

**DRAFT ENVIRONMENTAL IMPACT STATEMENT**

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# Fishers Ridge

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**NYS Route 96  
(at Lane Road and NYS Route 251)  
Town of Victor, Ontario County**

**Lead Agency:** Town of Victor Planning Board  
Town of Victor  
85 East Main Street  
Victor, NY 14564

**Contact Person:** Katie Evans, Director of Development  
Telephone (595) 742-5035

**Prepared By:** Frank Sciremammano, Jr, PhD, PE  
F-E-S Associates  
18 Glenhill Drive  
Rochester, NY 14618

Costich Engineering – Site Engineering  
Terrestrial Environmental Specialists, Inc. – Wetlands and Wildlife  
Rochester Museum & Science Center – Cultural Resources  
Tierney Geotechnical Engineering – Geotechnical Review  
Bergmann Associates – Visual & Traffic Impact Assessments

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## 1 Summary of Statement

This Draft Environmental Impact Statement (DEIS) has been prepared in accordance with the requirements of the New York State Environmental Quality Review Act (SEQR) and its implementing regulations found at 6 NYCRR Part 617. The content is as specified by the Scoping Outline for the Fishers Ridge project adopted by the Town of Victor Planning Board, acting as Lead Agency, and dated February 12, 2008.

The Fishers Ridge project is a mixed residential-commercial development proposed for a 95 acre site in the Town of Victor, Ontario County, NY. The site is located on the north side of NYS Route 96, approximately 1.5 miles south of its interchange with the NYS Thruway (I-90) and approximately 1.0 mile north of the Village of Victor.

Fishers Ridge is anticipated to be developed in three phases. Phase I consists of a 132,200 square foot retail sporting goods anchor, Bass Pro, with an attached 17,400 square foot restaurant, mass grading of the entire site, installation of the stormwater management system, the construction of access roads and the installation of utilities, sidewalks and landscaping supporting the first phase development.

Later phases of the project will consist of a 200-room hotel adjacent to the Bass Pro location, the mixed-use Town Center in the central portion of the site, a multi-family residential complex on the western side of the site, and several out parcels located near the Route 96 frontage on the southern side of the site.

The Town Center will be the heart of the Fishers Ridge community. Current planning calls for approximately 248,200 square feet of retail/restaurant uses, approximately 134,300 square feet of office/fitness space and 160 rental, residential units. The Town Center commercial core will consist of two story buildings located along heavily landscaped, urban scale roadways and promenades. To the west of the Town Center is proposed a multi-family residential complex containing 250 dwelling unit in several 3-story buildings with a combination of underground and

surface parking. Seven separate out parcels, totaling approximately 35,300 square feet, are planned to be developed near the Route 96 frontage on the southern portion of the project site. Access to the out parcels is proposed from within the internal project roadways.

In summary, the analysis of potential environmental impacts that may result from the project concluded that:

#### Geology, Soils and Topography

Unavoidable impacts with respect to soils and topography due to the proposed project area as follows:

- Grading of the site will result in the removal of vegetation and re-grading of approximately 86 of the 95 acres on the property.
- The grading will result in cuts and fills of up to 20 feet in some locations.
- The re-grading will change the visual appearance of the site resulting in softer, more curvilinear and more naturally appearing landforms than exist on the property due to past mining activities.
- Due to the site soils and topography, mitigation measures to avoid and minimize soil erosion and resulting downstream sedimentation will be critical. With the inclusion of such measures, designed and implemented specifically to address issues at the site, no significant erosion and sedimentation impacts should occur.

It is concluded that no significant impacts to off-site areas due to geologic, soil or topographic conditions will result from the proposed project

#### Surface and Groundwater Resources

Impacts due to changes in the site's surface and groundwater conditions include an increase in the total volume of runoff from the property and some degradation in runoff water quality. However, the stormwater management system designed for the site meets or exceeds the latest

NYS standards for both water quantity and water quality mitigation, including the newest green infrastructure standards. Given this, it is concluded that the proposed project will not result in any significant off-site impacts related to storm peak flow rates, stormwater volumes or stormwater quality. Thus water quality, flow conditions and associated habitats for downstream water and wetland areas should remain essentially unaffected by the proposed development.

It is concluded that impacts from the Fishers Ridge development related to surface and groundwater resources will be mitigated to maximum extent feasible and practicable.

#### Terrestrial and Aquatic Ecology

Project impacts will include the loss of approximately 84 acres of existing open field, shrubland and wooded vegetation on upland areas, 1.71 acres of low quality wetland and 3,179 linear feet of intermittent stream. The upland habitats on the project site are considered common and abundant in this region and the loss will not be significant either locally or regionally. The wetland losses will be mitigated through the preservation of 9 acres of wetland/intermittent stream corridor and in the creation and enhancement of wetland and stream habitats at an offsite location through the mitigation requirements under the Army Corps of Engineers regulatory program.

#### Historic and Cultural Resources

No archaeological or historic resources were identified on the project site. Thus, development of the property as proposed will not result in any potential impacts to such resources. The project sponsor continues to work with Victor Hiking Trails, Inc. to assure the continuity and public use of the Seneca Trail hiking trail in this area. In addition, Bass Pro has a policy of incorporating local historical and environmental themes into its store designs and motifs. Therefore, signage and displays at the Bass Pro shop, and throughout the remainder of the site, will incorporate appropriate reference displays and materials honoring the Seneca Trail, the Seneca presence in

the area, and the expedition of Denonville, which is reported to have passed through the site area in 1687.

### Air Quality

The potential for significant air quality impacts from the proposed development is small even without any mitigation measures in place. Mitigation and avoidance of even the small impacts will be achieved through the use of erosion control and land stabilization methods during construction, the location of loading docks well away from property lines abutting sensitive receptors, and the enforcement of the legal ban on the idling of delivery trucks. In addition, since the Fishers Ridge project is of a mixed residential/commercial nature, total vehicular trips and associated air emissions normally associated with either use alone will be reduced as services to residents will be within walking and biking distances.

It is concluded that given the nature, size and location of the proposed project, no significant air quality impacts are expected to result from its development or operation.

### Aesthetic Resources

An extensive analysis and assessment of visual impacts has been completed for this DEIS including viewshed analyses, cross-sections and detailed photo-simulations. It is found that the proposed Fishers Ridge development will result in potentially significant, unavoidable visual impacts only for viewers traveling along the adjacent transportation corridors and especially for those traveling along NYS Route 96. However, even for the Route 96 area, views of the site will generally consist of the lower tier of the development with smaller outparcels separated by landscaping and open space. This portion of the project will be visually consistent with the existing commercial character of NYS Route 96 in the area and, thus, the visual impact will not be severe. Motorists traveling the NYS Thruway will also have visibility into the site, with the proposed hotel and retail anchor visible as motorists pass the site. Due to travel speeds on the

Thruway, driver attention will generally not be toward the site and visual impacts will, therefore, not be significant.

Except for motorists traveling the adjacent roadway corridors, the only other viewers that will have visibility into the project site are the residences and yard areas along Ashford, located north of the site and across the NYS Thruway. Visual impacts from this area will be moderate, being mitigated somewhat by the distance from the site, the fact that the viewers will be separated from the project location by approximately six lanes of high speed, limited access highway, and the change in grade from the viewing area to the project site.

