

Our ref: 11109380

August 23, 2021

Jane Rice, Chairperson  
Planning Board  
Village of Fayetteville  
425 East Genesee Street  
Fayetteville, New York 13066

**SEQRA Draft Scoping Document- Preliminary Review  
547 East Genesee Street - Proposed Mixed - Use Development  
Proposed Grocery Store, Proposed Seniors Facility, and Proposed Commercial Building  
Applicant: Millstone Development Group, LLC  
Village of Fayetteville, New York**

Dear Ms. Rice:

Per Village request, we performed an initial review of the SEQR Draft Scoping Document documents provided to us by the Village of Fayetteville. This letter is being provided to present our initial comments to date, based on our review of the submitted documents listed below:

Table 1 Submitted Documents

Item	Date	Preparer
Cover Letter	June 28, 2021	Napierala Consulting
Draft Scoping Document, and attachments	June 2021	Milestone Development Group, LLC
Full Environmental Assessment Form- Part 2	February 1, 2021	Village of Fayetteville Planning Board
Full Environmental Assessment Form- Part 3, with Board Resolution	February 1, 2021	Village of Fayetteville Planning Board

## Introduction

At the May 4, 2020 Planning Board Meeting, the Planning Board went through Part II of the SEQR Environmental Assessment Form (EAF) for the proposed project and had determined, as a Board, that nine (9) of the overall eighteen (18) areas in the EAF have potential impact under Part II of the EAF as follows;

(1) Impact on Land (2) Impact on plant & animals (3) Impact on Historic & Archeological Resources (4) Impact on Transportation (5) Impact on Energy (6) Noise, Odor, Light (7) Human Health (8) Consistency with Community Plans (9) Consistency with Community Character.

At the June 1 2020 Planning Board Meeting, review of Part II of the SEQR EAF by the Planning Board determined that questions 17 & 18 of the Part II EAF were in particular concern to the Planning Board as follows: 17. 'Consistency with Community Plans', and 18. 'Consistency with Community Character'.

On February 1, 2021, the Village of Fayetteville Planning Board, acting as Lead Agency, determined that the proposed development to be located at 547 East Genesee Street is a Type 1 Action and may have a significant impact on the environment and issued a Determination of Significance for a Positive Declaration, requiring the development of an Environmental Impact Statement.

Since this determination was made by the Planning Board, the Applicant (Millstone Development Group, LLC) has prepared and submitted a Draft Scoping Document, to generally identify the topics for inclusion in the Draft Environmental Impact Statement (DEIS). The intent of the Draft Scoping Document is to set forth the content of the DEIS that the applicant shall prepare for the proposed 547 East Genesee Street Development. The Scoping Document provides a general description of the proposed action, an overview of the SEQR process, discussion of the potential significant adverse environmental impacts that have been identified through the scoping process that must be addressed by the applicant in the DEIS, the extent of information needed to adequately address each impact, initial identification of mitigation measures, reasonable alternatives to be considered, identification of information to be included in the appendix of the DEIS, and issues and concerns raised during the scoping process that are determined to be not relevant or not environmentally significant.

GHD had previously performed initial reviews of the preliminary site plan submission documents for the proposed development and is familiar with the proposed project. We note the proposed site plans have been revised since our last review.

Below are our cursory review comments and proposed items that have merit to be further identified, expanded upon, and addressed in the Final Scoping Document and draft DEIS. Our review of the Draft Scoping document was primarily focused on the site, stormwater, environmental, and traffic impacts, and should be considered when developing the Final Scoping Document.

