

Final Generic Environmental Impact Statement

Buffalo Niagara Medical Campus

North End Projects

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Accepted: January 13, 2009

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- Appendix C Parking Report Addendum
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1.0 INTRODUCTION

1.1 Purpose and Intent of FGEIS

This Final Generic Environmental Impact Statement (“FGEIS”) has been prepared pursuant to the State Environmental Quality Review Act (“SEQRA”), Article 8 of the New York State Environmental Conservation Law and its implementing regulations (6 NYCRR Part 617) for the Buffalo Niagara Medical Campus – North End Projects. This FGEIS was prepared by the City of Buffalo Planning Board (“Planning Board”) acting as Lead Agency pursuant to SEQRA. There are four proposed projects which are programmed for the Buffalo Niagara Medical Campus – North End (“BNMC – North End”). The four proposed projects (collectively hereinafter referred to as the “Projects”) include a Global Vascular Institute (“GVI”) and an updated Emergency Department adjacent to Buffalo General Hospital (“BGH”); a new Medical Office Building (“MOB”) across from Buffalo General; a Skilled Nursing Facility (“SNF”); and a 1,200-1,600-space multi-modal transportation structure (“MMTS”) in the vicinity of GVI, BGH, MOB and SNF. The purpose of this FGEIS is to present revisions to the Draft Generic Environmental Impact Statement (“DGEIS”); to present substantive public and agency comments on the DGEIS received during the public/agency comment period; and to present the Lead Agency’s responses to those comments. Completion of the FGEIS will allow the Planning Board to establish the thresholds and conditions under which the individual projects will be reviewed for compliance to SEQRA.

Section 2 of this FGEIS presents a summary description of the Projects and of the DGEIS; including the discussions of impacts, mitigations and alternatives. The general purpose of the DGEIS was to identify and evaluate the potential impacts that may result from developing the Projects; to propose reasonable mitigation measures to reduce the effects of significant adverse impacts; and to evaluate alternatives to the Projects. Section 2 will also describe whether substantial changes to the Projects have been introduced since the DGEIS was accepted on October 7, 2008.

Section 3 of this FGEIS explains revisions to the DGEIS text and figures. Revisions to the DGEIS include Project changes and/or are a result of agency consultation and input received through the public and agency review.

Section 4 of this FGEIS is a summary of the written and verbal comments received by the Lead Agency during the public comment period between October 7 and November 18, 2008 and the Planning Board's responses thereto. The complete written comments as received during the public comment period and the transcript of the public hearing held on November 6, 2008 are presented in Appendix A.

The following supporting documents are appended to this FGEIS:

- Appendix A Comments on the DGEIS
- Appendix B Positive Declaration and Notice of DGEIS Completion and Public Hearing
- Appendix C Parking Report Addendum
- Appendix D Revised Proposed Project Locations Map
- Appendix E Water Service Analysis

1.2 SEQR Review Process

SEQR requires state or local governments to assess the potential environmental impacts of their actions during the planning, review, and decision-making processes for those actions. The public (City County State) approvals and permits required for the individual BMNC – North End Projects constitute the “Action” subject to SEQR. The intent of SEQR is to ensure that governmental decision-making is a balance of social, economic, and environmental factors be considered and weighed in reaching decisions on proposed activities or actions. Therefore, Agencies must determine whether a proposed action may have a significant effect on the environment, and if so, prepare or request that an environmental impact statement be prepared. Here, on September 23, 2008 the Planning Board determined that cumulatively, the Projects may have a significant impact upon the

environment. As such, a Positive Declaration was issued and the Project Sponsors prepared a DGEIS (See Appendix B). Presented below are the key milestones (since submission of the DGEIS) necessary to complete the SEQR process for the Projects.

On October 3, 2008 the DGEIS was submitted to the Planning Board, as Lead Agency for review. On October 7, 2008, the Planning Board found the DGEIS to be in compliance with 6 NYCRR Part 617.9(b), and made a determination that it was adequate to begin public and agency review. The subsequent public comment period began on October 7, 2008 and concluded on November 18, 2008. A public hearing on the DGEIS was held within the public comment period, on November 6, 2008.

Input from the public review process was received in the form of written comments to the Planning Board throughout the public comment period and as oral/written comments received during the public hearing. The Planning Board determined that all the comments should be addressed in the form of a FGEIS. Pursuant to 6 NYCRR Part 617.9(b)(8), the FGEIS is the responsibility of the Lead Agency, (therefore the Planning Board). This FGEIS was prepared by the group of applicants for the Planning Board's consideration.

1.3 DGEIS Included by Reference.

In accordance with Part 617.9(b)(8), the DGEIS and its supporting studies, as accepted by the Planning Board on October 7, 2008, are incorporated by reference into this FGEIS. The Projects and their evaluation in the DGEIS are summarized in the following section.

2.0 Project Summary as Revised

This section presents a summary of the Project, adverse impacts, proposed mitigations and alternatives as revised since submission of the DGEIS.

2.1 Changes in Project since the DGEIS

No substantive changes have been made to the Project since the publication of the DGEIS.

However, following conceptual design of the Skilled Nursing Facility (“SNF”), the total square footage has been estimated to be 225,000 sq ft. This is 25,000 square feet larger than what was estimated in the DGEIS. This increase in square footage does not significantly alter the potential impacts or mitigations of the SNF.

Additionally, the SNF location referred to as the preferred location, the east side of Michigan Avenue between East North, Maple and High Streets, should be referred to as Alternate Location A, Alternate Location B is on the west side of Michigan Avenue between East North Street and Goodrich Street. Due to this change additional evaluation of Alternate Location B is included in Section 3.1.

2.2 Project Description

There are four proposed projects which are programmed for the Buffalo Niagara Medical Campus – North End (“BNMC – North End”). The four proposed projects (collectively hereinafter referred to as the “Projects”) include a Global Vascular Institute (“GVI”) and an updated Emergency Department adjacent to Buffalo General Hospital (“BGH”); a new Medical Office Building (“MOB”) across from Buffalo General; a Skilled Nursing Facility (“SNF”); and a 1,200-1,600-space multi-modal transportation structure (“MMTS”) in the vicinity of GVI, BGH, MOB and SNF.

There are four proposed projects assessed in this FGEIS:

- The Global Vascular Institute and updated emergency department for Buffalo General Hospital. This building will be 500,000 to 600,000 square feet (sq. ft.).

- A new Medical Office Building, which will be a maximum of 300,000 sq. ft.
- The Skilled Nursing Facility at a maximum of 225,000 sq. ft.
- A multi-modal transportation structure that can accommodate 1,200 to 1,600 cars.

Each of these proposals will be sited on the BNMC – North End. This area is generally bounded by East North Street to the north, Main Street to the west, High Street to the south and Maple Street to the East.

Global Vascular Institute

The North End projects include the construction of a new Global Vascular Institute, a first-of-its-kind, multi-dimensional medical institute focused on the full spectrum of vascular health care, and will bring together physicians, researchers and educators to address heart and vascular diseases. The GVI will be operated by Kaleida Health (“Kaleida”), the operator of BGH, and the University at Buffalo (“UB”) of the State University of New York. Kaleida’s portion of the GVI will house a number of facilities including an emergency department for use by both BGH and the GVI, which will be a treatment and research that focuses on the heart, neuro and related vascular system. The UB portion of the GVI will house educational space for the University at Buffalo School of Medicine and Biomedical Sciences, as well as research and life sciences technology incubator facilities. UB will develop and use the space for the medical school and as well as a program in bioinformatics. The new center will facilitate research and clinical collaboration on the causes, treatment and prevention of heart and vascular diseases.