### Transportation

A comprehensive traffic impact evaluation, included a detailed analysis of twelve intersections in the site area, has been conducted for the project. The traffic impact evaluation recommended the following mitigation measures be implanted:

- Signal retiming is recommended at the intersections of NYS Route 96 and Main Street Fishers.
- A second northbound and southbound lane should be added to NYS Route 96 through the immediate project area, from Omni Tech Driveway to Lane Road. This is a widening of the existing 3 lane section between Omni Tech and the northerly Fishers Ridge Entrance/Exit to 5 lanes, two lanes in each direction with a center left turn lane. Between the northerly entrance/exit and Lane Road it is a widening of 4 lanes to 6 lanes, two lanes in each direction with dual left turn lanes.
- Additional turning lanes should be added to the intersection of NYS Route 96 and Victor Mendon Road (Route 251) to accommodate the new approach, the southern site driveway. On NYS Route 96: one northbound right turn lane and two southbound left turn lanes are recommended. On Route 251: two left turn lanes, one through lane and one right turn lane is recommended, basically a widening of the approach for two exclusive left turn lanes. Four exit lanes are recommended for the south Fishers Ridge

driveway exit consisting of two left turn lanes, one through lane and one right turn lane. On the Fishers Ridge entrance two lanes are recommended to accept the double left turn lanes from NYS Route 96.

- The proposed NYS Route 96 traffic signal at the northern site driveway should be coordinated with the signal at Victor-Mendon Road (Route 251). Two exclusive southbound left turn lanes are recommended at the north driveway with a protected only phase. On the Fishers Ridge driveway exit: two exit lanes are recommended, one left turn lane and one right turn lane. On the Fishers Ridge driveway entrance: two enter lanes are recommended to accept the double left turn lanes from NYS Route 96.
- Addition of a right turn lane on Lane Road is recommended so motorists turning right onto NYS Route 96 north do not have to wait for queued left turn vehicles.
- Traffic flowing on NYS Route 96 through the Village of Victor, approximately 30% of the peak period flow, contributes to the delay and backups that are experienced. Although there is an alternate route by using the New York State Thruway between exit 44 and 45, some motorists choose not to use this route. As traffic flow continues to grow by normal background growth and development, this delay will increase. Since the Village is developed, installation of additional through lanes on NYS Route 96 would not be a considerable option. A possible mitigation measure would be to work with the New York State Department of Transportation to install real time traffic measuring devices on NYS Route 96 that would indicate actual delay and adjust traffic signal timings real time based on this delay. While this can help to reduce delay, it will not be the answer to reducing through traffic. A possible solution would be to install real time traffic message signs on I-490 approaching the NYS Route 96 exit and on Route 332 approaching NYS Route 96. These signs would be based on real time traffic delay measured in the Village of Victor and can display a simple message indication to drivers of the congestion conditions in the form of colors: RED - Long Delays, Yellow - Moderate Delays, and Green – Short Delays. The ultimate goal would be that when the sign showed Red or Yellow, motorists would divert to the Thruway to bypass the Village. As a mitigation measure it is recommended that this be pursued with the New York State Department of Transportation.

With implementation of the recommended mitigation measures, the following impacts are expected from the project:

**NYS Route 96 and Main Street Fishers** – Proposed balancing of traffic signal green by phase is expected to achieve better overall operation. During the AM peak hour the overall intersection LOS is mitigated to operate at LOS D as compared to LOS E without mitigation and the northbound through/through-right movement and approach are mitigated to LOS D. The southbound through movement and overall approach are mitigated to LOS C and LOS B, respectively. During the PM peak hour the overall intersection LOS remains at LOS F, however the average delay improves from 257 seconds to 91 seconds. Similar to the AM peak hour results, reduced delays for Route 96 are expected with the balanced signal timing splits. During the mid-day peak hour the northbound and the southbound delays are reduced, improving service levels to LOS D or better for the Route 96 movements in conjunction with a marked overall improvement from LOS F to LOS D.

**NYS Route 96 and Omnitech Driveway** – During the AM peak hour no change in LOS is expected from the proposed project. During the PM and Mid-day peaks, long delays are expected on the Omnitech exit without a traffic signal, but signalization is expected at this intersection by the development owner at such time as delays require and NYSDOT approves.

**NYS Route 96 and Rowley Road** – During the AM peak hour the westbound approach is mitigated to LOS D and the southbound left movement is mitigated to LOS B. During the PM peak hour the westbound approach is mitigated to LOS E and the southbound left movement is mitigated to LOS C. During the mid-day peak hour the westbound approach is also mitigated to LOS E and the southbound left movement is mitigated to LOS B. All other movements and the overall approach LOS operate at LOS A.

**Route 96 at Proposed North Driveway** – During the AM peak hour the northbound approach is mitigated to LOS A. The overall intersection LOS is mitigated to LOS A from LOS E without mitigation. During the PM peak hour the northbound approach is mitigated from LOS F to LOS B. The LOS F projected for the southbound left and through movements is mitigated to LOS D

and LOS A, respectively, while the southbound overall approach is mitigated to LOS B. The overall intersection LOS is mitigated to LOS B from LOS F without mitigation. During the mid-day peak hour the Route 96 approaches are mitigated from LOS F to LOS C in each direction. The overall intersection LOS is mitigated to LOS C from LOS F with no mitigation.

**NYS Route 96 and Victor-Mendon Road Route 251 with the Fishers Ridge driveway –**

During the AM peak hour the overall intersection is mitigated to operate at LOS C from LOS F without mitigation. The eastbound left movement is mitigated to LOS D and the northbound through movement and approach are mitigated to LOS B. All movements and approaches operate at LOS D or better during the AM peak hour. During the PM peak hour the overall intersection is mitigated to LOS C as compared to LOS F without mitigation. All movements and approaches are mitigated to operate at LOS D or better with the exception of the eastbound through, westbound left/left, northbound left, and southbound left/left movement which will operate at LOS E. All approaches are projected to operate at LOS D or better during the PM peak hour. During the mid-day peak hour the overall intersection is mitigated to operate at LOS D as compared to LOS F with no mitigation. The westbound left movement and approach operate at LOS E and LOS D, respectively. The northbound through movement and approach are mitigated to LOS D and the southbound left and through movements are mitigated to operate at LOS E and C, respectively. All other movements and approaches operate at LOS D or better with the exception of the eastbound through movement which will operate at LOS E.

**NYS Route 96 and Lane Road** During the peak hours, the delays on the westbound approach are reduced by adding lane capacity. The addition of lanes on Route 96 provides improved capacity and a right turn lane is recommended so motorists turning right onto Route 96 north do not have to wait for queued left turn vehicles. This is expected to alleviate congestion on Lane Road.

**Route 96 Signals in the Village-** Real time signal timing is recommended at the traffic signals in the Village of Victor; at High Street, at School Street, and at Maple Avenue. Signal synchronization within the Village of Victor, with coordination of the signals and a link of these signals to the Regional Traffic Operations Center (RTOC) for real time monitoring, has been

discussed for some time. In general the proposed signal timing plan would add more delay for movements with the least volume in order to improve traffic movements with the highest volume for the Village corridor signals. The proposed retiming will result in an overall benefit by providing optimum operation.

**Route 96 Intersection at Lynaugh Road** – The Synchro analysis shows poor LOS F for Lynaugh Road. SimTraffic indicates/predicts less delay and better LOS, but it is still poor. Expected delays are lengthy, but installation of a traffic signal could have negative impacts and encourage commuters to use Lane Road and Lynaugh Road, local roads.