#### 1. Overall Site Plan

- a. The site plan concept for the proposed development has been revised since the April 23, 2020 version. Mixed-Use development is still being proposed, based on overall site plan SK-32, dated June 24, 2021, titled 'Tenant Preferred Option# 3'. Summary of revisions are discussed below.
- b. The proposed grocery store was reoriented, and the front of the store now faces south-easterly direction, with an increased set back from the westerly property line. The proposed building size is still 56,550 square feet, and the proposed access drive and parking lot layouts were changed to accommodate these revisions.
- c. The proposed seniors' facility was also reoriented, reconfigured, resized, and the front of the building still faces the west. The proposed building area decreased from 42,750 square feet to 40,000 square feet, is a two-story structure, and the access drives and parking lot layout were revised to accommodate these changes.
- d. The proposed location and size of the proposed commercial building along Route 5 has essentially remained unchanged. The access drive and parking lot layout for the proposed commercial building were also revised to accommodate these changes.
- e. The proposed site access drive on the east side of the property has been changed. New turning lanes and a traffic light are still being proposed on NYS Route 5 to serve the grocery store access drive.
- f. There is no proposed development in the back (residential) vacant parcel. This area is proposed to be dedicated to the Village of Fayetteville as Park Land or Passive Recreation.
- g. Site Stormwater Management Areas have been totally revised to adjust for the revised overall site plan.

- h. Planting plans have been revised based on the newly proposed site plan.
- i. No lighting plan was provided with submission documents.

## 2. Physical Setting

- a. The existing site (parcel) is approximately 31-acres in area and currently includes a 120,000 square foot metal-sided, flat roof industrial building that was formerly used for a precision machining tool facility. The building is located about 220-feet north of NYS Route 5 (East Genesee Street). The southern property line is the only border to a public right-of-way and is essentially the parcels roadway frontage to NYS Route 5. Mature trees outline much of the west, east, and northern property lines of the parcel. Open space within the parcel includes asphalt access drives on the west and east sides of the parcel, and parking lots in the front and rear of the building. The current site also includes a lawn area between the building and Route 5.
- b. The site was a former industrial site and has been vacant since 2012. The proposed development is bordered by existing residential areas on the north, east and west side of the parcel, and commercial area along the south side of the parcel. The northern border of the site is adjacent to a vacant parcel, that is currently zoned residential (R-1), which is proposed to be dedicated to the Village for park land or passive recreation, per revised site plan SK-32.
- c. The site is a Brownfield Site. Any future disturbance to the property will require a NYSDEC approved Remedial Action Work Plan and implementation and oversight during construction of the development and post development.

## 3. Regulatory Approvals

- a. The list provided appears to include all necessary regulatory approvals for the proposed development.
- b. Proposed site plan includes alterations to NYS Route 5 roadway, which in general includes widening of Route 5, new eastbound left turning lane, dual exiting lanes from the proposed development site, signalized pedestrian crossings, a traffic light, and a proposed access drive along Route 5 to serve the Seniors Facility. The geometry of the proposed driveway entrances needs to consider tractor-trailer turning radius requirements. The NYSDOT typically issues Highway Work Permits based on approved plans and specifications of the roadway changes. The applicant should confirm in the DEIS that the proposed roadway/driveway entrance plans were prepared to address NYSDOT Traffic Mitigation requirements and will ultimately require final approval from NYSDOT. If the final design plans and specifications for the roadway changes/driveway entrances are not ultimately approved by NYSDOT; this would have significant affect/impact on the entire proposed development.

### Existing Conditions, Assessment of Potential Impacts and Mitigation Measures

The draft DEIS should consider the following:

- a. **Land:** Use of the land would substantially change from its current use (vacant). Proposed use of the site should take into serious consideration that residential properties exist adjacent to and near the site, and the site is Brownfield. Land disturbances during construction should be kept to a minimum considering it's a Brownfield site. Earthen mounds and plantings around the perimeter of the site should be considered to help screen the site, year around, and help with noise and lighting pollution.
- b. **Stormwater Management:** The revised proposed overall site plan has significantly changed since our last review, including the layout (plan) of the stormwater management system. An updated draft SWPPP should be provided with the DEIS. These will help with future reviews, provide assurance that the proposed post construction stormwater facilities can properly manage and mitigate stormwater generated by the revised proposed development. Erosion and Sediment control measures to be used during construction of the development should also be discussed in the DEIS. Proposed stormwater management systems should also be coordinated with approved Remedial Work Plan.