Medical Office Building

The MOB will be owned and operated by Ciminelli Development Company, Inc. This structure will lease medical office space to a variety of tenants. These tenants are expected to consist of both existing physician groups relocated from other facilities and from the creation of new business spurred by the expected growth of the BNMC. The building may also house a laboratory, medical incubator facilities and some retail or general commercial businesses that would be available to the entire BNMC. The MOB will be physically connected to the GVI and the existing parking structure adjacent to the

building site by pedestrian bridges. Several prospective tenants have been identified and lease negotiations have begun for potential occupancy in the building.

Skilled Nursing Facility

The SNF would have 300 beds. As currently proposed, there would be 200 long term care beds, 40 memory care beds, 30 sub-acute care beds, 20 pediatric care beds and 10 ventilator care residents' beds. The facility would also house the associated support facilities for a nursing facility, including a kitchen, laundry and therapy areas. Alternate Location A is along the east side of Michigan Avenue between East North Street and High Street and Alternate Location B is on the west side of Michigan Avenue between East North Street and Goodrich Street.

Multi-Modal Transportation Structure

The MMTS will be owned by the BNMC. This facility will incorporate parking with other transportation services be used jointly by all of the institutions on the BNMC. The MMTS parking and related services will also be available for use by the public.

2.3 Summary of Adverse Impacts

Land Use and Zoning

The SNF at Alternate Location A would displace six residential structures and replace them with a commercial structure. This site would also require a rezoning from residential zoning (R-2) to commercial zoning (C-1) to permit the construction of the SNF. This change is a potentially significant impact but could be mitigated through design considerations. The GVI would require the closure of Goodrich Street and the demolition of the Community Mental Health Facility. Following the construction of the GVI, Goodrich Street will have two service road entrances from East North Street (See figure in Appendix D). Some commentors have noted that there would be a potential negative impact upon the street grid if Goodrich is abandoned. Demolishing the CMHC, providing it is relocated within the neighborhood, would not have a significant adverse impact. The remaining projects are consistent with the existing land use and zoning on the BNMC.

Transportation and Parking

Due to the addition of up to 1,200,000 square feet of health care space and a parking ramp, and the traffic associated therewith, the Projects will negatively impact the Level of Service at various intersections at, or in the vicinity of the BNMC during the peak hours of the day.

There are five potential locations for the MMTS. They have been grouped into two future scenarios because the five locations are located in two clusters as shown on Figure 1.5-1 in Appendix D. Scenario #1 is generally centered along Ellicott Street. Scenario #2 is generally located along Michigan Avenue.

Since the final location of the proposed parking structure has not been determined, two different future scenario distributions are analyzed in this study:

Future scenario #1 includes three potential locations for the MMTS; Site B on Ellicott Street between Goodrich Street and High Street, Site J at Ellicott, East North and Goodrich Streets or Site I between Ellicott and Oak Streets. It is assumed that both access and egress will be provided on High Street and on Ellicott Street. This is also the proposed location of the MOB. Sites I and J contain slight variations on scenario #1 since access to both of these locations is assumed to be on Ellicott Street in close proximity to the assumed access for the Site B location.

Future Scenario #2, includes two locations for the MMTS; Site F (on Michigan Avenue between Goodrich Street and High Street) or Site G (on Michigan Avenue between Goodrich Street and North Street),

The results of the Future Scenario #1 operations indicate the following approaches and intersections operating at an unacceptable LOS:

Future Scenario #1 AM Peak Hour

- Carlton Street & Ellicott Street (unsignalized)
 - Ellicott NB: LOS f (197.5)
- Structure Access & Ellicott Street (unsignalized)
 - Access EB left/right: LOS e (42.2)
- Ellicott Street & High Street: LOS D (38.5)

- Ellicott Street NB: LOS E (59.4)
- Main Street & Goodell Street: LOS C (26.1)*
 - Main NB: LOS F (100.9)
- Elm Street & Swan Street: LOS E (66.4)*
 - Swan WB: LOS E (65.5)
 - Elm NB thru: LOS E (75.8)

Future Scenario #1 PM Peak Hour

- Carlton Street & Ellicott Street (unsignalized)
 - Ellicott NB: LOS e (44.6)
 - Ellicott SB: LOS f (385.6)
- Allen Street & Ellicott Street (unsignalized)
 - Allen EB: LOS e (44.4)
- Virginia Street & Ellicott Street (unsignalized)
 - Virginia WB: LOS f (75.1)
- Structure Access & Ellicott Street (unsignalized)
 - Access EB: LOS f (126.0)
- Tupper Street & Ellicott Street: LOS F (145.5)
 - Ellicott SB: LOS F (395.9)
- Michigan Avenue & Goodell Street: LOS D (37.5)*
 - Michigan SB: LOS F (81.7)
- Washington Street & Goodell Street: LOS D (48.7)*
 - Washington NB: LOS F (127.6)
- Oak Street & Goodell Street: LOS D (46.4)
 - Oak SB: LOS F (123.3)
- Ellicott Street & High Street: LOS F (127.6)
 - Ellicott NB: LOS F (325.9)
 - Ellicott SB: LOS F (83.7)
- Ellicott Street & Goodell Street: LOS F (198.2)
 - Ellicott NB: LOS F (Err)
 - Ellicott SB: LOS F (151.3)

* indicates a movement/intersection that operates at an unacceptable LOS based on no-build conditions prior to future scenario conditions
 err – accurate delay can not be calculated due to level of failure

If the parking structure is built on Site I, the operational results are the same for the peak hours as Scenario #1, except that the intersection of High Street and Ellicott Street operates at an acceptable LOS. For Site J, the unsignalized intersection at Goodrich Street and Ellicott Street is different from the rest of the scenario #1 results since the site is located just north of this intersection from Site B.

The results of the future scenario #2 operations indicate the following approaches and intersections operating at an unacceptable LOS:

Future Scenario #2 AM Peak Hour

- Virginia Street & Michigan Avenue: LOS F (125.6)
 - Michigan NB: LOS F (170.6)
- North Street & Michigan Avenue: LOS C (28.1)
 - North WB: LOS E (70.1)
- Elm Street & Swan Street: LOS E (66.4)*
 - Swan WB: LOS E (65.5)
 - Elm NB thru: LOS E (75.8)
- Main Street & Goodell Street: LOS C (25.9)*
 - Main NB: LOS F (100.9)

Future Scenario #2 PM Peak Hour

- Washington Street & Goodell Street: LOS D (48.6)*
 - Washington NB: LOS F (127.6)
- Oak Street & Goodell Street: LOS C (24.0)
 - Oak SB: LOS E (62.0)
- Ellicott Street & Tupper Street: LOS C (28.9)
 - Ellicott SB: LOS F (92.0)
- Michigan Avenue & Goodell Street: LOS F (173.5)*
 - Michigan SB: LOS F (347.6)
- Michigan Avenue & Carlton Street: LOS F (86.5)
 - Michigan SB: LOS F (139.2)

* indicates a movement/intersection that operates at an unacceptable LOS based on no-build conditions prior to future scenario conditions
err – accurate delay can not be calculated due to level of failure

Since most of the signals within the study area are pre-timed, the existing signal timings at the above-mentioned intersections will not be able to accommodate significant changes to the volumes in the future. This scenario results in several intersections having a poor LOS as a result of the MMTS at either Site F or G.