**Lane Road at Church Street** –Synchro indicates LOS F for Lane Road during the PM and midday peaks. SimTraffic indicates less delay and better than acceptable LOS.

**Lane Road at High Street** – Synchro indicates LOS F at this intersection during the PM peak. SimTraffic indicates less delay and better than acceptable LOS.

**High Street at Willowbrook Road** –Synchro indicates LOS F for Willowbrook Road during the PM peak. SimTraffic indicates less delay and better than acceptable LOS.

**High Street at Gillis Road** –Synchro indicates LOS F for Gillis Road during the PM peak. SimTraffic indicates less delay and better than acceptable LOS.

### Energy and Utilities

Energy needs for the proposed development will be supplied by private suppliers and any upgrades to the electrical or natural gas delivery system in the immediate project area will be made by the energy supplier and/or the project developer. Adequate energy supplies to meet the anticipated project demands are available.

The proposed project could connect to the two existing 8” diameter dedicated Town of Victor

sanitary sewers located on the site's Route 96 frontage. However, as suggested by the sewer district, an alternative connection to an 8" sewer located on Aldridge Road is being investigated. Access to this location via High Street appears feasible with the construction of a pump station and force main to service the new development. The pump station would be constructed at the lower elevations of the Fishers Ridge Development, allowing all of the flows generated to be collected and conveyed to the Aldridge Road sewer. The developer is working with the sewer district and town engineer to see if the proposed pump station can be designed to accommodate all of the proposed sanitary loads from the Fishers Ridge development plus any potential future flows from undeveloped lands in the site vicinity while alleviating any existing capacity issues. The Farmington Water and Sewer District has indicated that the existing wastewater treatment facility has sufficient capacity to service the additional flows expected from the Fishers Ridge project.

An existing 12" diameter dedicated Monroe County Water Authority (MCWA) water main is located on the north side of Lane Road. Test data indicates it is adequate to meet the project demands.

It is concluded that no significant impacts related to energy or utilities will result from the project.

#### Noise and Odor

No significant noise or odor impacts are expected due to the proposed development. Potential noise and odor producing uses are planned to be located well away from adjacent residential areas and will be shielded by topography and vegetation.

While impacts are projected to be insignificant based upon the current project plan, the developer has committed to a noise performance standard of no more than a 3 dBA increase at any adjacent residential lot line. Additional mitigation measures, including earth berms or noise barriers, will be incorporated into future phases if changes to the project result in noise levels above the 3 dBA

threshold at adjacent residential lot lines.

### Public Health

As with any private development, the project owner/operator will have the responsibility for sanitation, including providing for trash cleanup and disposal. All public areas will be provided with refuse containers at the project sponsors expense. The owner/operator will assure that internal roadways and parking lots are regularly swept and cleaned and that snow plowing is done during the winter months. The owner/operator will also assure that all outdoor areas and proposed landscaping are maintained.

All wastes generated within the development will be stored in a sanitary manner that will not create public health or safety issues. The majority of waste generated at the retail and office facilities will be cardboard, paper and glass, which will be recycled. The relatively small amounts of food and other non-recyclable waste from proposed residential units and restaurants will be stored in closed dumpsters at locations screened from public view. A local trash hauler will be hired to empty the dumpsters on a regular basis so trash is never stored onsite for extended periods of time. With proper maintenance and waste disposal practices in place, no adverse impacts to public health or safety are anticipated.

An emergency services access plan for the project site has been developed to accommodate fire trucks, police, and other emergency vehicles entering from NYS Route 96. Proposed traffic mitigation measures will alleviate impacts due to traffic generated by the project as well as mitigating some existing and projected future traffic problems in the project vicinity. As a result, impacts to police, fire, and emergency service response time are not expected to occur as a result of the proposed development.

With implementation of all mitigation measures, no significant unavoidable impacts related to public health and safety are anticipated from the proposed development.

### Growth and Community Character

With respect to zoning and land use, all commercial uses proposed for the project are permitted under the current commercial/light industrial zoning of the property. However, to meet the existing need for work force housing in the Town of Victor and to create a new planned walkable community, housing is incorporated into the project. Residential uses are not permitted under the current zoning of the site. The applicant is committed to working with the Town of Victor to determine the best way to pursue the inclusion of the housing and may seek a rezoning of the property to Planned Development (PD) in the future to allow the housing component. At present, only approvals for Phase I of the project, the Bass Pro retail anchor, are being requested and this use is a permitted use under the current zoning.

In terms of impacts to the immediate surrounding neighborhood, the project site lies at the southeastern edge of a commercial/light industrial zone, between two major transportation corridors, and on the Route 96 retail/commercial corridor. The proposed mix of residential and commercial uses will provide a transition from the more intense light industrial uses located east of the site to the existing residential area along Lane Road. The proposed uses are less intensive than those that are permitted under the current site zoning and, when combined with the large setback and extensive undisturbed buffer area, will protect and preserve the residential uses along Lane Road as well as those that may be developed in that area in the future.

The proposed Fishers Ridge project is consistent with the character and current growth pattern in the Route 96 corridor, and is consistent with the recommendations of the Town of Victor Comprehensive Plan. The project is a response to the growth patterns that have emerged over the past decades and is intended to meet the market needs that have developed in the Town of Victor.

In addition, review of the project in terms of emergency services and fiscal impacts to local governments indicate that no other significant negative impacts will result with respect to future growth or community character.

Alternatives considered include the no action alternative, alternate uses and mixed uses for the project site, alternative site designs and an alternative size for the project. None of the identified alternatives offer significant environmental advantages and none better meet the goal of providing a mixed use, walkable community where people can live, work and recreate.

On the basis of the data and analyses presented in this DEIS, it is concluded that environmental impacts that may reasonably be expected to result from the proposed Fishers Ridge development have been avoided or reduced to the maximum extent practicable. As a result, no significant environmental impacts are expected to result from the proposed project.

## **2 Project Description**

### ***2.1 Location and Setting***

Fishers Ridge is a mixed residential-commercial development proposed for a 95 acre site in the Town of Victor, Ontario County, NY. The site is located on the north side of NYS Route 96, approximately 1.5 miles south of its interchange with the NYS Thruway (I-90) and approximately 1.0 mile north of the Village of Victor, as shown in Figure 2.1.1. Further details on the proposed project are contained in Section 2.2.

NYS Route 96 in the project site vicinity is an important commercial corridor connecting the Village of Victor and areas south to metropolitan Rochester and its surrounding suburbs. Approximately 1.5 miles north of the project site, Route 96 connects with the NYS Thruway (I-90) and Interstate Route 490. Route 490 is a limited access expressway leading north and west to the City of Rochester and surrounding areas. South of the project site, Route 96 leads to the Village of Victor, continuing through the Village and providing access to other growing areas of Ontario County including the Town of Farmington and the City of Canandaigua. Further details on the transportation and traffic setting of the site are contained in Section 3.7 of this DEIS.

Both the north and south frontages of Route 96 in the project site vicinity are developed in commercial and retail uses. Large retail complexes, including a large regional shopping mall, are also located along Route 96 just north of its intersection with the NYS Thruway. Further details on the community character of the project site setting are contained in Section 3.11 of this DEIS.

### ***2.2 Project Components and Layout***

As proposed, the Fishers Ridge development will provide a mix of residential and commercial/retail uses in a new community setting. The project will provide its residents with a variety of services in a walkable, urban style setting while also providing a unique commercial

area for residents in the surrounding communities and region. Figure 2.2-1 shows the overall site plan for the project and Figure 2.2-2 shows the proposed subdivision of the site into six lots.

