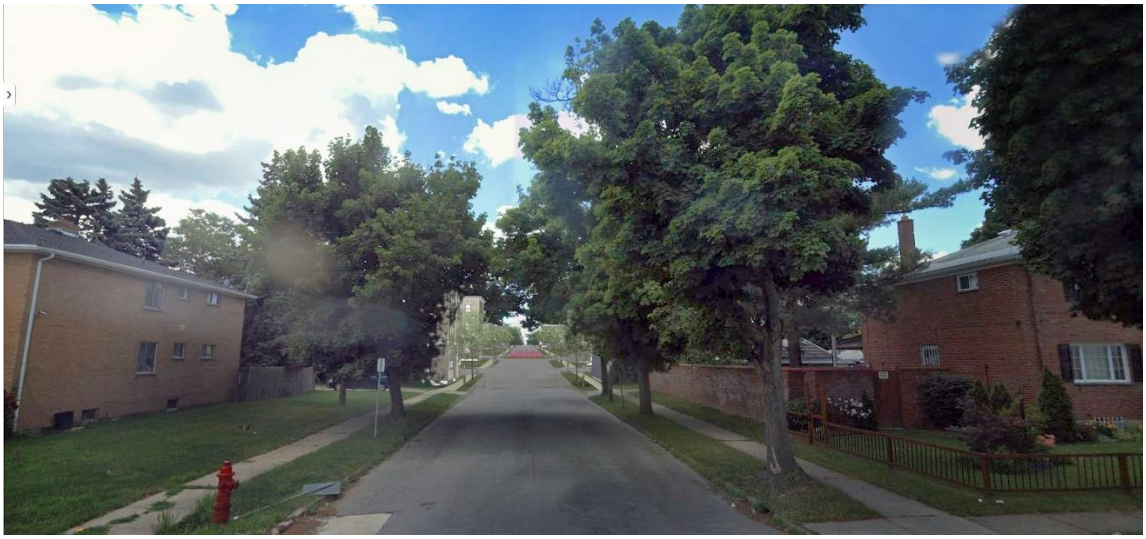
All of the homes located along Bennett Village Terrace face this roadway. The homes located to the west, between Holden Street and Hill Street, all have garages situated in the rear that screen views of the Project Site. As shown in Picture 3A, many of these homes also have large trees in

Picture 3A – View of the rear lots of the homes along Bennett Village Terrace

this area that further mitigate existing views. The homes along Bennett Village Terrace that are located east of Hill Street also face Bennett Village Terrace. These homes have some vegetation in the rear to help screen views.

Hill Street is proposed to be constructed to continue to the south, across the Project Site, to make this roadway a fully functional two-way street. As shown on Figure 4-3, this new roadway will be centered by a roundabout and framed by green space. As seen in Picture 3B, the existing view

Picture 3B – Existing view of Project Site looking south from Bennett Village Terrace



Picture 3C – Simulated view of the Project Site looking south from Bennett Village Terrace

of the Project Site, looking south from Hill Street and Bennett Village Terrace, is that of cleared, vacant land. After the Hill Street connection is constructed, this view will be improved by the addition of trees and landscaping and other streetscape elements (see Picture 3C). Views from the rear of homes along Bennett Village Terrace will also change, with the back side of new two-story townhouses and walk-up apartments will fill the view shed. For the most part, the new views of the Site will be screened by the existing garages and existing vegetation, which will help to mitigate any potential visual impacts, particularly near Holden Street and east of Hill Street where three-story structures are proposed. It is expected, however, that the overall visual character of this Area of the Site will be improved after the Site is redeveloped.

4 – Wade Avenue

At present, views of the Project Site from the east end of Wade Avenue are that of a vacant Site. Piles of soil and scrub vegetation are visible from Wade Avenue and detract from the visual quality of the Area (see Picture 4A). Wade Avenue is proposed to be continued to the east of Holden Street, to connect with the proposed extension of Hill Street. This new roadway corridor will be lined with two-story townhouses and walk up apartments. A four-story apartment building and small day care facility will be located on each corner of the new Holden Street and Wade Avenue intersection.

Picture 4A – Existing view of the Project Site looking east from Wade Avenue

After Project development, views from Wade Avenue will change. The vacant lot will be occupied by a dense assembly of residential structures that are characteristic of an urban setting (see Picture 4B). The installation of sidewalks, tree and landscaping and other streetscape

Picture 4B – Simulated view of the Project Site looking east from Wade Avenue

elements will enhance views of the new structures and soften the visual impacts of larger buildings that will face out to Holden Street. Different façade textures and colors, along with architectural detailing, will also be used on the new buildings to enhance visual quality. The aesthetic character of the subject property in this area will be improved after Site development is complete.

4.9 Public Utilities and Infrastructure

4.9.1 Public Water Supply

Completion of this Project will require the installation of new waterlines to support development across the Project Area. As noted in the environmental settings section, the City of Buffalo supplies public water around the Project Area through their distribution system originating in Lake Erie near the mouth of the Niagara River. All waterline design and construction across the Project Area will be coordinated with the Buffalo Water Board to ensure that surrounding lines maintain adequate pressures and fire flows. Proposed uses range from townhouses to multi-story apartment structures. These structures will have domestic water demands that total up to 154,000 gallons per day (gpd) and will provide for adequate pressures and fire flows around the development. The existing system provides sufficient water supply to service the proposed Project. New waterlines that will be installed on-site will provide looping between Hill Street, Holden Street, Manhattan Avenue and

Central Park Avenue, which will eliminate dead ends and improve the water pressure and fire flows to the surrounding area. The applicant will continue to work with City officials to ensure adequate water flows and pressures in the area and to the Project Site. Section 5 discusses mitigations to prevent any significant adverse environmental impacts to public utility systems.

4.9.2 Wastewater Management

The Project will require the installation of new sanitary sewer lines to support future development across the Project Area. As noted in the environmental settings section, the Project Area is serviced by the Buffalo Sewer Authority (BSA) wastewater collection system, which is a combined system that receives both stormwater and sanitary wastewater from the Project Area. Sanitary sewer design and construction throughout the Project Area will be coordinated with the BSA to ensure that surrounding lines maintain adequate storage for stormwater and wastewater flows from the Project Site and adjacent customers. Connection into the BSA system will be made at locations approved by the BSA. The proposed uses are residential in nature and range from townhouses to multi-story apartment structures. A conservative estimate for wastewater generation was determined to be 154,000 gpd assuming no consumptive use. To accommodate future separation of the stormwater and wastewater systems, all sewage and stormwater generated on the Project Site will be conveyed through separate gravity flow lines and pipe networks that will have separate connections into the combined sewer system. As mentioned in the stormwater management section, the conveyance system will be designed to lower the peak discharge rate of stormwater from the Site. This will put less stress on the existing sewer system during high flow events. Section 5 discusses mitigations to prevent significant adverse environmental impacts to these public utility systems.

4.9.3 Other Utility Services

National Grid has confirmed that they will supply electric power service to the Project Area, and that there is adequate capacity. Therefore, future development is not expected to result in any adverse environmental impacts to electrical services.

National Fuel confirmed that they would be the supplier of natural gas to the Project Area. James Burbige of National Fuel has confirmed that the surrounding neighborhood has adequate supply to service this Project. Application and drawings have been submitted to the Service Representative, Kelley Coakley. A service line and metered connection would need to be installed from the adjacent supply line. Therefore, future development is not expected to result in any adverse environmental impacts to natural gas services.