Scenarios #1 & #2 assume a curb cut for the SNF opposite Goodrich Street on Michigan Avenue. If the SNF were located at Alternate Location B (aka MMTS Site G), traffic patterns may change based on the location of access to the 75 space parking lot. If there were two access points to the SNF parking lot, one from a service road that connects Michigan Avenue and North Street and the other directly onto North Street, it would be assumed that a certain number of vehicles would still travel the same path as was

assumed in Scenarios #1 & #2. Traffic would still most likely travel to the SNF from Michigan Avenue with a small percentage from E. North Street.

In terms of traffic operations, the only intersection that would be affected by an additional curb cut onto North Street would be the intersection of North Street and Michigan Avenue. The existing conditions analyses, as well as the Scenario #1 and #2 results, indicate that there is reserve capacity at North Street and Michigan Avenue. Since the volumes associated with the SNF are low, and the SNF would be replacing 474 parking spaces that currently exist in that location with 75 spaces for the SNF, a minimal impact would be expected here. A more detailed analysis can be conducted when a site plan is finalized for this project to verify.

Goodrich Street will also have two service road entrances from East North Street (See figure in Appendix D). These entrances are expected to be used to deliver materials to the GVI and Buffalo General Hospital. The traffic impacts of these are expected to be minimal. The City of Buffalo Police and Fire Departments submitted letters that access based on this layout is adequate and they had no concerns (See Appendix F). It is not anticipated to affect the level of service of any intersections. During construction however, all traffic will be routed to the GVI site via Goodrich Street and Michigan Avenue. Access to the GVI property will be access controlled with a gate.

The demand for parking as calculated in the DGEIS is accurate for either proposed location for the SNF. Alternate Location B, for the SNF is an existing parking lot that has capacity for 474 cars. These spaces would be lost due the construction of the SNF at the Alternate Location B. Therefore, the parking deficit for the BNMC, following construction of all of the facilities, would be greater than that determined for Location A (See Appendix C Parking Report Addendum). The deficit would increase to 374-581 parking spaces, depending on the location chosen for the MMTS.

Therefore the parking deficit for the BNMC, following construction of all of the facilities, would be greater than Location A (See Appendix C Parking Report Addendum). The deficit would be from 374 to 581 parking spaces, depending on the location chosen for the MMTS.

During construction of the GVI, MMTS, SNF and MOB, up to 800 workers will be required if all sites were at peak labor needs at the same time. If the SNF is constructed at Alternate Location B, 474 spaces will be displaced; 312 will be displaced during the construction of the MOB; and 205 would be displaced if the MMTS is built along Michigan Avenue between Goodrich and High Streets. In total, there will be a displacement of up to 991 parking spaces on the BNMC-North End. Therefore, if the peak of construction for all four structures is simultaneous, up to a maximum of 1791 parking spaces may be necessary to meet the demand of the BNMC-North End.

BNMC has evaluated numerous onsite and offsite parking solutions to address this need. See the BNMC Off-Campus Parking and Shuttle Operations Figure in Appendix D for the list of onsite and offsite parking options. Specifically, there are 520 spaces available on the BNMC's southern lot along Goodell and Ellicott. There are an additional 700 spaces available at the HSBC lots. A shuttle can provide access to the campus from these lots. In addition, there are 580 spaces available at the Deaconess facility. The Deaconess facility will be used for construction workers and the contractors will provide shuttle service to the project sites from this lot. In total, 1,800 spaces were identified to accommodate the maximum potential parking deficit of 1,791 spaces.

Utilities

To service the developments, National Grid will need to upgrade electric service to the BNMC. The MOB will require an extension of the 12" high pressure gas main south along Ellicott Street. The Erie County Department of Health raised concerns about water capacity and pressure needs of the Projects.

Visual and Aesthetic Resources

Due to the inclusion of a new structure that although compatible, is a change from the current look of the area. However, impacts to the visual environment are expected to be minimal as a result of the varying topography and significant screening by existing structures. That being said, the SNF could alter the visual environment in the Fruit Belt,

and in particular Maple Street because it is immediately adjacent to residential neighborhoods.

Historical, Archaeological and Cultural Resources

The construction of the SNF at Alternate Location A may require the removal of two National Register of Historic Places - eligible properties. It would also be built in view of four other National Register of Historic Places eligible properties. However, given the existing conditions the impacts of constructing the SNF at Location A are not anticipated to be significant or can be mitigated.

Topography, Geology and Soils

No significant adverse impacts are anticipated to overburden, groundwater, or soils and blasting is not anticipated.

Neighborhood Character

The GVI, MOB, MMTS and the SNF at Location B are located within the boundaries of the BNMC and are consistent with the current character of the area. The SNF Location A is within the Fruit Belt neighborhood adjacent to the BNMC. This location would require the removal of six residential structures. This is not expected to have a significant adverse impact since the site is largely vacant (currently has only six residential structures on 32 parcels), an abandoned gas station and a surface parking lot.

Socioeconomics

No significant adverse impacts are expected to the Environmental Justice population in the area, since the Projects will not significantly harm the existing environmental setting of the community. Additionally, no negative impacts are anticipated to demographics, employment or taxes due to the Projects.

Air Quality

Based on the maximum 600,000 sq. ft. build out, the additional heating requirement for the GVI is approximately 38 MMBtu/hr. This additional demand will not require the installation of a new boiler. As with the current steam plant, the new heat demand will be met with natural gas. The most significant emission from the natural gas fuel will be from oxides of nitrogen. The addition of 38 MMBtu/hr would result in an additional 9% of the total allowable pounds per year.

If SNF Alternate Location B is selected, this location will also use the existing steam plant. This addition to the steam plant will still be based on natural gas fuel, which is also the fuel source for the standalone heating unit required for SNF Alternate Location A. Therefore there is no net change to the potential air impacts from Alternate Location A to Alternate Location B.

Solid, Medical and Hazardous Waste

Solid Construction & Demolition (“C&D”) waste will be generated during construction and will be disposed of at a licensed C&D disposal facility. Solid, medical and hazardous waste streams in varying quantities will be generated by the Projects. Their generation will be unavoidable for the operation of the facilities.

Hazardous and Contaminated Sites

The projects will not create any additional hazardous or contaminated sites, so no significant adverse impacts are anticipated. If the SNF is at Location A the known environmental conditions at 1021-1027 and 1033 Michigan Avenue would be remediated. This would be a beneficial impact of the project.

Public Services

There will be no additional demands placed on police, fire or school services from the construction or operation of the Projects. The GVI will likely have a beneficial impact on the emergency medical services for the immediate area and Western New York.

Construction

The labor and equipment requirements of the area may create traffic delays on local streets. Construction equipment could temporarily create traffic delays or impede flow. Dust from demolition or excavation could migrate into residential areas. Construction may temporarily increase noise above ambient levels.

2.4 Summary of Mitigation

To ensure the impacts are appropriately reduced, the following criteria, thresholds and mitigation have been established. These requirements will ensure the projects are developed in a way to most effectively and practicably reduce the impacts on the environment.