Access to the site is proposed to be provided by through two connection points on Route 96, both signalized. One connection point is proposed to be aligned with the existing Route 251 while the second is proposed for a location approximately 1,100 feet west of the Route 251 intersection. The proposed access lane configurations are shown in Figure 2.2-1 and discussed in detail in the traffic analysis summarized in Section 3.7 of this DEIS and detailed in Appendix J.

At this time, the applicant is seeking subdivision approval for the entire site, as shown in Figure 2.2-2, which will create six separate lots. Lot #2 of the subdivision, approximately 16.3 acres in size, will be utilized for the first phase of the project. The other lots are formed naturally from the location and orientation of the proposed roadways. The subdivision will also create the rights of way for road "A" and a portion of road "B", which are both planned to be dedicated to the Town of Victor.

The applicant is also currently seeking preliminary and final site plan approval and a special use permit for Phase I of the project, shown in Figure 2.2-3. Phase I consists of a 132,200 square foot retail sporting goods anchor, Bass Pro, with an attached 17,400 square foot restaurant. The Bass Pro retail anchor will be located on the north side of the site adjacent to the NYS Thruway right-of-way. The first phase will also include mass grading of the entire site, installation of the stormwater management system, the construction of road "A" and a portion of road "B" and the installation of utilities, sidewalks and landscaping supporting the first phase development. Phase I consists only of permitted uses under the existing C/LIND (Commercial/Light Industrial) zoning of the site and the special use permit is required for the proposed outdoor display.

Later phases of the project will consist of a 200-room hotel adjacent to the Bass Pro location, the mixed-use Town Center in the central portion of the site, a multi-family residential complex on the western side of the site, and several out parcels located near the Route 96 frontage on the southern side of the site. The exact makeup and internal layout of these later phases will depend upon market conditions, but will fit into the overall vision and planning shown in Figure 2.2-1.

The later phases of the project will be subject to further zoning approvals by the Town of Victor, as detailed in Section 3.11 of this DEIS. Upon obtaining the necessary approvals, Phase I of the project would commence as early as 1 November 2015. Phase I site work would be limited to that portion necessary to support the development of Proposed Lot 2 as depicted on Figure 2.2-2. Phase I milestone dates, as currently anticipated, include a building pad for the anchor tenant, Bass Pro Shops to be delivered by 23 March 2016 and Bass Pro Parcel site finishes complete by 15 December 2016 to support a Bass Pro Shops scheduled opening of April 2017.

Future Phases would be developed on an individualized basis, lot by lot pursuant to obtaining the necessary approvals. The applicant would like to commence Phase II and Phase III as early as practical to that end the applicant will diligently pursue necessary approvals.

The utility infrastructure proposed to support Lot 2 is designed to additionally support future phases. The investment in the infrastructure necessitates commencement of future phases within an expedited timeframe. The applicant would like to see Phase II and Phase III construction commence within 6 months to a year of commencing Phase I Site Work, understanding that these portions may require a rezoning of the project site to a Planned Development.

The 200-room hotel is planned for a location immediately adjacent to the Bass Pro site with visibility from the NYS Thruway. It is planned to include parking for 269 vehicles, allowing for some overflow parking for the Bass Pro, if needed.

The Town Center will be the heart of the Fishers Ridge community. Current planning calls for approximately 248,200 square feet of retail/restaurant uses, approximately 134,300 square feet of office/fitness space and 240 rental, residential units. The Town Center commercial core will consist of two story buildings located along heavily landscaped, urban scale roadways and promenades. The Town Center residential units, termed the "Bluffs" will be constructed into the hill side at the southern periphery of the Town Center commercial core.

The multi-family apartment complex, termed the "Hillside Community", is proposed for an area to the west of "Road A". It is proposed to consist of 250 dwelling units in several 3-story

buildings with a combination of underground and surface parking.

The out parcel development is proposed to be located near the Route 96 frontage on the southern portion of the project site. Access to the out parcels is proposed from within the internal project roadways with no additional access driveways to Route 96. As now planned, seven separate out parcel buildings will be developed totaling 35,300 square feet. To be conservative in traffic and parking projections, these out parcels are all assumed to be restaurants at this time.

Table 2-1 provides a summary of the proposed development, including square footage, number of residential units by type, and required and proposed parking. The size of parking spaces and the provision of accessible spaces will all be designed in compliance with the Town of Victor requirements and any other applicable regulations or standards.

A detailed description and evaluation of the proposed stormwater management system is contained in Section 3.2 and Appendix D of this DEIS while details of all other utilities are contained in Section 3.8 of this DEIS.

Appendix B contains detailed plans and building elevations for Phase I of the project, the Bass Pro retail anchor. The elevations are provided for all four sides of the building. The plans include all details regarding proposed lighting, landscaping and buffering for Phase I of the project. Appendix B also shows conceptual elevations and building/streetscapes for the remainder of the project. These are conceptual in nature and the project sponsor envisions working collaboratively with the Town of Victor Architectural Review and Planning Boards to establish and implement a Finger Lakes vernacular for the project.

It is noted that the Project Sponsor owns other lands adjacent to and in the vicinity of the Fishers Ridge Project. Those lands are not part of the Fishers Ridge Project and there are no current plans being pursued to otherwise develop them. In the interest of sound land use planning, the project sponsor acquired the lands adjacent to the Fishers Ridge site to ensure that those lands would not be developed in a manner that conflicted with or in any way hindered the proposed Fishers Ridge Project. Simply, the project sponsor's acquisition and control of parcels east and

west of the project site presents the opportunity at some point in the future for the lands to be developed in a cohesive manner. However, since those lands are not part of the Fishers Ridge project and no current development of those lands is proposed at this time, the environmental review of the Fishers Ridge Project as proposed does not constitute segmentation under SEQRA. If those adjacent lands are to be developed at any time in the future, such development would require a comprehensive SEQRA review.

It is further noted that the approximately 40 acres of land to the west of the Fishers Ridge site were acquired by the project sponsor from Interchange Heights, LLC in 2012. At that time the 40 acres had already been approved for an industrial subdivision with a dedicated Town road (Interchange Heights Boulevard) to service such subdivision. The approximately 30 acres of land to the east of the Project site are residentially zoned. Although not required, since that property is not part of the Fishers Ridge Project, the traffic study conducted for the Fishers Ridge Project also assumed the traffic associated with that land at full build-out to be conservative.

In sum, any future development of the project sponsor's other land holdings within the Town will be in accordance with the land use and zoning requirements of the Town, and will undergo a full independent SEQRA review. However, as stated above, no such development is included as part of the Fishers Ridge project or otherwise proposed at this time.