Verizon and Time Warner Cable are the providers of land-line telephone service in the Project Area. Additionally, several companies provide wireless communication service to the area. Time Warner provides cable television service to the area. Satellite television service would also be available through Dish Network or Direct TV. Service connections would need to be made to the Project Area to provide cable and internet service. Therefore, future development is not expected to result in any adverse environmental impacts to telecommunications, telephone, and cable service.

4.9.4 Solid Waste Management

Increased amounts of solid waste will be generated by future users on the Project Site. The solid waste is expected to be typical of uses allowed in a housing development which includes primarily organics including paper, food scraps, and yard waste, as well as plastics from food and containers and packaging. It is anticipated that solid waste management at the Project Site will be handled by a private waste contractor. The townhomes and multi-flat units will receive individual waste tote service while the mid-rise apartment buildings will be serviced using compactors. This decision may still change based on the final Site layout and accessibility. If small quantities of household hazardous waste are generated, on-Site users must comply with NYSDEC regulations and special provisions for waste management. The City of Buffalo and Erie County offers accommodations for disposing the material properly. Additionally, residents of the development will take part in the single stream recycling program in an effort as a waste diversion and cost saving technique. Therefore, the future development of the Project Site is not expected to result in any adverse environmental impacts to solid waste management resources.

4.10 Lighting and Noise

4.10.1 Lighting

At present, the Project Site is vacant, open land with no buildings or other structures that Project artificial light. The Site is dark at night. After site development, sources of artificial light will be introduced to the Site in the form of small-scale street lights, similar to what exists on nearly residential streets; outdoor lighting fixtures that are attached to building facades; lighting standards for parking areas; and aesthetic and security lighting in common areas between buildings and along sidewalks. This will change the visual character of the Site at night and could potentially impact surrounding land uses.

The largest parking lots will be behind the structures, interior to the lots (See Figure 4-5). However, parking lots for some townhouses and walk-up units will face Central Park Avenue along the southern edge of the Project Site. The dwelling units along this roadway, between

Holden Street and Hill Street, face Rodney Avenue and Central Park Avenue functions as an alley providing access to garages situated behind the homes. This configuration will screen potential views (see Picture 5). The homes along Central Park Avenue, between Hill Street and Manhattan Avenue, are situated perpendicular to this roadway, therefore, impacts from parking lot lighting will be limited.

Picture 5 – View looking west along Central Park Avenue toward Holden Street

Picture 6 – View from behind homes on Bennett Village Terrace, looking west from Hill Street

Similarly, the townhouse apartments along Bennett Village Terrace, between Holden Street and Hill Street, front along Bennett Village Terrace, with garages in the rear that have access to the alley that is located along the northern boundary of the subject property. Site development in this Area will include two-story townhouses and walk-up units. The rear of these new units will be oriented toward the Bennett Village Terrace garages. Therefore, it is expected that Site lighting impacts will be limited. Many of these home also have large trees in their rear yard that will help to mitigate potential lighting impacts during most times of the year. It should be noted that when the plaza existed on the subject property, these residences had views of the rear of commercial and retail uses, which included security lighting, loading docks and building appurtenances (Picture 6, above).

In general, and in addition to the above, new Site development would be required to implement measures to reduce or eliminate glare from the Site and light spill to adjacent properties. Lighting fixtures in keeping with the character of the surrounding area will be used. Additionally, the use of dark sky compliant lighting fixtures would be implemented to help reduce potential impacts. Such measures will be utilized to screen, redirect, control and/or reduce lighting intensity from fixtures installed on the Site, to minimize impacts to surrounding uses and residents. Therefore, future development of the Project Site is not anticipated to result in significant adverse visual impacts to the surrounding Area. In many areas views are expected to improve.

4.10.2 Noise

There will be short-term noise impacts due to construction of the residential structures and roadway infrastructure. This noise would be temporary in nature and cease once Site development is complete. Long-term noise levels would be consistent with the surrounding urban setting. Additionally, noise that will be generated in the Project Area is not expected to exceed the standards set forth in Chapter 293 of the City of Buffalo Charter, which regulates ambient noise and is designed to control “excessive and unreasonable noise”. Therefore, no significant negative impacts associated with noise are anticipated.

4.11 Transportation and Traffic Impacts

Appendix H includes the full traffic impact study that was prepared for this Project, which includes with details on modeling that was conducted as a part of the study. The following is a summary of the future area development and background traffic growth section from the traffic impact study.

The Highland Park Redevelopment Project will transform land that was occupied by the former Central Park Plaza into an urban, transit-oriented development. The former shopping center, generated approximately 290 trips during the AM Peak hour and 1,180 trips is during the PM Peak hour of the adjacent street. The proposed Highland Park Redevelopment has an AM Peak of 247 trips and PM Peak of 299 trips resulting from the full build scenario in 2022. Therefore, the number of trips associated with the former shopping center is greater than the number of trips associated with the Highland Park Redevelopment.

Based on the results of the combined level of service (LOS) and Queue Analysis for the 2022 Build Scenario, the Highland Park development will not impact future traffic operations on all of the adjacent street network (see the Traffic Study for the streets and intersections analyzed). Level of Service (LOS) for roads and intersections in the study area were not adversely affected (most stayed the same, were improved due to the new road network, or had a very small degradation- delays of a few seconds). Therefore, no modifications or improvements to the adjacent street network are necessary for development of the Project.

The Project will include development and reconnection of new City streets. The street development plan and typical cross sections are presented in Appendix B of the Traffic Impact Study. Proposed new street and connections include the following.

- Wade Avenue, from Holden Street to Manhattan Avenue, with one travel lane in each direction. (Typical Section C).
- Chalmers Avenue from Holden Street to Richlawn Avenue. Chalmers Avenue will be constructed as a boulevard with one travel lane in each direction separated by a landscaped median. A roundabout will be installed at the intersection with Hill Street. (Typical Section A).
- Rockwood Avenue from Holden Street to Richlawn Avenue with one travel lane in each direction. (Typical Section C)
- Richlawn Avenue from Central Park Avenue to Rockwood Avenue with one travel lane in each direction. (Typical Section C)
- Hill Street from Central Park Avenue to the northern terminus of Hill Street near Amherst Street with one travel lane in each direction. (Typical Section B)
- Marigold Avenue from Central Park Avenue to Wade Avenue with one travel lane in each direction. (Typical Section C)

Existing sidewalks and curb on the east side of Holden Street from Central Park Avenue to the northern Site boundary would be replaced as part of the development. The development will incorporate walkable/ bikeable features throughout the Site, providing connections to these new

streets. These modifications would be implemented as part of phased Project development. Therefore, the Project is not expected to have a significant adverse impact on local traffic flows.

4.12 Impacts on Public Health and Safety

As noted in Section 3.12, the Highland Park property was identified as a brownfield Site by the NYSDEC. Phase I and II environmental assessments were performed on the property, followed by a remedial investigation / alternative analysis (RI). Upon completion of the RI, a Soils Report and Remedial Action Work Plan were prepared for the Site (See Appendix C). In the work plan, it is recommended that a two-foot thick clean soil cover system be installed across the Site to prevent human contact with potentially impacted soils. Additionally, the report indicates that the remediation activities have the potential to impact groundwater, as well as local air quality during construction. In accordance with the recommendations in the work plan, the following measures will be taken by crews preforming remedial activities on-site to prevent adverse impact to surrounding residents or the environment.