Land Use and Zoning

- a. The Community Mental Health Facility should be relocated no more than 750 feet from its current facility to remain within its current service area.
- b. The SNF should be no higher than four stories, if at the Alternate Location A. The SNF, at Location A, should be constructed as a “transitional” building, employing building design compatible with the adjacent residential area including looking like four smaller residential structures of four stories each.

Transportation and Parking

Parking

- a. To mitigate for the displacement of parking spaces during construction staging and the increased demand from construction workers, the following steps will be taken; 520 available spaces in BNMC’s southern lot will be utilized; during construction Kaleida Health will partner with Roswell Park to provide parking and shuttle service for up to 700 workers, Kaleida will also provide parking and a shuttle service from Deaconess Health Center for workers displaced during construction.

b. To mitigate the permanent parking deficit that would occur if the SNF is at Location B, the BNMC has committed to investigating a shuttle services for the entire campus. The 640 space BNMC-owned parking lot at 589 Ellicott Street currently has 520 available spaces. The BNMC will investigate providing a shuttle service to move parkers from this location throughout the campus.

c. These spaces combined with a Transportation Demand Management Program, the BNMC will be undertaking to convert parkers to transit users and carpoolers, will meet the excess demand of the BNMC – North End even if the SNF is placed at Location B.

Transportation

Future Scenario #1

Future scenario #1 includes three potential locations for the MMTS; Site B on Ellicott Street between Goodrich Street and High Street, Site J at Ellicott, East North and Goodrich Streets or Site I between Ellicott and Oak Streets. It is assumed that both access and egress will be provided on High Street and on Ellicott Street. The following mitigation measures are recommended:

- a. Add southbound through lane on Ellicott Street just north and south of High Street, which will require the loss of on-street parking south of High Street and a drop-off area north of High Street;
- b. Add southbound left-turn lane on Ellicott Street at the intersection with Oak Street, that will require the loss of on-street parking north of Oak Street;
- c. Provide dual left-turn lanes for southbound traffic on Ellicott Street at Tupper Street;
- d. Installation of a signal at Ellicott Street and Carlton Street; and
- e. Optimization of signal splits and/or cycle lengths at the following intersections:
 - o Tupper Street & Ellicott Street;

- High Street & Ellicott Street;
- Ellicott Street & Goodell Street; and
- Goodell Street & Oak Street (the recommended changes do not significantly affect signal coordination on Oak Street).

f. If the proposed MMTS is constructed on Site I, no additional mitigation measures are necessary and the mitigation noted at the intersection of High Street and Ellicott Street would not be necessary.

g. If the proposed MMTS is constructed on Site J, in addition to the mitigation measures noted for scenario #1, the stop signs should be removed for the Ellicott Street approaches to Goodrich Street.

Future Scenario #2

Future scenario #2, includes two locations for the MMTS; Site F (on Michigan Avenue between Goodrich Street and High Street) or Site G (on Michigan Avenue between Goodrich Street and North Street), the following mitigation measures are recommended:

- a. Restripe and sign the SB Michigan approach to create a dedicated left-turn lane onto Cherry Street and exclusive through lane; and
- b. Optimization of signal splits and/or cycle lengths at the following intersections:
 - Virginia Street & Michigan Avenue;
 - North Street & Michigan Avenue;
 - Main Street & Goodell Street;
 - Washington Street & Goodell Street;
 - Goodell Street & Oak Street (the recommended changes does not significantly affect signal coordination on Oak Street);

- Tupper Street & Ellicott Street;
- Michigan Avenue & Goodell Street; and
- Michigan Avenue & Carlton Street.

With these improvements, the study area intersections will operate at acceptable LOS except at the intersection of Elm Street and Swan Street for future scenarios, providing improved access and egress to the North End Development and the BNMC campus as a whole.

Regardless of where the MMTS is located, the modifications to intersections stated above will be undertaken after construction, but prior to full occupancy of the MOB and GVI.

Utilities

- a. Although sufficient water capacity is available, supplemental pumps for fire protection will be required to serve the highest floors of the GVI and MOB.
- b. All developments must be built to applicable fire codes.
- c. The project sponsors should work with National Grid to ensure the electric service is adequately upgraded for their needs.

Visual and Aesthetic Resources

- a. The SNF if at the Alternate Location A, should be no higher than four stories.
- b. Lighting schemes for the buildings should follow best practices for minimizing light migration off of BNMC. Downward focused lights shall be utilized.

Historical, Archaeological and Cultural Resources

- a. If the SNF is at Location A, the two properties that are being removed should be documented prior to removal and historic elements of the properties should be salvaged to the extent practicable.

- b. If any unanticipated archaeological finds are encountered during construction, work at that site will be halted and the State Historic Preservation Office will be called.

Topography, Geology and Soils

- a. Although no significant adverse impacts are expected, a soil management plan for excavation near existing structures will be required.
- b. If contaminated soils or groundwater are encountered during construction the appropriate agencies will be notified.

Neighborhood Character

- a. The SNF if at the Alternate Location A should be no higher than four stories.
- b. The SNF, at location A, should be constructed as a “transitional” building, employing building design compatible with the adjacent residential area including looking like four smaller residential structures of four stories each.

Socioeconomics

Since there are no significant adverse impacts, no mitigation is required.

Air Quality

- a. Emissions from the steam plant servicing the GVI and SNF if at Alternate Location B should remain below state air quality limits.
- b. The SNF and MOB should be designed using the best practicable heating and insulation technology to conserve energy.

Solid, Medical and Hazardous Waste

- a. All construction and operation waste should be disposed of in accordance with New York State Department of Health and New York State Department of Environmental Conservation regulations.

Hazardous and Contaminated Sites

a. If any previously unidentified contamination is encountered during development, the Project sponsors should notify Region 9 of the New York State Department of Environmental Conservation to coordinate appropriate clean up.

Public Services

Since there are no significant adverse impacts, no mitigation is required.

Construction

a. To mitigate the potentially negative impacts from construction, a construction vehicle access plan should be created. This plan will also include information on the construction staging areas and any parking displacement during construction.

b. A Stormwater Pollution Prevention Plan will be created and followed during construction.

c. No parking should be allowed on residential streets.

d. Best management practices should be used to mitigate noise during construction.

2.5 Summary of Alternatives

The following alternatives were evaluated in the DGEIS:

Summary of Alternatives

The following alternatives were evaluated in the DGEIS:

No Action. This evaluated not constructing the GVI, MOB, SNF, MMTS or any of the Projects. As these alternatives did not meet the project purpose and need, they were dismissed as not preferred alternatives. The results of the alternatives assessment are summarized below.

No Action GVI:

If the GVI were not constructed, specific negative impacts associated with the project (i.e closure of Goodrich Street, increased traffic) would not occur. However, if the GVI were not constructed, the following potential beneficial impacts would not occur:

- Consolidation of existing hospital facilities consistent with the findings of the Berger Commission;
- Establishment of a world class heart and vascular care center for the region;
- Construction jobs;
- The creation of a world class research facility for the University at Buffalo, and would eliminate the recruitment of top research scientists and students to the facility;
- An updated emergency department; and
- Any associated economic or technological benefits from the facilities and new medical ventures.

No Action MOB

If the MOB is not constructed none of the negative impacts (Loss of parking and increased traffic) associated with the Project would occur. However, the no action alternative would remove benefits to the local community including:

- Further enhancement of the economic development goals of the BNMC by providing office and incubator space for physicians;
- New construction jobs; and
- Ancillary spinoff development.