**Table 2-1: Site Data**

Use	Size	Unit Type	Required Parking	Provided Parking
<b>Phase I</b>				
retail anchor with restaurant	149,600 sf		<b>674</b>	<b>811</b>
<b>Future Phases</b>				
hotel	21,000 sf (footprint) 126,000 sf (overall floor area)	200 rooms in 6 stories	<b>225</b>	<b>269</b>
"Hillside" residential		250 total (40 1 bedroom 161 2 bedroom 49 3 bedroom)	<b>532</b>	279 surface + 60 underground + 36 garage +92 banked underground + 65 banked surface <b>532 total</b>
<b>Town Center</b>				
retail/restaurant	248,200 sf		1,117	
business/fitness	134,300		672	
"Bluffs" residential		160 total (104 2 bedroom 56 1 bedroom)	279	
		Town Center total	<b>2,068</b>	1,396 surface + 225 underground +475 possible parking deck and garage <b>2,096 total</b>
<b>Outparcels</b>				
retail/restaurant	35,300 sf		<b>177</b>	<b>358</b>

### ***2.3 Project Purpose, Need and Benefits***

The purpose of the project is to create a unique mixed residential/commercial community that is walkable and with easy access to and from the larger community. The project will also bring new services and shopping opportunities to the local and regional communities in a setting and structure unique to the Rochester/Finger Lakes area.

The project need is demonstrated by the continuing growth and success of the retail/commercial market in the Route 96 corridor of the Town of Victor as well as the strong demand for and lack of availability of work force rental housing in Ontario County. The urban scale and design of the proposed mixed use development is in demand by young professionals being drawn to the area by its high tech industry and recreational opportunities. The project will also appeal to the growing empty-nest demographic desiring maintenance free living in a walkable community close to services and shopping.

The primary benefit of the project is the creation of a unique, mixed use, pedestrian friendly community where people can work, live and recreate. In addition, the development is projected create 1,703 full time equivalent (FTE) permanent jobs, 1,785 FTE temporary construction jobs, and result in the creation of 1,255 FTE indirect jobs. Finally, potential sales tax generation to the Town and County is projected at \$184 million over the first 30 years of the project.

## ***2.4 SEQR Review Process***

The Town of Victor Planning Board classified the Fishers Ridge project as a Type 1 Action for the purposes of the environmental review required under the State Environmental Quality Review Act (SEQR) and its implementing regulations at NYCRR Part 617. The Planning Board initiated a coordinated environmental review and declared its intent to act as Lead Agency by notice of 10/16/2007 to all involved and interested agencies and the public.

With no objection from other agencies, the Town of Victor Planning Board declared itself Lead Agency and adopted a Positive Declaration for the application on 11/13/2007, requiring the preparation of a Draft Environmental Impact Statement (DEIS).

Scoping is an optional process under the SEQR regulations. The Town of Victor Planning Board decided to conduct scoping for this project and the project sponsor submitted a draft Scoping Document. The draft scope was reviewed by Town of Victor staff, Town Consultants and State/Federal Agencies at a meeting on 12/6/2007 and the Planning Board conducted two public

scoping meetings on 12/18/2007 and 1/22/2008 and received written comments. The Lead Agency, having reviewed the draft Scoping Document and all input received, issued a final Scoping Document dated 2/12/2008.

As required under SEQR, the project sponsor had prepared a DEIS in accordance with the final Scoping Document, which was submitted to the Lead Agency in January 2010. After review of the January 2010 DEIS by Town staff, Town consultants and the Town attorney, the Lead Agency determined in February 2010 that DEIS was not yet adequate or complete to commence the required public and agency review period.

In its review comments, see Appendix A, the primary concern expressed was with respect to the proposed project versus one of the alternatives presented. It became clear that the Town, as well as the project sponsor, preferred the alternative plan and this was stated in the DEIS. As a result, the impact analyses in the DEIS, which dealt primarily with the originally proposed plan, were not specific to the alternative that was now being advanced. As such, the Lead Agency determined that the project sponsor should instead change the proposal to the Town to the new alternative plan and have the DEIS written to address the impacts specific to this plan. The scoping document and the issues identified remained the same, but the impacts would now be specific to the revised plan.

This DEIS has been prepared to address the issues identified in the final Scoping Document as applicable to the new proposed plan described in Section 2.2 and detailed in the engineering plans contained in Appendix B.

## 2.5 Required Approvals

The following approvals and permits are required for the proposed project:

<b>Reviewing Body/Agency</b>	<b>Type of Approval/Permit</b>
<u>Local Agencies/Boards</u>	
Town of Victor Planning Board	Site Plan Approval Subdivision Approval Special Use Permit
Town of Victor Town Board	Rezoning (if necessary for phases beyond Phase I)
Town of Victor Zoning Board of Appeals	Area Variances for setbacks and/or parking (if found necessary)
Town of Victor DPW	Water and Sewer Review and Approval
Ontario County Planning Board	Review and Recommendation to Town under Town Law Section 239m
<u>State Agencies</u>	
NYS Department of Health	Sewage System Review and Approvals as necessary
NYS Department of Environmental Conservation	Stormwater SPDES Permit/Approval Water Quality Certification
NYS Department of Transportation	Traffic Impact Study Review Highway Access and Work Permit
<u>Federal Agencies</u>	
US Army Corps of Engineers	Section 401 Freshwater Wetland Permit

### **3 Environmental Setting, Impacts, and Mitigation Measures**

#### ***3.1 Geology, Soils and Topography***

A detailed investigation of the geology, soils, and topography for the project site has been completed. The results of this investigation are contained in two reports. The first, entitled *Preliminary Subsurface Exploration and Geotechnical Investigation for Proposed Fishers Ridge Retail Development*, prepared by Tierney Geotechnical Engineering (TGE) and dated October 25, 2007, provides general geotechnical information and subsurface conditions for the site suitable for project planning. The second, entitled *Subsurface Exploration and Geotechnical Investigation for Proposed Fishers Ridge Retail Development*, prepared by ROC Geotechnical Engineering and dated 1 June 2012, focused specifically on evaluating subsurface conditions in support of the proposed stormwater management system. Complete copies of both reports are contained in Appendix G.

A summary of the findings with respect to geology, soils and topography is contained in this section of the DEIS. A summary of information from these reports is also referenced in the later discussion of stormwater management and stormwater impacts. For more detail, reference should be made to the complete reports in Appendix G..

#### **3.1.1 Existing Setting**

##### **3.1.1.1 Geology**

The Project Site is located within the Ontario Lowlands physiographic province. Based upon the Surficial Geologic Map of New York, Finger Lakes Sheet (1986), the surficial deposits may be classified as outwash sand and gravel, overlying dense glacial till. The soil deposits within the Ontario Lowlands province generally consist of glaciolacustrine lake silts, clays and fine sands, with major areas overlain by glacial till or ground moraine. Also, moraines or beach ridge

deposits are encountered within this province. Minor deposits of sand and gravel are reported to be found in localized, glacially-related ice contact and outwash deposits.

### 3.1.1.2 Soils

According to the US Natural Resources Conservation Service *Soil Survey of Ontario County*, the surficial native soils encountered at the Project Site consist primarily of gravelly loam and fine sandy loam of the Ontario, Palmyra, Howard, and Phelps units as indicated in the Table 3-1. These soil types are rated to hydrologic group "B". The saturated hydraulic conductivity of soils rated to hydrologic group "B" is typically between 1.4 to 0.6 inches per hour ( $1 \times 10^{-3}$  to  $4 \times 10^{-4}$  cm/sec).