4.12.1 Dust Suppression

During excavation and the installation of the clean soil cover system, water will be sprayed across the surface of the work area, as necessary, to mitigate airborne dust formation and migration, and for conformance with community air monitoring thresholds. Other dust suppression techniques that may be used to supplement the water spray include:

- Applying water on haul roads;
- Hauling materials in properly tarped containers or vehicles; and
- Restricting vehicle speeds on-Site.

4.12.2 Road Mud Control

This Site remedy involves extensive movement of soil and fill material. Care will be taken to prevent the deposit of soil/ mud on the paved public streets adjacent to the Site.

To minimize off-Site transport of dirt/soil on vehicle tires, an existing asphalt paved exit road will be used for all trucks exiting the Site. All truck egress from the Site will be trough this paved construction exit. Trucks leaving the Site will be inspected for tire mud prior to leaving the Site and tire mud will be removed prior to exit as necessary to prevent off –Site releases to City streets as a result of Project-related vehicle traffic, transport operations will be curtailed and the affected streets cleaned using a sweeping machine or other comparable

method while controlling airborne dust. Corrective measures will be implemented to prevent recurrence of off-Site mud deposition into city streets.

4.12.3 Odor Control

The odor control plan is capable of controlling emissions of nuisance odors off-Site. Specific odor control methods to be used on a routine basis will include minimizing the generation of vapors and/ or odors.

If nuisance odors are identified at the Site boundary, or if odor complaints are received, work will be stopped and the source of odors will be identified and corrected. Work will not resume until nuisance odors have been abated. NYSDEC will be notified of odor events and other reasonable complaints about the Project. Implementation of odor controls, including stoppage of work, is the responsibility of the Site contractor. Odor control measures that are undertaken as a part of Site remediation activities will be reported to NYSDEC in the monthly progress reports.

Necessary means will be employed to prevent on- and off-Site nuisance. At a minimum, these measures will include: (a) limiting the area of open excavations and size of soil stockpiles; (b) shrouding open excavations with tarps and other covers; and (c) using foams to cover exposed odorous soils. If odors develop and cannot be otherwise controlled, additional means to eliminate odor nuisances will include: (a) direct load-out of soils into trucks for off-Site disposal; (b) use of chemical odorants in spray or misting systems; and (c) the placement of monitors to assess the presence of odors in surrounding neighborhoods.

If nuisance odors develop during intrusive work that cannot be corrected, or where the control of nuisance odors cannot otherwise be achieved due to on-Site conditions or close proximity to sensitive receptors, odor control will be achieved by sheltering the excavation and handling areas in a temporary containment structure equipped with appropriate air venting/ filtering systems.

4.12.4 Stormwater Management

The City of Buffalo has jurisdiction of the Site relative to stormwater management. The City has determined that a written Stormwater Pollution Prevention Plan (SWPPP) is not required for the redevelopment of the Site because stormwater does not exit the property via runoff but, rather, into the high-permeability soils on-site.

The hard surface covers (ex. paved areas) of the Site will be removed and existing stormwater structure openings and grates will be covered and/or plugged prior to starting remedial action.

The Site is vacant and the soil fill is highly permeable. Precipitation readily infiltrates into the soil and fill but could temporarily accumulate prior to infiltration. Therefore, by using best management practices at the Site perimeter and preventing infiltration into stormwater structures, stormwater runoff is not expected to act as a significant means of transport for soil contaminants and particulates during remedial activities.

During the soil and fill removal work, the contractor will undertake specific measures for proper management of stormwater to preclude migration of contaminants to surface waters or other areas of the Site. These will include:

- Direct loading of trucks, where feasible, to avoid staging of impacted soil and fill, as necessary;
- Use of polyethylene sheeting for staging and covering of impacted soil and fill, as necessary; and
- Grading of stockpiles, excavations and soil cuts to prevent stormwater from migrating off-Site.

4.13 Unavoidable Adverse Environmental Impacts

During the development of any Project, regardless of the magnitude, certain adverse impacts on the environment will result despite all of the measures that are put in place to mitigate such impacts. SEQRA contemplates the balancing of these impacts against social, economic and other relevant considerations (6 NYCRR 617.1.d). The unavoidable impacts anticipated as a result of the development of the proposed action are summarized in this section.

4.13.1 Unavoidable Short-Term Impacts

Unavoidable short-term impacts are related to the construction phases of the proposed action. These impacts are temporary, localized and relatively minor in nature. Short-term impacts would cease upon completion of the Project development activities. These include the following:

- Increased traffic levels due to the movement of construction workers and construction equipment on and off the Site;
- Increases in noise levels in the immediate vicinity of the Project Site;
- The creation of fugitive dust due to soil disturbance and truck movement; and
- Minute, localized increases in air emissions from construction equipment and soil disturbances.

4.13.2 Unavoidable Long-Term Impacts

Certain long-term environmental impacts will result from the construction and operation of buildings on the Project Site. These would include the following.

- Traffic volumes in the vicinity of the Site will increase as a result of Site development, as well as normal growth in the surrounding Area. However, as mentioned, based on the results of the Combined LOS and Queue Analysis for the 2022 Build Scenario, redevelopment of the Highland Park property will not impact future traffic operations on the adjacent street network. Therefore, no modifications or improvements to the adjacent street network are necessary for development of this Project.

- Future Site development will permanently change the visual character of the Site. Views from certain areas will change, with three-dimensional structures replacing views of the generally level and vacant Site. Site lighting will also be introduced into an area that is currently dark at night. Structures would be designed to blend with their surrounding environment to the greatest extent possible and measures would be implemented to reduce or eliminate glare from the Site, including the use of dark-sky compliant lighting fixtures, to help reduce potential visual impacts.

- The long-term development of the subject property will result in an increase in energy usage. Structures on the Site will require a commitment of electrical and natural gas service for heating, cooling and lighting. In addition, there will be a permanent commitment of building materials for on-Site structures, paved surfaces and infrastructure. The unavoidable commitment of public water from the Buffalo Water Board system, as well as increases in wastewater discharges that must be processed by Buffalo Sewer Authority facilities. Solid waste generated on-Site must also be collected and disposed of by the City of Buffalo or local private waste haulers.

- Site development will require a commitment of economic resources for the cost of construction materials, labor and equipment. Fuel will also be required for the construction and long-term operation and maintenance of structures on the Site.