- c. Natural Resources (Plants and Animals): Assure that proposed development will not have significant negative impact on any plants or animal in the project area. Mitigation measure shall be indicated, should negative impacts be identified in DEIS. Applicant indicates that an assessment of potential impacts to Green Lakes State Park will be performed as part of the DEIS.
- d. Aesthetic Resources: Proposed development would significantly change the character of the site as it currently exists. New structures should consider architectural features, colors, and textures that blend in with the existing character of the Village's environment. Proposed site layout should consider the characteristics of Genesee Street including the physical presence of (existing) structures to NYS Route 5 or Genesee Street. Proposed signage should be discussed in the DEIS too. Visual impacts to the Village's streetscape should be carefully considered. Potential use of the vacant property currently zoned as Residential R-1 (located north of the proposed development parcel) as a multi-use trial system could help mitigate any adverse environmental impacts identified in the DEIS.
- e. Historic and Archeological: New structures should consider architectural features, colors, and textures that blend in with the existing character of the Village's environment. DEIS should solicit a review and response from NYS OPRHP for the proposed project. Based on these results, appropriate mitigation measure shall be discussed in DEIS, if any exist. Applicant indicates that an assessment of potential impacts to Green Lakes State Park will be performed as part of the DEIS.
- f. Traffic and Transportation: Proposed development will generate additional vehicular traffic in the Village on NYS Route 5, and within the site. Grocery/retail store customers, staff, deliveries from suppliers/vendors, and solid waste removal companies will all need to access the proposed development from NYS Route 5. The Seniors Center will also generate traffic from members, visitors, staff, care providers, and suppliers/vendors. Vehicular traffic to and from the site would include vehicle types such as cars, trucks, vans, tractor trailers, maintenance vehicles (i.e., for landscape, snow plowing, building maintenance), solid waste haulers, and emergency response vehicles (i.e., police, fire, ambulatory vehicles).

DEIS should provide discussion on the movement of such vehicles to/from the site and within the site. The proposed development requires logistical support for many of its proposed uses, types of vehicles and volumes, at any given point in time throughout the year. DEIS must discuss and address any potential adverse impacts that may be generated as a consequence of activity necessary to serve, support, and maintain the proposed development.

The Final SEQR Scoping Document should consider more detailed proposed design plans and specifications for re-construction of Route 5 and access drives that boarder Route 5 to assure there is enough area available to design and construct the proposed and required roadway changes and features.

- g. Energy: Proposed development will consume energy to support building and site systems such as heating, air conditioning, refrigeration, freezing, security, lighting, etc. The DEIS should estimate the proposed project's energy needs and determine if any upgrades to the existing energy infrastructure (i.e., electric, gas, etc.) will be required to support the proposed development. Underground energy utilities should be considered to serve the site to help with project aesthetics and safety.
- h. Noise, Odor, and Lighting: Given the size, nature, and character of the proposed development, the three elements of noise, odor, and lighting require significant consideration and thorough discussion in the DEIS, as they are all contributing environmental factors that affect the Village, and most specifically neighboring residents, from many different aspects. DEIS must discuss and address any potential adverse impacts regarding noise, odor and lighting that may be generated as a consequence of activity necessary to serve, support, and maintain the proposed development.

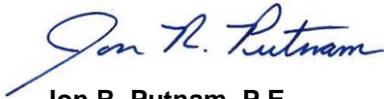
The proposed DEIS Table of Contents appears complete. Action Alternatives may be developed during reviews of the DEIS document.

The above comments are made in consideration of the Planning Board's need to review the Draft Scoping Document, and are primarily associated with site, environmental, and stormwater impacts associated with the proposed development. We suggest the Village Planning Board consider the above comments during review of the Draft Scoping Document, as prepared by the Applicant, and for development of the Final Scoping Document.

Based on the information we have been provided to date, we believe there are reasonable and feasible alternatives that can be developed during development of the DEIS that can help mitigate any or all potential adverse or negative impacts identified by the Planning Board, which can be cooperatively resolved through the review process of this development.

Should you have any questions or would like to discuss in further detail, please do not hesitate to contact me.

Regards,



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Project Manager

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Copy to: The Honorable Mark Olson, Mayor, Village of Fayetteville  
Mike Jones, Village of Fayetteville