Unit	Name	Hydrologic Group
Oe	Ontario fine sandy loam, eroded, 10 to 20 percent slopes	B
Of	Ontario gravelly loam, 3 to 10 percent slopes	B
Og	Ontario gravelly loam, eroded, 10 to 20 percent slopes	B
Oh	Ontario, Lansing, and Honeoye soils, 30 to 60 percent slopes	B
Pa	Palmyra and Howard soils, 25 to 35 percent slopes	B
Pf	Palmyra gravelly loam, 15 to 25 percent slopes	B
Pk	Phelps gravelly silt loam, 0 to 5 percent slopes	B

Detailed subsurface conditions were initially explored through completion of 6 test borings and 6 test pits across the project site in 2007. These were supplemented by 16 shallow borings and 16 deep borings conducted in April 2012 to assess subsurface drainage conditions. The initial borings (designated as B-1 through B-6) were advanced to depths ranging from 20 to 35 feet below the existing ground surface, and the initial test pits (designated as TP-1 through TP-6)

were excavated to depths ranging from approximately 8 to 10 feet below the existing ground surface. The April 2012 shallow borings were generally advanced to a depth of 5 feet while the deep borings were advanced to depths of 12 to 13 feet below the interpolated future grades. Test boring/pit locations and logs, with detailed information about subsurface conditions, are contained in the full geotechnical reports contained in Appendix G of the DEIS.

The subsurface conditions encountered in the test borings and test pits were generally consistent across the project site. The borings and test pits encountered up to 8 inches of topsoil at the ground surface (variable on the steep slopes), underlain by mixtures of sand, gravel and silt (in varying proportions) containing numerous small to large cobbles and boulders. These soil mixtures are brown to light-brown (occasionally grayish-brown to gray) in color, generally moist to wet, and firm to very compact in density. Split-spoon sampler refusal was generally encountered in the test borings below depths of 2 to 6 feet as a result of the numerous cobbles and boulders and the compactness of the soils. The less dense surficial soils encountered represent outwash sand and gravel, and the underlying and denser native soils represent glacial till.

The sidewalls of the test pits were generally stable. Test pits TP-1, TP-3, and TP-4 were completed at a depth of approximately 10 feet, and test pits TP-2, TP-5, and TP-6 were completed at depths of approximately 8 to 8.5 feet. Bedrock was not encountered in any of the test pits. Indications of in-place fill and/or buried organics were not encountered at any of the test locations utilized for the current geotechnical investigation. However, test pits previously excavated at the project site in 2004 indicated undocumented fill and possible buried topsoil may be present at localized areas across the project site. It is believed that these are the result of filling of swales and other areas during the past mining operations.

The 2007 deep borings generally did not encounter free standing water during drilling and/or upon boring completion at any of the test boring locations. The temporary monitoring wells installed at that time were checked several days after installation for stabilized water levels. Groundwater was not observed within the wells at that time. Based upon these observations, and the color and apparent moisture content of the recovered soil samples, it is anticipated that

groundwater occurs on the site only in perched conditions localized over depressions in the surface of the underlying denser glacial till. Trapped water may also be encountered within the glacial till in lenses or layers of more permeable silt or sand, imbedded within the glacial till. In addition, trapped water may also be anticipated within the existing fill, where that fill occurs. It is noted that drilling and excavations free of water may not accurately represent groundwater levels as a result of the short time allowed for stabilization of the water level.

The infiltration tests conducted in support of the stormwater system design indicated infiltration rates ranging from zero to more than 300 inches per hour. Such variability can be expected given the subsurface geology of the site. The very low infiltration rate found in some areas may be explained in part as a result of partings/seams of silt and clay (which were observed at several of the test borings) and in part as a result of the very dense nature of the soils tested. Five of the deep infiltration tests resulted in infiltration rates greater than 0.5 inches per hour with the remaining deep test locations indicating infiltration rates of less than 0.5 inches per hour. The shallow infiltration tests revealed infiltration rates equal to or greater than 0.5 inches per hour with the exception of those tests completed in the western portion of the site where infiltration rates of less than 0.5 inches per hour were found. It is concluded that care must be taken with the siting and design of any stormwater infiltration areas to be sure that the underlying soils can support the intended infiltration.

No other limitations due to geotechnical conditions were identified that would influence the site development as proposed.

### **3.1.1.3 Topography**

Figure 2.1-2 shows the existing topography of the site. Surface elevations generally drop from north to south across the project site. The total drop is approximately 160 feet from the northern frontage along the NYS Thruway to the southern frontage along Route 96. A portion of the project site has been mined in the past for sand and gravel extraction, leaving a somewhat variable topography with some steep to near vertical slopes. No surficial evidence of bedrock,

such as outcroppings or exposed cuts, exists on the subject property.

The Town of Victor Comprehensive Plan states that existing topographic landforms are distinct to the community and that any proposed development should be sympathetic and act to reinforce those distinct features of a community's topography. The existing steep slopes created from former mining operations are not in compliance with topography guidelines of goals in the Town of Victor Comprehensive Plan.

There were past concerns regarding an existing slope condition along Route 96. The hillside experiences erosion and instability just west of the existing driveway to the project site. Greg Trost, with the New York State Department of Transportation was contacted to discuss the existing erosion issues along Route 96. Mr. Trost stated that in the early 1990's a utility line was installed on the north side of Route 96, within the project frontage. Minor erosion was observed after the installation was complete. In 2002, a road widening project was completed along that portion of Route 96. At the completion of the widening, the slope stabilization issues became more severe. Since then, NYS DOT maintenance crews have repaired slope failures as necessary. Mr. Trost was not aware of any plans by the NYS DOT to permanently restore the area.

### **3.1.2 Potential Impacts**

Figure 3.1-1 shows the proposed overall grading of the site as proposed to support the planned development. The proposed grading of the site will create a set of four plateaus with three of them generally stepping up from the Route 96 frontage north to the NYS Thruway. The fourth plateau is proposed for the western portion of the site.

Moving from north to south, the retail anchor, hotel and road "B" will occupy the highest plateau area at an elevation of 715+ feet. The grade will then step down to the Town Center plateau, occupying elevations ranging from 670 to 690 feet. This will step down again to the outparcel development area that will range from approximately 650 to 610 feet. It is noted that this lower

range is just above the approximately 595 foot grade of Route 96 in front of the site. The fourth plateau will occupy the western portion of the site, west of Road "A", at elevations ranging from 700 to 705 feet.

As can be seen in the overall grading plan, development of the site will result in the removal of vegetation, disturbance and reestablishment of the surface over approximately 86 acres of the 95 acre site. The 9.0 acres to remain undisturbed are within the central wetland/intermittent stream and all of the eastern wetland/intermittent stream and surrounding woods located east of Road "B". Construction will involve cuts and fills of up to 20 feet in some locations, however, the grading of the site balances the existing material and no mass input or export of soils is anticipated.

The degree of the proposed site grading is the result of two primary factors. First, the previous mining of the site has created areas of deep cut and steep embankments that must be leveled out to provide development area. In addition, the slopes in areas not disturbed by the previous mining are not suitable for the proposed facilities, access roads and utilities.

It is noted in this regard that the most steeply pitched areas of the site, resulting from past mining activities and related work, are on the southern half of the property toward the Route 96 frontage. These areas, exhibiting unnatural grades and experiencing erosion effects, are also the most visible to the public in the local community. The re-grading of this area with relatively gentle slopes leading from the stormwater management ponds into several out parcel plots of varying heights will provide softer, curvilinear, rounded, and more natural landscapes that are more compatible with the rural landscapes present in the Town of Victor. The proposed plan will bring this site, and especially that portion most visible to the local population, into better compliance with the goals of the Victor Comprehensive Plan with respect to topographic features.

While grading of the site will necessarily be extensive, the impacts of the grading will generally be limited to the visual impacts to the immediately surrounding lands and those due to potential soil erosion and downstream sedimentation. The visual impacts are discussed in Section 3.6 of

this DEIS.