4.14 Cumulative Impacts

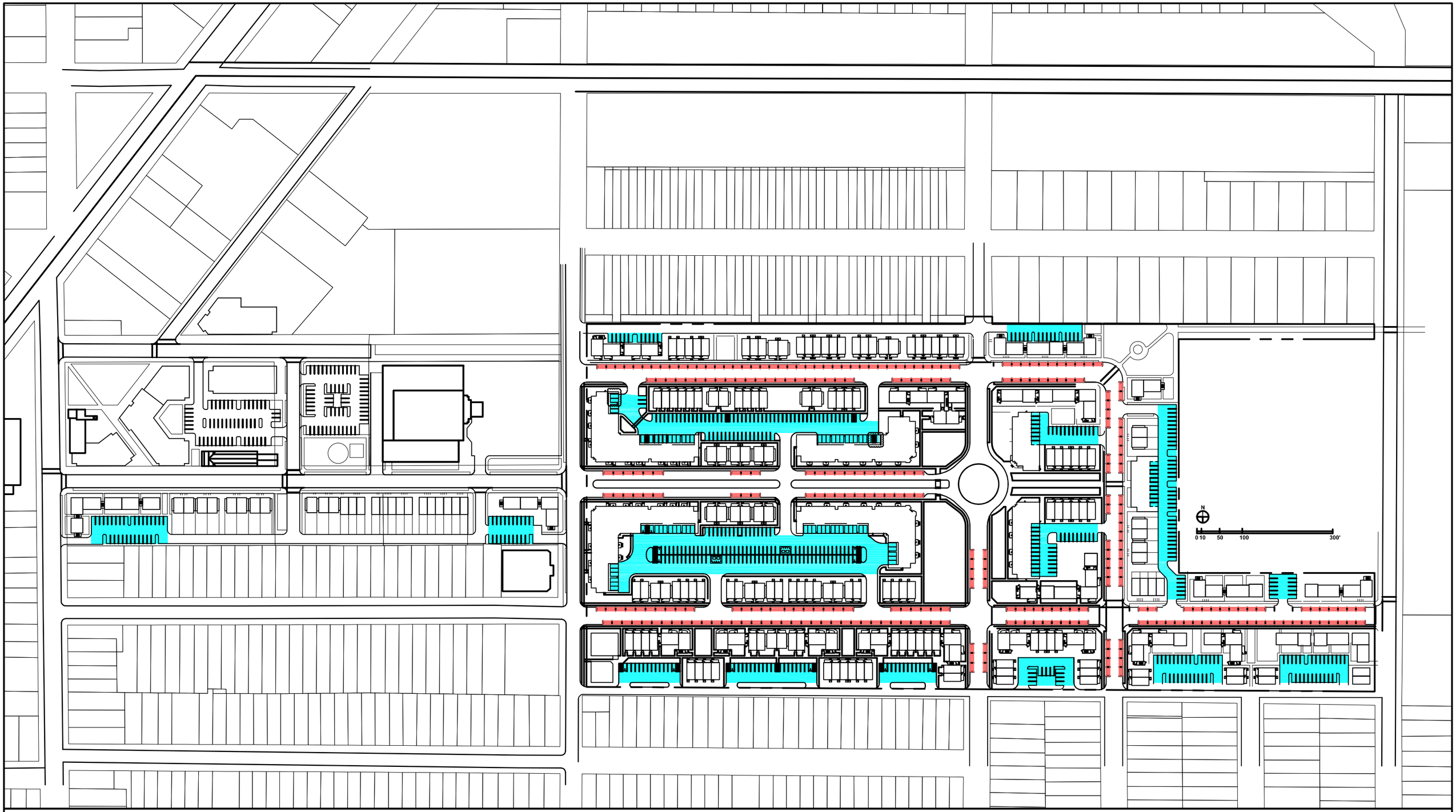
When considering the potential adverse environmental impacts of an action, the Lead Agency must consider reasonably-related cumulative impacts, including other simultaneous or subsequent actions that are included in any long-range plan that the proposed action is a part of, any actions that may result from the development of the proposed Project, and actions that are dependent on the development of the proposed action. Cumulative impacts (impacts from two or more related

actions) are the potential impacts of a proposed action taken in conjunction with other active or anticipated development in the surrounding vicinity, where the total impacts may potentially result in impacts that are greater than what is anticipated from any one Project alone.

An analysis of cumulative impacts is generally required in a DGEIS when it is expected that multiple Projects within the area may result in a greater cumulative impact. The Project Area is a previously-developed urban setting, and at this time, there are no other Projects proposed or currently under development in the vicinity of the Project Site that should be taken into consideration as part of this environmental assessment. Therefore, no cumulative impacts are anticipated from the proposed action and any further analysis is unwarranted.

4.15 Growth Inducing Impacts

SEQR requires the analysis of growth inducing impacts. Redevelopment of the former Central Park Plaza property will result in the creation additional housing for residents of Buffalo and the surrounding region. Site development is reasonably expected to result in some secondary growth in the form of residential development in response to the availability of employment and the desire to locate in closer proximity to the workplace. Expected increases in population and residential development would likely impact enrollment in the local school district and create an elevated demand for emergency services. Future Site development may also generate a demand for new or expanded commercial businesses and service providers in the surrounding Area to accommodate the needs of additional residents. Additionally, future Site development and revitalization may result in an overall increase in the value of surrounding properties, generating a demand for housing in the surrounding area. Section 5 – Mitigation Measures describes actions that will be undertaken to address certain potential impacts mentioned in this section of the GEIS.



HIGHLAND PARK

FIGURE 4-5: OVERALL PARKING CONCEPT PLAN

PROPOSED OFF-STREET PARKING

PROPOSED ON-STREET PARKING

SECTION 5.0
MITIGATION MEASURES

Measures that are proposed for the mitigation of potential adverse impacts that may result from the development of the Highland Park Project are discussed in this section. These measures are designed to remedy or minimize potential impacts that may result from the construction and future operation of the Project. One of the key requirements imposed under SEQRA is that agencies ensure that potential adverse environmental impacts are minimized to the greatest extent practicable or avoided. The SEQRA Lead Agency is responsible for the decision, subject to the rule of reason, of which mitigation measures should be incorporated into the Final GEIS for this Project.

5.1 Project Phasing

As illustrated in Figure 5-1 on the following page, the proposed Project will be constructed in three phases. Due to the multi-phase nature of the Project, construction-related impacts will be extended over a greater period of time. Construction-related impacts typically include noise, traffic and dust. To mitigate these impacts, which are unavoidable, the applicant will implement requirements and restrictions on construction activities on the Project Site to ensure that impacts to the surrounding residents are limited. Specific requirements will be developed in coordination with City staff, and may include restrictions on the time and/or days when construction will occur; designation of certain streets or entrances to the Site for use by construction equipment; or applying water to open soils and work areas or employing other methods to control dust. These measures will lessen the impacts of phased development and the subsequent extended period(s) of on-Site construction to the maximum extent practicable.

5.2 Stormwater Management and Water Quality

Stormwater runoff that is generated by future Site development activities will be managed, as discussed in Section 4.2.2 of this DGEIS. The design and construction of the stormwater facilities will be undertaken in compliance with State and City standards to avoid potential adverse impacts to the existing stormwater management system in the surrounding area and to water quality. Future Site development will also occur in three phases that will offset potential impacts. The improvements designed to mitigate stormwater impacts are as follows.

- As a result of Site remediation, the extensive areas of impervious surfaces that existed on the Site were removed. Site redevelopment will result in the construction of new impervious surfaces in the form of roads and paved areas (parking lots, sidewalks); there will also be new areas of pervious surface resulting from the installation of lawn, grass and mulched areas.

Overall, the use of improved stormwater management facilities will increase on-Site soil infiltration and decrease the volume of water conveyed to the existing combined storm sewer system.

- To meet the City of Buffalo Pre-2 year / Post-25 year requirement for stormwater management, the Site design will include underground detention infrastructure. This will lower the peak stormwater discharge rate and will put less stress on the combined sewer system during storm events to help prevent water quality degradation.

Additionally, Site disturbance and construction impacts to soils will be regulated under the SPDES permit for the Site, and will be controlled using NYSDEC standard methods for erosion and sediment control to protect water quality. These methods include but are not limited to the following.

- Installation of construction silt fence to prevent the migration of sediment off the Project Site;
- Storm drain inlet protection to keep sediment from washing into and clogging the combined sewer system; and
- Stabilized construction entrance that will help clean debris from trucks and other equipment that leave the Site to prevent the transport of soils off-site.

These mitigation measures will help to improve stormwater management and water quality issues in the area.