No Action SNF

If the SNF is not constructed, the following negative impacts would not occur:

- Demolition of two NRHP-eligible properties (For Location A only);
- Demolition of three additional residential structures (For Location A only
- Potential visual impacts to adjacent residential properties on Maple Street (For Location A only); and
- Loss of Additional surface parking lot (Location B only).

However, by not building the SNF, the Project benefits would not be realized.

These benefits include:

- Consolidation of existing long-term care facilities consistent with the findings of the Berger Commission;
- Improve the physical environment and quality of life of residents of the skilled nursing beds at Deaconess and MFGH;
- Construction jobs;
- Operational benefits to the management of skilled nursing beds; and
- Continued consolidation and growth of the BNMC as the regional center for health care services.

No Action MMTS

If the MMTS is not constructed, the negative impacts associated with the facility would not occur. These include potential air quality impacts associated with the construction of the structure, and any potential negative visual impacts associated with the facility.

However, benefits of the structure include the provision of up to 1,600 additional parking spaces which would increase the viability of the BNMC for world class clinical care, research, education and entrepreneurship in downtown Buffalo and will minimize parking impacts of the Projects on the campus and in the surrounding community.

Alternate Locations. Alternate locations off the BNMC were evaluated for the GVI, MOB, SNF and MMTS. As these alternatives did not meet the project purpose and need, they were dismissed as not preferred alternatives.

Alternate Location of GVI:

Considering no other requirements other than available space, there is adequate land available in the region for the GVI. However, other locations would not meet the multiple purposes the GVI would serve. By collocating the GVI adjacent to BGH, Kaleida can create a center of excellence for neuro and vascular care without adding hospital beds. The preferred location of the GVI would also allow direct and immediate interaction between doctors, researchers and patients.

A secondary benefit of the preferred GVI location is to facilitate the development of a world class medical research center; taking advantage of existing research facilities on the BNMC (Roswell, etc.). Neither option would be effectively realized if the GVI were located outside of the BNMC.

Alternate Location of MOB

The impetus for the construction of the MOB is to take advantage of the concentration of health services available on the campus and more importantly, the physical connection to the facilities at BGH and the GVI. A vital element to the success of this building is adjacency to the exiting BGH and GVI building, where physicians need direct and immediate access from their office space to critical/acute care facilities.

In addition to the proximity to acute care services, there is an increased demand for medical office space generated by the growth of facilities, services and business of the BNMC. Construction of the MOB would absorb some of this demand. If the MOB can not be developed on the BNMC, it is likely that this building would not be constructed elsewhere in Western New York.

Therefore, locating the MOB off of the BNMC is not a viable alternative since it does not meet the purposes of the Project to increase the quality of care for patients by concentrating medical care and providing office space for companies on the BNMC.

Locating the MOB in close proximity to the GVI is also critical to the viability of the building. This is required to allow physicians and researchers to easily access and interact with the GVI and BGH. Thus, the MOB location along Ellicott and Goodrich Streets is critical to meeting the MOB's mission.

Alternate Location of SNF

Two Alternate Locations for the SNF were identified. Alternate Location A is bound by Michigan Avenue, East North, High and Maple Streets. Alternate Location B is the area bounded by East North Street, Maple Street, Michigan Avenue and High Street, currently used as a surface parking lot. This Alternate Location B is evaluated in further detail in Section 3.1 of this document.

Taking into account no needs other than available land, the SNF could be located anywhere in Western New York. The skilled nursing beds that would be relocated to the SNF are all currently located in the City, in the area of greatest need for the urban Buffalo elderly population. To ease the relocation for residents, visitors and staff, the new facility is best located in the Buffalo. Therefore, potential locations should be within the City limits. There is adequate vacant land in the City to accommodate the new SNF, however no other locations meet the purpose of the Project.

Locating the SNF on the BNMC (on either Location A or B) would consolidate support services for staff and patients. The BNMC location will also allow for proximity to acute care for residents of the SNF. The BNMC is less than two miles from either of the existing skilled nursing facilities. The BNMC is therefore an ideal location to minimize the impact for the residents, visitors and employees of the facilities. Therefore, a location for the SNF outside of the BNMC is not considered preferred as it would not meet the purpose and needs of the project.

Alternate Location of MMTS

The current parking demand is from the workers, patients and visitors to the campus. There is no land adjacent to the campus that would adequately serve this need. Locating the MMTS farther from the center of the campus would not serve the needs of the GVI, MOB and SNF. Although the possibility exists to continue to use a remote lot and bus workers to the campus, this does not address the needs of visitors or patients. Furthermore, if the BNMC is not seen as a convenient place to work or visit, companies may bypass the area and locate in other areas. Therefore, locating the MMTS somewhere not on the BNMC would largely minimize the benefits of the MMTS.

There were six alternate locations evaluated in the DGEIS for the location of the MMTS. One location required demolishing the Langston Hughes Institute, which was considered a significant negative impact, and therefore this option has been dropped. However, there are five viable locations in the BNMC – North End under consideration for the MMTS:

- The southwest corner of Goodrich Street and Ellicott Street,
- the southwest corner of East North Street and Michigan Avenue
- the northwest corner of High Street and Michigan Avenue,
- mid-block between Ellicott and North Oak Streets and

- expansion on the City Parking Ramp, located at East North and Ellicott Streets.

All five locations are considered viable for the MMTS.

3.0 Revision

This section presents the revisions to the DGEIS. As site control is still unresolved in regards to the SNF additional detail regarding the analysis of alternatives is included. Since the study area is not being changed, the characterization of the study areas will not require revision. However, the analysis of impacts and proposed mitigations is expanded for the two potential sites for the SNF. None of these revisions or assessments results in a substantive change to the SNF project or analysis.

3.1 Revisions to Text

Skilled Nursing Facility – Project Location

Alternative Location A for the SNF is bound by Michigan Avenue, East North, Maple and High Streets, on the east side of Michigan and the Alternate Location B is on the west side of Michigan, on the site bound by Michigan Avenue, East North and Goodrich Streets.

Land Use and Zoning

Impacts

Planning Framework

If Alternate Location B for the SNF is selected, it will no longer be located in the Fruit Belt Urban Renewal Area; therefore, no residential units will be displaced. Additionally, the abandoned gas station will not be remediated.

Zoning

The Alternate Location B is located in the C-M zoning district. Therefore, rezoning for the SNF would not be required at this site.

Land Use

If Alternate Location B is selected, no residences would be displaced. The current land uses on the site would continue, including parking.

Mitigation

Because there is no significant adverse impact from SNF Location B to Land Use and Zoning, no mitigation is required.

Transportation and Parking

Transportation

Scenarios #1 & #2 assume a curb cut for the SNF opposite Goodrich Street on Michigan Avenue. If the SNF were located at Alternate Location B (aka MMTS Site G), traffic patterns may change based on the location of access to the 75-space parking lot. If there were two access points to the SNF parking lot, one from a service road which connects Michigan Avenue and North Street and the other directly onto North Street, it would be assumed that a certain number of vehicles would still travel the same path as was assumed in Scenarios #1 & #2. Traffic would still most likely travel to the SNF from Michigan Avenue with a small percentage from E. North Street.