Due to the erodible nature of the site soils, the steep topography in places and large topographic change across the site, care will have to be taken during and after construction to minimize and avoid soil erosion on the project site and resulting downstream sedimentation. Mitigation measures for such impacts are well established and widely available, as detailed in the next section. Specific mitigation measures as applicable to this project are provided in the Stormwater Pollution Prevention Plan (SWPPP) contained in Appendix D. The SWPPP includes measures for slope management both during and after construction.

It is noted that the project as proposed does not present any inconsistencies with the Town Comprehensive Plan regarding topography and landforms.

### **3.1.3 Mitigation Measures**

The primary potential impact due to site topography and soils is the potential for soil erosion and downstream sedimentation. The preventive and mitigation measures for erosion control planned for the project will meet or exceed those specified in the NYS DEC Stormwater Design Manual and the NY Guidelines for Urban Erosion and Sediment Control. They will include:

- Installation of silt fencing on all downslope edges and along edges of all undisturbed waterway and wetland areas.
- Construction and use of temporary sedimentation basins.
- Installation and maintenance of stabilized construction entrances.
- Immediate stabilization of newly graded slopes with straw mulch covering where applicable and/or staked mesh netting where necessary.
- Use of hydroseeding and other methods for rapid establishment of landscaping.
- Protection of stormwater inlets and proposed permanent infiltration areas with silt fencing or other barriers until such time that landscaping is established and other site coverage is completed.
- Wetting of exposed soil surfaces when required to avoid windblown dust erosion.

Specific mitigation measures as applicable to this project are provided in the Stormwater Pollution Prevention Plan (SWPPP) contained in Appendix D. The placement of the buildings, parking and access roadways on the site, with a terraced approach mimicking the existing topography, minimizes the grading necessary and, thus, reducing the potential for erosion or grading related impacts. The SWPPP details both the construction phase and post-construction phase slope management techniques to be utilized.

In additions, the wetland area/intermittent stream and surrounding wooded area located on the eastern portion of the site, adjacent to the existing residence on Lane Road, will not be disturbed. This will provide a 90+ foot wooded buffer from the proposed development to the rear of the closest residential lot. Flows to this wetland/intermittent stream will be maintained via diversion swales directing overland flow from undeveloped areas off the project site into the stream bed.

As noted above, the planned grading of the site will provide for softer, curvilinear, rounded, and more natural landscape forms than are existing on the previously altered project site, especially in the lower areas near the Route 96 frontage that are most visible to the local population. Such landforms are more compatible with the rural landscapes present in the Town of Victor. The result will be to bring the project site in better compliance with the goals of the Town of Victor Comprehensive Plan with respect to topographic conditions.

A grading and erosion control plan has been prepared for Phase I of the project, demonstrating how the site will be initially graded to create access to the Bass Pro Shop site and develop the stormwater management infrastructure. It is shown in Figure 3.1-2.

### **3.1.4 Unavoidable Impacts**

Unavoidable impacts with respect to soils and topography due to the proposed project area as follows:

- Grading of the site will result in the removal of vegetation and re-grading of approximately 86 of the 95 acres on the property.
- The grading will result in cuts and fills of up to 20 feet in some locations.
- The re-grading will change the visual appearance of the site, as discussed in detail in Section 3.6 of this DEIS.
- The re-grading of the site will result softer, more curvilinear and more naturally appearing landforms than exist on the property due to past mining activities.
- Due to the site soils and topography, mitigation measures to avoid and minimize soil erosion and resulting downstream sedimentation will be critical. Such measures are now standard practice on construction sites and are required as part of the NYS DEC SPDES General Permit for construction activities. With the inclusion of such measures, designed and implemented specifically to address issues at the site, no significant erosion and sedimentation impacts should occur.

It is concluded that no significant impacts to off-site areas will result from the proposed project related to soils or topography. By contrast, the site re-grading should bring the location into better compliance with the goals of the Town of Victor Comprehensive Plan with respect to landforms and other topographic conditions.

### ***3.2 Surface and Groundwater Resources***

Surface and groundwater resources for the project site have been investigated in detail through four separate studies regarding subsurface conditions, surface drainage, and wetlands. The results of these investigations are contained in four separate reports as follows:

- *Preliminary Subsurface Exploration and Geotechnical Investigation for Proposed Fishers Ridge Retail Development NYS Route 96, Town of Victor, Ontario County, New York* prepared by Tierney Geotechnical Engineering (TGE) dated October 25, 2007. A complete copy of this report is included in Appendix G.
- *Subsurface Exploration and Geotechnical Investigation for Proposed Fishers Ridge Retail*

- Development*, prepared by ROC Geotechnical Engineering and dated 1 June 2012. A complete copy of this report is included in Appendix G.
- *Wetland Delineation Report, Fishers Ridge, Town of Victor, Ontario County, New York* prepared by Terrestrial Environmental Specialists (TES) and dated July 2008. A complete copy of this report is included in Appendix F.
  - *Drainage Report for Fisher's Ridge*, prepared by Costich Engineer and dated June 2013. A complete copy of this report is included in Appendix D.

This section of the DEIS contains a summary of the results of these investigations with respect to surface and groundwater occurrence and flows. Impacts with respect to wetlands are discussed in Section 3.3 of this DEIS. For more detail, reference should be made to the full reports contained in the Appendices.

### **3.2.1 Existing Surface and Groundwater Resources**

The existing site surface drainage follows the general site topography, draining south across the property via sheet, overland and channelized flow. The existing drainage area discharging through the property comprises a total of approximately 121 acres, which includes both on-site and off-site areas. The major offsite component of the drainage comes from a development located north of the NYS Thruway that drains onto the site along with a portion of drainage from the Thruway itself. Discharge from the site is primarily to four points located along NYS Route 96. Drainage leaving the site eventually discharges to an unnamed tributary to Irondequoit Creek. The primary, on-site channelized flow occurs through four swales generally running north to south across the site and separated by low ridges. No portion of the project site is located in a designated floodplain. A detailed description and discussion of wetlands is contained in Section 3.3 of this DEIS.

For analysis purposes, the existing drainage area was divided into four sub-areas, each discharging to separate points along Route 96, as shown in Figure 3.2-1. Table 3-2 details the existing peak flow rates calculated for each of these drainage sub-areas. Full details of the calculation parameters and methodology are contained in the Costich Engineering report in Appendix D.

Drainage Designation (size)	Q <sub>1</sub> (cfs)	Q <sub>2</sub> (cfs)	Q <sub>10</sub> (cfs)	Q <sub>100</sub> (cfs)
E-1 (8.82 acres)	3.03	4.70	9.25	23.37
E-2 (36.67 acres)	8.78	14.42	30.19	83.89
E-3 (49.08 acres)	10.03	16.12	33.89	92.03
E-4 (26.54 acres)	2.49	5.08	13.45	44.47
Total Off Site Discharge (121.11 acres)	24.33	40.32	86.78	243.76

Existing groundwater conditions were investigated as part of the Geotechnical Investigations of the site, as detailed in Section 3.1 of this DEIS. Deep borings, completed to depths ranging from 20 to 35 feet in 2007, generally did not encounter groundwater during drilling and/or upon boring completion at any of the boring locations. Temporary monitoring wells installed at the borings were checked several days after installation for stabilized water levels. Groundwater was not observed within the wells at that time. Of the 16 test borings and test pits done in 2012, two of the test pits encountered free-standing water at depths of 2-3 feet below the surface. However, these two test pits were excavated at the base of a steep, cut slope and water was observed seeping from the cut face.