5.3 Impact on Community Plans and Zoning

The Project has been designed to meet current City of Buffalo zoning requirements. The overall Master plan and future phases of Site development will comply with the new City of Buffalo Land Use Plan and Unified Development Ordinance (Green Code), as adopted. Therefore, no land use or zoning mitigations are required, except that each phase will be reviewed by the City for conformance to the zoning code that is applicable at the time of development.

5.4 Open Space and Greenspace components

The Project Site is currently vacant and unutilized; all existing structures were removed from the Site as part of remedial activities. After Project completion, the property will be densely developed with residential structures. To mitigate the extensive use and development of the Site, areas of open space and green space features have been incorporated into the design layout,

including a number of small community park or open space areas. These areas will improve the physical and aesthetic character of the Site and break-up the massing of the buildings; providing locations for passive recreation by residents of the Site and surrounding area. Additionally, Chalmers Avenue will be extended east, into the Site, to create a boulevard with a landscaped median down the center. These mitigation measures will help to address the potential impacts of Site redevelopment on the surrounding area.

Figure 5-1: Project Overview

5.5 Visual Resources, Lighting and Noise

The redevelopment of the Central Park Plaza property as the Highland Park mixed residential community will change the visual character of the area. Future Site development will be visible from certain locations around the Project area. Furthermore, Wade Avenue, Rockwood Avenue, Hill Street and Richlawn Avenue will be extended into and across the Site, establishing new travel connections and viewsheds. Chalmers Avenue will be extended east, into the Site, to establish a landscaped boulevard and an attractive viewshed.

As discussed in Section 4.6, the potential impacts of Site development were evaluated to assess how views of the Project may affect and be perceived from the surrounding neighborhood. The

conclusion of this assessment is that redevelopment of the Site will be designed in a manner that will improve existing views of the property and mitigate potential visual impacts. As a whole, the character of the Project Site will be restored with structures and Site amenities to re-establish an urban setting that is in keeping with the surrounding area.

The proposed residential structures will vary in height from two-to-four stories, with the tallest structure measuring approximately 50 feet in height. The proposed buildings will be laid out in a dense massing, with areas of green space interspersed throughout the Site. The placement of the buildings has been designed to locate taller structures along Holden Street (where commercial development exists) and toward the center of the development to lessen potential impacts to surrounding single-family residences. The two-story townhouses will be primarily situated around the perimeter of the Site, with the three-story walk-up flats typically located behind these units or set back further from local roadways in an effort to transition building height to minimize potential impacts. Buildings will increase in height as you move into the Site to reduce visual contrasts.

The new buildings will include different façade materials, textures and colors, along with aesthetically pleasing architectural detailing. In addition, the installation of sidewalks, lawns, landscaping and other streetscaping elements will enhance views of new structures and soften the visual impacts of proposed roadways and parking areas. The extension of Chalmers Avenue as a landscaped boulevard will offer an attractive gateway and improve views into the Site. Planned Site improvements will create an attractive public realm that will be designed in context with the surrounding area. Upon completion of Site development, the visual character of the Highland Park residential community will be an improvement over the former use of the Site as a commercial strip plaza.

New Site development would also be required to implement measures to reduce or eliminate glare from the Site and light spill to adjacent properties. Lighting fixtures will be keeping with the character of the surrounding area. The use of dark-sky compliant lighting fixtures would be implemented to further reduce potential impacts. Such measures would be utilized to screen, redirect, control and/or reduce lighting intensity from fixtures installed on the property to mitigate potential adverse impacts to surrounding uses and residents.

Through the use of appropriate and attractive materials and design, the positioning of buildings to transition height, the re-establishment of the street grid, the installation of public realm improvements and the use of dark-sky lighting fixtures, future development of the Project Site is not anticipated to result in significant adverse visual impacts to the surrounding area. It is expected that views of the Project Site will improve overall. Therefore, no further mitigations are required as a part of Site development.

5.6 Impacts to Public Utilities and Infrastructure

As discussed in Section 4.5 of this DGEIS, completion of this Project requires the installation of new utility services and infrastructure across the Site, including public sanitary sewer, public water, storm sewer, telecommunications lines, natural gas service, and electric. Service capacity will be designed meet the requirements to service the new development. The installation of public water and sewer infrastructure will be overseen by the authorized County and City agencies. Private utility companies will manage the installation of natural gas, electric and telecommunications services.

Renewal of the Project Site will include the installation of new waterlines to provide public water service to the new development. The new lines will provide looping between Hill Street, Holden Street, Manhattan Avenue and Central Park Avenue, which will eliminate dead ends in the system. This will result in improved water pressure and fire flow to the surrounding area. These measures will mitigate any potential adverse impacts and improve overall water service in the Project area. The applicant/developer will continue to work with the City during the build-out of the Site to ensure that water pressures and flows in the surrounding neighborhood and at the Project Site will meet standards and not adversely affect the area.

The new sanitary sewer and storm sewer lines will be installed and connected separately to the existing combined sewer facilities in the surrounding area. This will allow for the proper transition and reconnection of these services at such time in the future when the combined sewer infrastructure that exists in the area is replaced. Furthermore, the installation of all public and private utility infrastructure and services will be undertaken in a manner that would disturb contaminated soils therefore, mitigation measures will be implemented such as a clean utility corridor as mentioned in Section 5.8 below.

5.7 Transportation

The proposed Project will result in additional traffic on surrounding roadways. Based on the Combined Level of Service (LOS) and Queue Analysis results of the 2022 Build Scenario (see the Traffic Impact Study in Appendix H), the Highland Park Redevelopment will not have significant adverse impacts on the adjacent street network. Therefore, no traffic mitigations are required for development of this Project.

Additionally, to lessen impacts and provide for efficient traffic flow and circulation, Site redevelopment includes the re-establishment of the street grid. Hill Street will be reconstructed across the Site to allow for north-south vehicular movement across the Site. Rockwood Avenue will be extended east, from Holden Street, into the Site. Richlawn Avenue will be continued north through the Site, connecting the newly constructed Rockwood Avenue with Central Park

Avenue. Wade Avenue will be extended east to connect with Manhattan Avenue. These actions will enable new residents and others more efficient neighborhood access.

5.8 Public Health and Safety

The Project Site is the location of the former stone quarry and the Central Park Plaza commercial development. As it was known to contain contaminated soils from both fill material brought in after the quarry was closed and from chemical spills that occurred from commercial establishments located in Central Park Plaza over the years, the Project area was identified as a brownfield Site by the NYSDEC. The current property owner, Highland Village Park, LLC (Highland) elected to pursue cleanup and redevelopment of the Site under the New York State Brownfield Cleanup Program (BCP). The on-going Site remediation activities are designed to mitigate existing human health hazards on the subject property. Upon completion of this work, this Site will be suitable for redevelopment, as proposed.

As discussed in the GZA Soils Report and Remedial Action Work Plan (see Appendix C), a two-foot thick clean soil cover will be installed over the Project area to prevent human contact with contaminated soils. Additionally, clean soil will be installed in 8 feet deep by 10 feet wide utility trench corridors across Site along with a demarcation layer. The utility trench corridors will create a separation between contaminated soils and new sanitary, storm, and waterlines facilities that will be installed on-Site. This will help to prevent future human contact with contaminated sediments for crews working within the utility trench corridors.

Additionally, per the remedial action work plan, it was determined that groundwater will most likely not be encountered during construction, as it lies at a depth of approximately 13 to 26 feet below ground surface. However, if groundwater and/or perched water is encountered during Site construction activities, it will be managed in accordance with Buffalo Sewer Authority (BSA) regulations and in consultation with the NYSDEC. Therefore, with the implementation of the proposed mitigations, future redevelopment of the Project Site is not anticipated to result in significant adverse impacts to public health and safety.