In terms of traffic operations, the only intersection that would be affected by an additional curb cut onto North Street would be the intersection of North Street and Michigan Avenue. The existing conditions analyses, as well as the Scenario #1 and #2 results, indicate that there is reserve capacity at North Street and Michigan Avenue. Since the volumes associated with the SNF are low, and the SNF would be replacing 474 parking spaces that currently exist in that location with 75 spaces for the SNF, a minimal impact would be expected here. A more detailed analysis can be conducted when a site plan is finalized for this project to verify.

Goodrich Street will also have two service road entrances from East North Street (See figure in Appendix D). The City of Buffalo Police and Fire Departments submitted letters that access based on this layout is adequate and they had no concerns (See

Appendix F). These entrances are expected to be used to deliver materials to the GVI and Buffalo General Hospital. The traffic impacts of these are expected to be minimal. It is not anticipated to affect the level of service of any intersections. During construction however, all traffic will be routed to the GVI site via Goodrich Street and Michigan Avenue. Access to the GVI property will be access controlled with a gate.

Parking

Impacts

The demand for parking as calculated in the DGEIS is accurate for either proposed location for the SNF. Alternate Location B, for the SNF is an existing parking lot that has capacity for 474 cars. These spaces would be lost due the construction of the SNF at the Alternate Location B. Therefore, the parking deficit for the BNMC, following construction of all of the facilities, would be greater than that determined for Location A (See Appendix C Parking Report Addendum). The deficit would increase to 374-581 parking spaces, depending on the location chosen for the MMTS.

However, it is important to note that the parking analysis was very conservative. In particular, the analysis assumed 4 spaces per thousand square feet of building for UB Clinical Research space. Current UB research space of the campus has a parking demand of 1.33 spaces per thousand square feet of building. Additionally, the Skilled Nursing Facility was assumed to have a parking demand of 210 parking spaces. Kaleida Health, based on experience running Nursing Facilities in the Buffalo area, estimated necessary parking at 75 spaces. The likely realistic needs for parking are overestimated in the parking demand analysis. Therefore, although the parking analysis determined a deficit of 374 to 581 spaces the actual demand and related deficit is likely much lower.

During construction of the GVI, MMTS, SNF and MOB, up to 800 workers will be required if all sites were at peak labor needs at the same time. If the SNF is constructed at Alternate Location B, 474 spaces will be displaced; 312 will be displaced during the construction of the MOB; and 205 would be displaced if the MMTS is built along Michigan Avenue between Goodrich and High Streets. In total, there will be a

displacement of up to 991 parking spaces on the BNMC-North End. Therefore, if the peak of construction for all four structures is simultaneous, up to 1791 parking spaces will be necessary to meet the demand of the BNMC-North End.

The entire BNMC only has a parking supply of 5,553 parking spaces. The need to supply 1,791 parking spaces can not be offset within the BNMC – North End. There are 520 spaces available at the parking lot at 589 Ellicott Street owned by the BNMC. Additional parking to offset the demand created during construction will have to be met off the BNMC. The figure in Appendix D of this FEIS (BNMC Off-Campus Parking and Shuttle Operations) presents parking lots options that are either serviced by the Metro Rail, an existing shuttle or could be serviced by a new shuttle.

Mitigation

To meet the demand of 1,791 spaces during construction and up to 581 spaces following construction, three additional lots will be made available to BNMC workers. First, the 640 space BNMC owned parking lot at 589 Ellicott Street currently has 520 available spaces. This is within walking distance of the BNMC – North End. The BNMC may provide a shuttle service in the future. This lot is also located along UB’s shuttle line. This lot will meet both construction and permanent demand for parking.

Second, during construction, Kaleida Health will partner with Roswell Park to provide off-site parking at HSBC Arena and the shuttle these workers onto the BNMC. Roswell Park currently has approximately 700 spaces available in these lots.

Lastly, an additional 580 spaces are available at Deaconess Health Center. Kaleida will develop a shuttle system which will transport workers between Deaconess and the BNMC. The provision of these two off-campus parking lots and shuttle systems, when combined with the 520 spaces on the BNMC, will provide 1,800 parking spaces during construction, which will adequately cover the maximum potential peak demand of 1,791 spaces.

The BNMC and its partner institutions will continue to try to convert parkers to transit riders. In the past representatives from the Niagara Frontier Transit Authority met with

the Human Resource representatives of BNMC institutions to discuss programs to allow workers to purchase transit passes with pre-tax dollars.

The spaces at 589 Ellicott Street, combined with the Transportation Demand Management Program, the BNMC will be undertaking to convert parkers to transit users and carpoolers, will meet the excess demand of the BNMC – North End following construction of the MMTS.

Utilities

No revisions to DGEIS sections on impacts or mitigations are required based on the evaluation of SNF Alternate Location B.

Visual and Aesthetic Resources

Impacts

Visibility of the Projects from the Fruit Belt and City Honors would be reduced for the evaluation of Alternate Location B for the SNF as compared to Alternate Location A. However, the SNF would no longer act as a transitional structure between the neighborhood and the BNMC. Therefore, the impact of the SNF at the Alternate Location would be considered neutral, as it will not significantly change the existing environment.

Mitigation

As Alternate Location B will not have significant negative impacts upon visual or aesthetic resources, so no mitigation is required.

Historic, Archaeological and Cultural Resources

Impacts

Alternate Location B for the SNF would not have direct impacts upon two National Register of Historic Places – eligible buildings. These structures would not be demolished for the construction of the SNF. Alternate Location B will also eliminate any

indirect visual impacts to four other National Register of Historic Places – eligible buildings.

Mitigation

Because no negative impacts are anticipated to historic, archaeological or cultural resources, from SNF Alternate Location B, no mitigation is required.

Topography, Geology and Soils

No revisions to DGEIS sections on impacts or mitigations are required based on the evaluation of Alternate Location B for the SNF.

Neighborhood Character

Impacts

Alternate Location B of the SNF would have less of a potential negative impact in the Fruit Belt because the site is located on the main portion of the BNMC. However, the beneficial effects of developing the Maple Street block would not be realized with Alternative Location B.

Mitigation

There are no significant adverse impacts anticipated for SNF Alternate Location B. The Project Sponsors should investigate redevelopment opportunities for the Maple Street block if Alternate Location B is ultimately chosen.

Socioeconomics

Impacts

Demographics

Alternate Location B for the SNF will not displace six residential structures, therefore, no significant adverse impacts upon Demographics are expected.

Employment

No revisions to this section.

Taxes

No revisions to this section.

Environmental Justice

Alternate Locations A and B for the SNF are both within an Environmental Justice Area. Alternate Location B would not significantly alter the impacts to the Environmental Justice Population as it is on the BNMC and the land is already in active use. Therefore, the SNF would still be considered to be a net benefit.

Mitigation

Since there are no significant adverse impacts to Socioeconomics associated with SNF Alternative Location B, , no mitigation is required.

Air Quality

The SNF Alternate Location A and MOB will use gas for heat. Based on projected building sizes, neither structure would have a Btu need that exceeds the 10 MMBtu/hr threshold for a State Facility Air Permit. Additionally, the output from using natural gas would have a minimal effect on air quality due to the dense urban development in the area.

Based on the maximum 600,000 sq. ft. build out, the additional heating requirement for the GVI is approximately 38 MMBtu/hr. This additional demand will not require the installation of a new boiler. As with the current steam plant, the new heat demand will be met with natural gas. The most significant emission from the natural gas fuel will from oxides of nitrogen. The addition of 38 MMBtu/hr would result in an additional 9% of the total allowable pounds per year.