SECTION 6.0
ALTERNATIVES ANALYSIS

6.1 Introduction

The following section of the draft generic environmental impact statements (DGEIS) discusses the evaluation of alternatives for the development of this Site. For a Generic EIS, where there are potentially different future development scenarios, this analysis is different than that included in a standard EIS for site-specific development. For the Highland Park project, phase 1 of the Project has been designed, and future phases have been laid out in concept, with certain components designed (infrastructure). Future phases may include changes in the types or size of the residential units due to market demands.

The overall preferred development concept has been generated through a planning process that began in 2013. It included the analysis of existing conditions and the goals and objectives of the Project, weighed against the environmental ramifications of the redevelopment of the Site. As a part of this process, various alternatives for potential site development were examined. As a result, and for the purposes of this DGEIS, the following alternatives were analyzed.

1. **Alternative 1 (No-Action alternative)**
    - The No-Action alternative represents a required component of an EIS. It is an evaluation of the properties remaining as they are now (establishing a baseline of environmental impacts), with no future redevelopment anticipated.

2. **Alternative 2 (alternative site redevelopment designs evaluated over the development of the preferred option)**
    - This alternative presents the development scenarios for potential site redevelopment that were analyzed over the last two years and further evaluated in this document.

3. **Alternative 3 (proposed preferred development pattern)**
    - This alternative is the result of balancing the goals and objectives of the City of Buffalo and the residents of the existing neighborhood, as well as the project sponsor, against the potential environmental impacts of preferred site redevelopment.

4. **Alternative 4 (Potential changes to future phases)**
    - This alternative evaluates potential modifications to the approved concept plan for future phases of site redevelopment. These changes would be market driven and can only be speculated at this time. Thresholds and conditions developed in the GEIS will help to set the boundaries of these changes to guide future site development.

6.2 Alternative 1: No Action Alternative

6.2.1 With this baseline alternative of no action, and presuming the properties would remain in their existing condition, there would be minimal to no development-related environmental impacts.

6.2.2 Although there would be no direct environmental impacts under this "no action" scenario, the following would result:

1. The Site would not be stabilized, would remain contaminated and would continue to produce dust and collect garbage;
2. The Site would remain in its current condition and continue to be an eyesore to the City and community;
3. There are no protected or non-protected wildlife or vegetation species on the Site, and, therefore, there would continue to be no impacts to any wildlife or vegetation;
4. The Site would remain as-is and the redevelopment goals of the City of Buffalo would not be achieved (no re-development of this site and no provision of needed new housing);
5. The City and region would not realize the economic benefits of the development of this Site; and
6. There would be no construction-related benefits or impacts. .

6.3 Alternative 2 (Alternative development patterns evaluated during the development of the preferred plan)

6.3.1 The Highland Park planning and urban design process occurred between the summer of 2013 and 2014.

6.3.2 Primary site layout goals, serving as evaluation criteria for alternatives include the following.

1. Connect existing neighborhood streets north, south, east and west of the Site into a coherent network that helps unify a neighborhood that to date has always been divided by the Project Site.
2. Generally promote an open grid of streets that enables a choice of access routes for travel by car, on foot and by bike. Provide feasible bus routes where appropriate. Promote pedestrian-friendly traffic speeds (not exceeding 25mph) by providing frequent intersections, limiting travel lane width, providing on street parking, and/or other effective approaches.

3. Promote strong visual, walking and transit connections between the Site and the Amherst Station area along Main Street to leverage transit access and the concentration of businesses along Main Street that service the neighborhood.
4. Provide a significant area of new park space that is welcoming, visible and accessible from the surrounding neighborhood. Connect the park to other neighborhood streets via a re-established street grid and sidewalks, as well as off-street multi-use path facilities and/or bike lanes, to the greatest extent possible.
5. While accomplishing these neighborhood connections, achieve a distinct sense of place that defines the new development as a unique place within the larger neighborhood. Achieve this distinct sense of place in the near-term and strengthen with long-term development phases.
6. Achieve a gradual transition between the prevailing two-story building scale in the neighborhood and taller (up to four-story) buildings in the proposed redevelopment.
7. Enable a range of new building types appropriate to fit the intended program range, including multi-family buildings with at least 60 to 70 units per building, smaller walk-up multi-family buildings with three to six flats per building, and attached two and three-bedroom two-story townhomes. Include ground floor retail and/or neighborhood services where most accessible.
8. Provide residential parking through a mix of on-site surface parking, on-street parking, and parking below buildings, to the extent feasible. Minimize the presence of residential driveways across primary pedestrian corridors.

6.3.3 Analysis of the alternatives evaluated during the planning process

There was an extensive planning process conducted to develop the proposed Highland Village plan. Planning involved outreach to the surrounding neighborhood, a number of public meetings and working with various stakeholders. Throughout this process, a number of alternative designs were developed and evaluated.

A more complete discussion of the planning process and the various alternatives that were considered is included in the report in Appendix I: Fillmore-Leroy and Highland Park: A Place That Matters for Buffalo’s Future. Many of the revisions to alternatives were based on meeting the concerns or preferences of residents in the surrounding neighborhoods.

The table starting on the following page summarizes key points from the analysis completed on the alternatives developed over the planning process for this Project, and the logic behind the chosen alternative.

Alternative	Major Characteristics	Evaluation Comments
1a	• Street grid connecting to all adjacent streets except Marigold Avenue • Non-vehicular block at east end of Chalmers Avenue • Park space focused on single block between Chalmers and Wade Avenue	• Good connectivity • Good development capacity/flexibility for program • Modest park scale/visibility does not fully leverage place making opportunity
1b	• Street grid connecting to all adjacent streets except Marigold Avenue • Chalmers continues as vehicular street to Richlawn Avenue • Park space extends along two blocks of Hill St between Rockwood Avenue and Wade Avenue	• Good connectivity • Good development capacity/flexibility for program • Larger park scale/visibility provides good opportunity to leverage place-making opportunity • Pedestrian-only end of Chalmers Avenue expands public space, would be redundant as vehicular corridor, is short enough to be safe for pedestrians
2a	• Street grid connecting to all adjacent streets except Marigold • Chalmers Avenue curves south east of Holden Street to intersect Hill Street at Wade Avenue in a roundabout • Park space focused on single block between Chalmers Avenue and Wade Avenue	• Good connectivity • Good development capacity/flexibility for program • 5-pointed roundabout difficult to engineer • Good park visibility and place-making opportunity with curve of Chalmers, but park layout and slope limits program opportunity
2b	• Street grid connecting to all adjacent streets except Marigold • Chalmers Avenue curves south east of Holden Street to intersect Hill Street at Wade Avenue in a roundabout • Park space focused on single block north of Chalmers Avenue and west of Hill Street	• Good connectivity • Good development capacity/flexibility for program • 5-pointed roundabout difficult to engineer • Good park visibility and place-making opportunity with curve of Chalmers • Good park program flexibility
3	• Streets connect at site edges to all adjacent streets except Richlawn	• Limited connectivity; navigation challenging

	and Marigold Avenues; internal streets shift off the grid • Park space focused at center of site • Hill and Chalmers Avenue connecting to street encircling park	• Limited development capacity/flexibility for program – many different blocks with unique sizes • Good park visibility and place-making opportunity with curve of Chalmers • Good park program flexibility
Preferred Approach	• Street grid connecting to all adjacent streets except Marigold • non-vehicular block at east end of Chalmers • Park space extends along two blocks of Hill Street between Rockwood and Wade Avenues, including space east of Hill Street; buildings edge park south of Rockwood Avenue	• Essentially similar to 1b, with park area expanded east and roundabout added at Chalmers and Hill • Good connectivity • Good development capacity/flexibility for program • Larger park scale/visibility provides good opportunity to leverage place-making opportunity • Pedestrian-only end of Chalmers expands public space, would be redundant as vehicular corridor, is short enough to be safe for pedestrians

6.3.4 Alternatives 1a, 1b, 2a, 2b and 3, as discussed and illustrated previously, were evaluated against the goals of the Project (as identified in 6.3.2 above), and from an environmental standpoint, would result in very similar environmental impacts when compared to the preferred alternative. Impacts to topography, geology, soils, water resources, public infrastructure, and community services would be the same. The preferred alternative was created from these alternatives, when evaluated against the Project's and City of Buffalo's goals. It was developed to have lesser impacts to visual resources and community character and to be more in line with community planning for this area of the City.

6.4 Alternative 3 (Proposed / Preferred Alternative)

6.4.1 This alternative was developed through an iterative process with input from the City, neighborhood residents and other stakeholders. It represents the preferred alternative for redevelopment of the Project Site. As discussed in this DGEIS, this alternative includes a fully designed phase 1 and a conceptual plan for complete site build-out. The future phases may include some minor changes, as discussed in section 6.5. This DGEIS thoroughly analyzes the potential environmental impacts of this preferred alternative.

6.4.2 As discussed above, the impacts which would result or be avoided under this development alternative are similar to the alternatives evaluated during the process of creating this Project. While all of the alternatives identified in 6.2 offer redevelopment scenarios that will improve the Site and revitalize the area, where the preferred alternative differentiates itself from the other redevelopment scenarios, is in its ability to meet more of goals set forth by the City of Buffalo and surrounding neighborhoods. It would also maximize the positive impacts to community character, aesthetics and community planning initiatives beyond what could be achieved under other scenarios for site reuse.

6.5 Alternative 4 (Potential changes to future phases)

This alternative evaluates the potential redevelopment scenarios of future phases of the Project. It is based on the concept plan included in the application and this DGEIS.

6.5.1 The overall layout of the Site will not change over the course of site build out. Roadway configurations and the re-establishment of street grid, the location of proposed structures, proposed streetscaping and open space elements, and other public realm improvements will not change over the lifespan of the Project.

6.5.2 Infrastructure design and the location of installed utilities will remain as planned over the lifespan of the Project. Thresholds established in Section 7 will not be exceeded to ensure that public water, sewer and drainage systems will not be adversely impacted.

6.5.3 It is anticipated that the following changes to the current concept plan could occur for future phases that are constructed after phase 1:

- The types of units proposed in the building designs may change, wherein townhouses could be replaced with apartments, two- unit townhouses could be two-unit condominiums, etc.;
- The number of units in a proposed building could change based upon a need to vary the size of individual units; and
- The square footage of commercial development could slightly increase or decrease.

The potential increases in the number of units would affect infrastructure (as discussed above), emergency service requirements, and transportation. However, future trip generation would need to stay below the thresholds established for traffic.

6.5.4 The aesthetics of the future buildings will not change from the architectural concepts presented in the plan and this DGEIS. All buildings will have façade designs that include a variety of materials, colors and textures to improve their visual character.

6.5.5 The location of the four-story structures will remain as shown on the concept plan, keeping these taller structures situated along Holden Street or at the interior of the site to reduce potential visual impacts. However, as indicated above, the number of units in these structures could change.

6.5.6 A traffic analysis was conducted with a 10 percent increase in total units on the Project Site. This analysis determined that no significant adverse impacts would result from the addition of these residential units.

SECTION 7.0

7.1 Thresholds for Future Environmental Review

A generic environmental impact statement (GEIS) is typically prepared whenever there is a need to assess a variety of impacts at a conceptual level over a longer period of time (multi-phased projects). In these types of projects, different phases of the project may not be fully designed or may not be "set in stone". The SEQRA law strongly encourages that these multi-phased projects be analyzed all at once and that the environmental review for each phase not be segmented. A GEIS allows the Lead Agency to review these multi-phased projects cumulatively and while still conceptual. The GEIS establishes mitigation measures and thresholds for future development and actions upfront, and allows the Lead Agency to develop a framework by which potential significant adverse environmental impacts are addressed at the planning stage, thus reducing the SEQRA review requirements as new construction proceeds under future phases.

This Project represents the full redevelopment of the Central Park Plaza property with the Highland Park residential community. This Project is being designed in three phases. Phase I will be developed at a greater level of detail, sufficient to submit for Site Plan approval from the City of Buffalo Planning Board. The future phases are also well defined, but because of the longer time frame associated with the implementation of these phases, they may require minor modifications due to changing market demands. These changes would not alter the basic conceptual plan for the Project, and would most likely be shifts in unit types. Based on the planning work completed to-date, the applicant's desires for site redevelopment, and the evaluation of potential impacts in this DGEIS, it is not anticipated that these future phases will vary greatly from the proposed project plan design and layout. As the Project progresses beyond the first phase, changes could occur including modification of the number and/or types of residential units to be constructed. For now, it is not anticipated that changes would be made to the square footage of non-residential uses at the Site.

This DGEIS has evaluated potential impacts associated with the all phases of the Project, as well as the potential longer-term and cumulative impacts associated with the full build-out of the Project. This section outlines the conditions, criteria and procedures to be followed in the evaluation of the future phase of the proposed Project as they are submitted to the City of Buffalo for Site Plan approval, pursuant to the requirements of SEQRA. It also includes the thresholds that will be used in the determination and design of changes or modification to future phases of the Project. Such changes or modifications must not exceed these thresholds or additional, and more extensive, environmental review will be required for those actions.

7.2 SEQRA Procedures / Compliance for Future Actions

Future phases of the proposed Highland Park Project (beyond phase 1), and any proposed changes to the conceptual design elements for these phases, will require further evaluation pursuant to SEQRA. The City of Buffalo Planning Board, as the agency authorized for the approval of Site Plans, will be responsible for performing an environmental determination on future project phases pursuant to SEQRA, and must consider future project phases in relation to: (i) the Final Generic Environmental Impact Statement (GEIS) that will be issued for the Project; and (ii) the final Findings Statement which will be issued for the project pursuant to SEQRA.

Upon submission of site plan applications to the City of Buffalo Planning Board for approval of future Project phases, the Planning Board must determine if the environmental impacts associated with the future phases have been adequately addressed in the GEIS and the Findings Statement. This evaluation must take into account whether the future phases exceed any of the thresholds set forth therein. Such a determination must be made before any site plan approval for future project phases can be issued by the Planning Board.

In the event that the Planning Board determines that:

- The Future Project phases would be carried out in conformance with the conditions and thresholds set forth in the GEIS, then no further SEQRA review would be required;

- The Future Project phases would be carried out in conformance with the conditions and thresholds set forth in the GEIS, but are not addressed or are not adequately addressed in the Findings Statement, then an amended Findings Statement would be prepared;

- The Future Project phases are not addressed or are not adequately addressed in the GEIS for the Project, but the proposal does not exceed any of the conditions or thresholds set forth in the GEIS, or the proposal exceeds a threshold set forth in the GEIS, but would not result in any potential significant adverse environmental impacts, then a Negative Declaration would be warranted pursuant to 6 NYCRR Part 617.10(d)(3); or

- The Future Project phases are not addressed or are not adequately addressed in the GEIS for the Project and / or the proposed use would exceed one or more of the conditions or thresholds set for in the GEIS, and may result in one or more potential significant adverse environmental impacts, then a supplement to the GEIS would be required.