If SNF Alternate Location B is selected, this location will also use the existing steam plant. This addition to the steam plant will still be based on natural gas fuel, which is also the fuel source for the standalone heating unit required for SNF Alternate Location A. Therefore there is no net change to the potential air impacts from Alternate Location A to Alternate Location B.

Mitigation

GVI – Additional steam supply needs combined with existing needs must stay within the 190,000 pounds per year allowable emissions of oxide of nitrogen, sulfur dioxide and other State Facility Air Permit requirements.

GVI and SNF Alternate Location B- Additional steam supply needs combined with existing needs must stay within the 190,000 pounds per year allowable emissions of oxide of nitrogen, sulfur dioxide and other State Facility Air Permit requirements.

SNF Alternate Location A, MOB – The heating equipment will consume less than 10 MMBtu/hr. The SNF Alternate Location A and MOB will use best practicable heating and insulation technology thus conserving energy usage and reducing Btu needs.

Solid/Medical/Hazardous Waste

No revisions to DGEIS sections on impacts or mitigations are required based on the evaluation of Alternate Location B for the SNF.

Hazardous and Contaminated Sites

Impacts

Locating the SNF at Alternate Location B will not in of itself have an adverse impact upon Hazardous or Contaminate Sites. However, the benefits of remediating and redeveloping potentially contaminated parcels at 1021-1027 and 1033 Michigan, means a benefit of SNF Alternate Location A will not be realized. Thus, the current owners should investigate and remediate those parcels so that they may be put to a higher and better use and minimize risks associated with the contamination.

Mitigation

As no adverse impacts are anticipated, no mitigation is required.

Public Services

No revisions to DGEIS sections on impacts or mitigations are required based on the evaluation of Alternate Location B for the SNF.

Construction

No revisions to DGEIS sections on impacts or mitigations are required based on the evaluation of Alternate Location B for the SNF.

3.2 Revisions to Figures

Figure 1.5-1, Proposed Project Locations Map of the DGEIS has been revised to more accurately reflect the potential shape of the MMTS at Site B.

A new figure (Site Plan) has been included which illustrates the building footprints if the SNF is located on Alternate Location B and Goodrich Street is abandoned for the construction of the GVI.

A figure (BNMC Off-Campus Parking and Shuttle Operations) has also been added which shows the location of parking options that are available off the BNMC. Each of these options is serviced by transit, a shuttle service or could be serviced by a shuttle.

These figures are included in Appendix D.

4.0 Summary of Comments and Responses

Written comments on the DGEIS were received by the Planning Board through the public comment period, which ended on November 18, 2008. A shorthand reporter transcribed oral comments received at the public hearing held on November 6, 2008 and a certified copy of the public hearing transcript was provided to the Planning Board. The individual written comment submittals are provided in Appendix A in their entirety. The public hearing transcript is provided in Appendix A.

The substantive excerpts of the organized comments were consolidated to prepare for response. Similar comments from multiple individual authors that are duplicative in nature were then grouped together by issue. Full text of the comments is available in Appendix A. Comments submitted in writing are noted with (W) and oral comments submitted during the public hearing are noted with (O).

Comment 1:

City of Buffalo Department of Public Works, Parks and Streets (W)

We believe that all impacts on the transportation, parking and City owned utilities are neutral and are in agreement with DGEIS. Specifically our department is agreeing with regard to abandonment of the City owned Right-of-Way and permanently closing traffic on Goodrich Street between Ellicott and Michigan Avenue. In addition also we agree with the abandonment of Air Rights for the construction of new walkways above Ellicott and Goodrich Street that would facilitate better linking the proposed North End projects.

Response:

Comment Noted.

Comment 2:

City of Buffalo Bureau of Fire Prevention (W)

With the understanding that these campus buildings will be properly protected, the Fire Department is capable of providing service to this site.

Response:

Comment Noted.

Comment 3:

City of Buffalo Department of Police (W)

Our Department supports this development project(s). This project(s) will benefit the citizens of the City of Buffalo, in terms of medical care, as well as economically.

Response:

Comment Noted.

Comment 4:

City of Buffalo Department of Police (W)

The Buffalo Police Department has adequate resources to provide services during the project.

Response:

Comment Noted.

Comment 5:

Erie County Department of Environment and Planning (W)

Tim Tielman (O)

Goodrich Street should not be closed to avoid altering the existing urban street grid. Other means of connecting the proposed Global Vascular Institute to Buffalo General Hospital should be examined. For instance, construct the building above the street or through an overpass.

Response:

The proposed design for the Global Vascular Institute would connect it to Kaleida's Buffalo General Hospital on what is now Goodrich Street. The first floor of this building will be a new expanded emergency room that will service both the GVI and Buffalo General. This portion of the facility requires a ground level connection in particular to facilitate patient transport between the buildings. This connection will also allow for the

efficient delivery of materials, supplies and waste removal on a single level. Further, Goodrich Street is not integral to the overall street grid. This specific portion of Goodrich (between Ellicott and Michigan) is almost entirely used by patients, visitors, contractors and employees of Kaleida's existing facilities on the block. Continued access to these facilities will be provided by a proposed service road.. Additionally, the City of Buffalo Department of Public Works, Parks and Streets concurs with the project benefits of closing Goodrich Street (see Comment #1).

Comment 6:

Buffalo Urban Renewal Agency (W)

It is BURA's understanding that provisions of the Oak Street and Fruit-Belt Urban Renewal Plans must be amended by the City. It is BURA's view that the objectives, scope and nature of both Urban Renewal Plan changes are required components necessary for the successful implementation of the overall project. Therefore, the proposed amendments to the plans, as well as their potential impacts on the environment, should be fully described and addressed in the FGEIS. Discussion of the existing Urban Plans, and all the revisions to them, should probably be contained in the Project Description, Permit & Approval, Land Use & Zoning, and impact sections. In addition, both of the entire Draft Plan Amendments should be included in the FGEIS as two of the Appendices.

Response:

The Project Sponsors have not proposed any revisions to an Oak Street or Fruit Belt Urban Renewal Plans. Any revisions to the existing Urban Renewal Plans would be a City action, independent of the Projects evaluated in the DGEIS and will be reviewed accordingly. Therefore, it is not in the scope of this review to propose or evaluate amendments to these plans.

Comment 7:

New York State Department of Environmental Conservation, Division of Environmental Permits, Region 9 (W)

It was stated on page 2-3 that an abandoned gas station will be removed as a result of the Skilled Nursing Facility construction. A sentence should be added that this is further explained on page 2-44.

Response:

Comment noted. Additional information on the potential removal of contamination is provided on page 2-44 of the DGEIS.

Comment 8:

New York State Department of Environmental Conservation, Division of Environmental Permits, Region 9 (W)

Page 2-41 states "... best practicable heating and insulation technology thus conserving energy usage." Will Green Building principles be considered for construction of the facilities?

Response:

Kaleida Health has committed to using Green building design principles for the design and construction of the SNF and GVI. Ciminelli will design and construct the building to LEED standards. Additionally, Ciminelli will apply for LEED certification.

Comment 9:

New York State Department of Environmental Conservation, Division of Environmental Permits, Region 9 (W)

All construction and demolition activities should be done in accordance with NYS Department of Health and NYS Department of Environmental Conservation regulations.