7.3 Thresholds for Development of Project Site

7.3.1 Land Use and Zoning Thresholds

The thresholds put forth in this section have been set generously to allow for future flexibility and reaction to changing market demands. Development in excess of these thresholds will not necessarily result in adverse impacts, but will require the City to assess potential impacts. Future Project phases that do not exceed these thresholds, or that conform to all of the following conditions shall be considered to have been addressed in this GEIS for the Highland Park project and would not require any further review pursuant to SEQRA.

- The maximum buildable site area established by the Preferred Alternative is 30 acres, which includes the property owned by the Project Sponsor (Project Site) and adjacent areas along the south side of Chalmers Avenue, where redevelopment should be coordinated with the proposed action.

- The Preferred Alternative includes a small day care center as the only immediately proposed non-residential space. However, public outreach indicated that area neighbors may like to see some limited additional commercial development as part of the Highland Park redevelopment. The maximum commercial building square footage established by the Preferred Alternative square footage is 10,000 square feet. (The traffic analysis and thresholds indicate no significant negative impact will result from an increase to threshold for commercial building space). The additional square footage would not be located in new structures, but in the first floors of the surrounding residential units (reducing the number of residential units). Additionally, the types of business that occupy these spaces will be primarily for the benefit of the immediate properties (Project Site residents) and will conform with commercial development goals of the City of Buffalo.

- The total number of units shall not exceed those established/evaluated in this DGEIS, and is set at 800 units. This figure includes residential development planned for Highland Park (and any minor changes in the number of units), as well as a cushion to account for development that may occur along the south side of Chalmers Avenue, proximate to the Project.

- Development shall not occur outside the areas denoted on the Preferred Alternative plan. And,

- Conformance with the Zoning regulations and restrictions established by the City of Buffalo for the Project Site at the time of site plan submission.

This DGEIS has not determined the need for additional design requirements related to zoning and land use. If, in the review of this DGEIS, the Planning Board determines that other design requirements are necessary, they can be included in the FGEIS.

7.3.2 Transportation Thresholds

Based on the results of the Combined level of service (LOS) and Queue Analysis undertaken for the 2022 Build Scenario (see Appendix H), it was determined that the Highlands Park project would not adversely impact traffic operations on the surrounding street network. An additional 10 percent vehicle trips (established as a threshold) were added to this analysis to provide a conservative estimate for potential additional growth of the Project. Based on this analysis, it was also concluded that this action would not impact future traffic operations on the adjacent street network. The trip generation and level of service estimates, which includes the 10 percent threshold increase, can be reviewed in Appendix H. Therefore, no mitigation measures are necessary for future phases of this Project, providing the estimated traffic generation is not greater than 10 percent above the traffic that is expected to result from the Preferred Alternative.

7.3.3 Utility Thresholds

For the proposed Project, the Applicant will coordinate utility supply and connection details with the various local public utility providers. The following are the general thresholds and requirements for utility services.

- Peak Water demands in excess of 170,000 gallons per day (gpd) will require further evaluation and potential mitigation measures. This threshold exceeds the expected demand generated by the Project by approximately 10 percent, to allow for flexibility in future redevelopment, both at the Project Site, and for the adjacent area along Chalmers Avenue. The Preferred Alternative currently includes mitigation measures, such as system looping, to provide more consistent water flow across the Site and into surrounding areas. All waterline work will be conducted in coordination with the Buffalo Water Board to ensure a continued high level of service to residents on-site and in the surrounding neighborhood.

- Similarly, if peak sewage generation rates from the proposed project exceed 170,000 gallons per day (gpd), further evaluation will need to be conducted with potential mitigation measures.

- For stormwater flows, the square footage of the Project is limited to the property size of 27.1 acres and portions of the Site are currently impervious. The Buffalo Sewer Authority requires Pre-2 year and Post-25 year detention that will lower the peak stormwater discharge rate and put less stress on the combined sewer system during storm events. With the introduction of new

areas of pervious surfaces, the Preferred Alternative will ultimately decrease the volume of stormwater that leaves the Site. Therefore, no thresholds were established relating to stormwater.

- National Grid will supply electricity service to the Project Site and natural gas will be provided by National Fuel. The service providers have been contacted and have indicated that, given the proposed use, they will be able to meet the anticipated demands from the Project. Therefore, there are no thresholds relating to electricity or natural gas service.

SECTION 8.0
IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

Although the development of the Highland Park Project Site is expected to bring benefits to the City of Buffalo and surrounding area, some non-renewable natural and man-made resources will be consumed or committed to other uses during the construction and lifetime of the Project. These resources are considered to be irretrievably committed since their reuse for purposes other than the Project is either impossible or highly impractical.

All materials and energy resources consumed in the anticipated construction of the proposed Project are irreversible and irretrievable commitments. Energy and resources required to construct the proposed development encompasses the extraction of raw materials, manufacturing of equipment and materials, delivery, construction and installation. Materials included in this category are steel, aluminum, concrete, asphalt, brick, wood, glass and other construction materials that would be used in site development. The fossil fuels uses by construction equipment and operations and maintenance of the Site will also be an irretrievable commitment of resources, as will fuels used for deliveries and automobile travel to and from the Site. As discussed previously, although these resources are being consumed, they are being consumed in a sustainable manner.

The public utilities and services that will be furnished to the Site are opportunity cost to the various agencies and governmental entities that provide these utilities and services. Their commitment of these utilities and services to the Project Site precludes their use for other programs or projects. Major uses of energy utilities for the proposed action include heating, ventilation and air conditioning. Commitments of a portion of the available capacity in the municipal water supply system, wastewater collection system and solid waste handling and disposal facilities will also result.

Approximately 27 acres of currently unused land will be converted to primarily residential housing, but these lands have arguably “no environmental value” to them at this time. Although it is difficult to quantify the exact commitment of resources, once the Project is developed, the visual character of the Site will be changed (but as shown in this document, this change will be for the good). The human effort involved in constructing and maintaining the Project, along with the capital expended, are also irreversible and irretrievable commitments of resources.

SECTION 9.0
EFFECTS ON THE USE AND CONSERVATION OF ENERGY RESOURCES

Development of the Highland Park project will result in a long-term increase in the use of energy resources, including electricity and natural gas. New construction on the Site will meet or exceed the requirements of the New York State Energy Conservation and Construction Code (NYSECC). Heating, ventilation and air-condition systems (HVAC) will meet the minimum criteria with respect to energy efficiency and performance as defined by the NYSECC and ASHRAE 90.1. Automated building controls and programmable tenant thermostats will be installed, providing scheduled operation of HVAC systems. All plumbing (water-using) fixtures will be specified as low-flow, low consumption, water-conserving types. Building lighting systems will be designed within the prescriptive power densities defined by the NYSECC. Strategies for automating interior lighting on/off control will be utilized (i.e. – motion sensors, time switches, etc.). Site lighting will be designed in consideration of the City of Buffalo street lighting standards, the Illuminating Engineering Society of North America Lighting Handbook and the IESNA Model Lighting Ordinance. These standards address municipal operation and maintenance requirements, recommended lighting levels, lighting zones (trespass) and dark-sky compliance. Automated controls will be provided for all outdoor lighting.

The Project is not expected to have a significant adverse impact on energy resources.