Response:

Comment Noted. The Project applicants agree and will follow appropriate regulations during construction.

Comment 10:

Erie County Department of Health (W)

The City of Buffalo public water system has very limited storage in its distribution system. The Erie County Health Department is concerned that there is inadequate water available for emergency supply to the existing hospitals. This project proposes a significant increase in patient load to this area. Consideration must be given to the provision of adequate water storage for fire fighting as well as for continuation of

essential services to the hospitals, the skilled nursing facility and the vascular center, which will also house the Emergency Department for Buffalo General Hospital.

Recommended Standards for Water Works (10-State Standards), Section 7.0.1, states: "a. Fire flow requirements established by the appropriate state Insurance Services Office should be satisfied where fire protection is provided. b. The minimum storage capacity (or equivalent capacity) for systems not providing fire protection shall be equal to the average daily consumption."

This expansion should not proceed without an evaluation of the need for emergency water supply and a plan for addressing this need.

Response:

C&S Companies analyzed both system storage and pressure conditions relative to the proposed Projects (Appendix E). They concluded that there was sufficient storage to meet Project demands. With respect to pressure demands, C&S concluded that the use of fire protection pumps, adequate water pressure could be provided for each Project.

Comment 11:

Cynthia Schwartz (W)

Please provide a sequencing of the four projects, with time lines for design development and review, construction start and finish, where staging for construction will take place and plans for absorbing the parking displaced during and, where applicable, after project completion.

Response:

Design for all of the projects is underway. Below is the anticipated design and construction schedule for the projects:

- GVI: Design complete in April 2009; construction starting in April 2009, occupancy expected in October 2011
- MOB: Design complete in March 2009; construction starting in March 2009, occupancy expected in December 2010.

- SNF: Design complete in April 2009; construction starting in April 2009, occupancy expected in September 2010.
- MMTS: Design complete in April 2009; construction starting in April 2009, occupancy expected in September 2010.

The construction management plan that will be submitted will include details regarding the locations of construction staging and parking displacement during construction.

Comment 12:

Steve Macke (O)

Denise Wiggins (O)

Phyllis Wiggins (O)

There are concerns regarding the negotiations of purchase price of properties for the SNF at Michigan Avenues, East North, Maple, and High Streets.

Response:

Comments noted. However, this is part of the private real estate negotiations and not subject to review under SEQR.

Comment 13:

Tim Tielman (O)

We object to the preferred location of the Skilled Nursing Facility due to potential adverse impacts on National Register Eligible structures, including direct and indirect impacts.

Response:

The DGEIS notes that the “preferred” SNF location is on the east side of Michigan Avenue. This location was deemed to be preferred as it would:

- provide for a design that is more residential in feel
- provide enough land to create a low rise structure (four stories) that would create a visual buffer to the adjacent BNMC buildings, and

- help remediate a former abandoned gasoline station site on the block.

However, this location would require the removal or demolition of two NRHP-eligible structures. Based on the analysis of the structures provided in the DGEIS and the proposed mitigation, it was determined that the benefits from the location of the SNF did outweigh the potential direct historical impacts.

This FGEIS however, has also provided additional assessment of the alternate location for the SNF, the west side of Michigan Avenue at East North Street. This location for the SNF adjacent to existing mid-rise buildings of the BNMC would negate its potential visual impact to the adjacent neighborhoods. This location would eliminate direct impacts and reduce indirect impacts to National Register -eligible structures.

Comment 14:

Tim Tielman (O)

Daniel Sack (O)

The Skilled Nursing Facility should be located on Main Street and Goodrich to achieve spin-off.

Response:

The property on Main and Goodrich is inappropriate for a residential treatment facility. Furthermore, to accommodate the residential feel of the SNF preferred by the New York State Department of Health; the available sites on Main Street are too small for the building and its integral greenspace. The City is also seeking further commercial development along this portion of Main Street, to be consistent with surrounding uses.

Comment 15:

Tim Tielman (O)

Nate Neuman (O)

Additional parking if needed should be built up on the existing parking ramp site. The ground level design of this facility should be improved.

Response:

Comment noted. Multiple locations are under consideration for the new MMTS. Factors that are being considered for the siting of the MMTS include land control, cost and accessibility. However, the existing City Ramp was not designed to accommodate additional floors and therefore would not be a cost effective site. The physical design of the structure, regardless of location, will be part of the site plan review by the City of Buffalo.

Comment 16:

Tim Tielman (O)

There is an opportunity to reopen Elm Street between Goodrich and North Street, to get rid of one of the superblocks in the area.

Response:

Elm Street does not connect to the Project area. Therefore, this connection is not possible as part of the Project under review.

Comment 17:

Tim Tielman (O)

Sky bridges are bad for urban life.

Response:

It is acknowledged that sky bridges (overhead walkways) do remove pedestrians from the street. However, in the case of connecting medical facilities, the value of facilitating the movement of patients, doctors, staff and materials between facilities outweighs any potential urban design impacts. Additionally, since access to the GVI will be restricted, as it is to all modern medical facilities, this walkway will not remove a significant number of pedestrians from the street.

Comment 18:

Tim Tielman (O)

There did not seem to be a discussion regarding parking demand management. Is the plan to give away free parking thereby increasing demand? The best way to control demand is by market pricing of parking.

Response:

A transportation demand management program was discussed in Section 2.2.2 Parking of the DGEIS. The MMTS will charge for parking at market rate.

Comment 19:

Daniel Sack (O)

Nate Neuman (O)

The project is not truly mixed use as there is no residential component. Residential should be incorporated into the project.

Response:

Strengthening the medical services available on the BNMC without including residential development is appropriate. However, residential development is both outside of the capabilities of the project sponsors and outside of the purpose and need for which the Projects are designed. Therefore, the inclusion of residential into the Projects was not evaluated. It is hoped however, that the increased density of medical and research professionals will lead to additional residential developments by other developers in areas adjacent to the BNMC.

Comment 20:

Nate Neuman (O)

Tim Tielman (O)

Daniel Sack (O)

Due to the proximity of rail stations, transit oriented development should be occurring.

Response:

Nothing in the Projects is contrary to Transit Oriented Development (TOD). The location of places to work near transit is consistent with TOD. The proximity of the transit locations has reduced the parking demand of the area.

Comment 21:

Nate Neuman (O)

Main Street is the heart of the area. The unifying street between east and west and this must be kept in mind for future development.

Response:

Comment Noted.

Comment 22:

Tim Tielman (O)

Any building that goes into the area should have a permeable (transparent) ground floor so people can see and observe. This type of design increases the feeling of safety people who visit an area have. This could include semi-public functions such as dining.

Response:

Comment noted. The design of the Projects has not been completed and visual impacts were assessed based on building height and other conceptual aspects as part of the DGEIS. However, it is unrealistic to incorporate largely transparent ground floors on medical facilities where patient privacy is of utmost importance. Interaction between the built environment and the immediate neighborhood will be reviewed as part of the Site Plan review process conducted by the Planning Board. There will be an additional opportunity for public review and comment at that time.

Comment 23:

Tim Tielman (O)

Daniel Sack (O)

The Skilled Nursing Facility should be designed to resemble an apartment building.

Response:

Comment noted. The design of the Projects has not been completed and visual impacts were assessed based on building height and other conceptual aspects as part of the DGEIS. Physical design will be part of the Site Plan review by the Planning Board. There will be an additional opportunity for public review and comment at that time.