Based upon all the subsurface observations and the color and apparent moisture content of the recovered soil samples, it is anticipated that groundwater occurs on the site only in perched conditions localized over depressions in the surface of the underlying denser glacial till. Trapped water may also be encountered within the glacial till in lenses or layers of more permeable silt or sand, imbedded within the glacial till. In addition, trapped water may also be anticipated within any existing fill, where that fill occurs.

### 3.2.2 Potential Impacts

In general, development activities replace pervious, vegetated surfaces with generally impervious surfaces. As such, development has the potential to increase the rate and volume and degrade the quality of storm runoff. In recognition of this, engineering practice regarding stormwater management for new development has evolved over time. Earlier improvements concentrated on maintaining the rates of stormwater to pre-development rates, followed by designs intended to remove pollutants from stormwater before off-site discharge. In recent years, engineering solutions have been developed to also deal with the volume of stormwater runoff, attempting as much as feasible to maintain the existing infiltration rates of a site. This is intended to help maintain stream and creek base flows, maintain groundwater recharge, and further reduce stormwater pollutant loads.

The engineering improvements to stormwater management have been adopted as regulatory requirements under the NYS DEC SPDES General Permit for Construction Activities (Permit No. GP-0-10-001). Compliance with the permit requires that larger projects, such as the Fishers Ridge development, meet or exceed all standards for construction phase erosion and sediment control as detailed in the New York Standards and Specifications for Erosion and Sediment Control (August 2005) and have a post construction stormwater management plan meeting or exceeding the standards and design practices in the New York State Stormwater Management Design Manual (August 2010).

The Fishers Ridge stormwater management system has been designed to continue the natural flow of stormwater drainage across the site from north to south with discharge along Route 96. To mitigate potential impacts, the stormwater system includes onsite detention facilities and infiltration practices. The infiltration practices will be located in areas with soils conditions found to be able to support infiltration, defined as areas infiltrating greater than 0.5 inches per hour. Four separate infiltration systems are proposed, two located at the downstream sides of the northern plateau containing the anchor retail and hotel and two located on the western side of the Town Center plateau. All infiltration areas are fitted with connections to the site stormwater conveyance system to handle any overflow. Other areas of the site, which cannot support

stormwater infiltration due to poor soil permeability, will drain through a subsurface stormwater collection conveyance system with discharge to two large stormwater management ponds to be located along the Route 96 frontage on the south side of the site.

As detailed in the drainage report in Appendix D, and summarized in the next section, the proposed stormwater management system has been designed in compliance with the standards and specifications of the NYS Stormwater Management Design Manual.

In addition to the NYS Standards, the site is subject to those under the Irondequoit Creek Watershed Management Plan. The Irondequoit Creek standards require additional water quality volume treatment and, as shown in the calculations in Appendix D, the project design meets this further requirement. No separate report is necessary regarding compliance with the Irondequoit Creek Watershed Management Plan as the requirements are adequately and appropriately addressed in the stormwater management report contained in Appendix D.

Therefore, the project stormwater management system will meet both the requirements under the NYS DEC stormwater regulations and the further requirements under the Irondequoit Creek Watershed Management Plan, in order to mitigate potential drainage impacts resulting from the site development and use.

### **3.2.3 Mitigation Measures**

The design parameters, methodology and calculations for stormwater management for the Fishers Ridge development are contained in the Stormwater Pollution Prevention Plan (SWPPP) and Drainage Report prepared by Costich Engineering in Appendix D. The detailed engineering plans for the system are contained in Appendix B. The SWPPP includes measures for the maintenance of all stormwater facilities, including the stormwater management ponds.

In general, the overall drainage pattern of the site will be maintained with flows moving north to

south across the property and discharging to four points along the Route 96 frontage as shown in Figure 3.2-2. Developed areas of the site will drain to a subsurface conveyance system, generally running within the rights of way for Roads "A" and "B" and leading to two large detention ponds located along the Route 96 frontage. The developed area runoff will be reduced by the inclusion of four separate infiltration systems to be located in areas with soils that can support infiltration practices. Water inflows to the central and eastern wetland/intermittent streams will be maintained through a combination of bypass flows from upstream, offsite areas and preservation of undeveloped watershed, as detailed in Section 3.3 and Appendix E dealing with wetland impacts.

To assess the effectiveness of the proposed system, calculations have been made of the post development peak discharge rates to the four discharge points along the Route 96 frontage. These are contained in Table 3-3 and compared to the existing peak discharge rates at these same locations.

Discharge Point	Q <sub>1</sub> (cfs)		Q <sub>2</sub> (cfs)		Q <sub>10</sub> (cfs)		Q <sub>100</sub> (cfs)	
	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
DP-1	3.03	2.35	4.70	3.48	9.25	6.68	23.37	16.93
DP-2	8.78	1.42	14.42	1.82	30.19	2.80	83.89	5.62
DP-3	10.03	8.61	16.12	11.64	33.89	19.51	92.03	52.29
DP-4	2.49	2.44	5.08	4.94	13.45	13.20	44.47	43.73

As is evident from the results in Table 3-3, peak discharge rates will be reduced as compared to existing conditions at all stormwater discharge points.

In addition to meeting the peak discharge reduction goal, the system has been designed to meet or exceed the standards for water quality control and downstream channel protection. Water quality protection is quantified under New York State standards through determination of a

required and provided water quality volume, designated  $WQ_V$ , while downstream channel protection through the channel protection volume, designated  $CP_V$ . Table 3-4 contains a comparison of the  $WQ_V$  and  $CP_V$  as required under the New York standards and as provided in the Fishers Ridge design.

	Required (acre-feet)	Provided (acre-feet)
Water Quality Volume ( $WQ_V$ )	4.18	5.61
Channel Protection Volume ( $CP_V$ )	5.82	6.08

Additional stormwater impact mitigation is provided on the project site through the use of measures generically termed green infrastructure. Green infrastructure generally is utilized to reduce runoff volumes before the flows enter a stormwater management system. Two larger scale green infrastructure techniques have been incorporated into the Fishers Ridge design. The section of the SWPPP entitled "Technical Justification for Runoff Reduction Requirements" (see Appendix D) provides information on the public benefit of utilizing green infrastructure in stormwater management practices.

The first consists of the preservation, enhancement and post-development management of a large fraction of the existing on-site wetlands and intermittent stream corridors, as detailed in Section 3.3 and Appendix E dealing with wetland impacts.. In particular, the wetland areas and central channel of wetland area "A" in the center of the site will be reshaped and enhanced to provide wildlife, educational and aesthetic values and the entire wetland and surrounding stream corridor of wetland area "B" on the east side of the site will not be developed and will remain undisturbed. Existing flows to these areas will be maintained through bypass of off-site drainage, as occurs under current conditions.

The second green infrastructure technique is the use of infiltration through porous pavement underlain with infiltration beds. Infiltration is beneficial in both reducing the volume of runoff and in removing pollutants from it. Infiltration systems are proposed to collect runoff from the

northern plateau area containing the retail anchor and hotel and from the western side of the Town Center plateau area. Subsurface investigations indicated that these are the only site areas with sufficient infiltration capacities to support such systems.

The New York State Stormwater Management Design Manual now requires the inclusion of green infrastructure in stormwater system design. To quantify the requirement, a specified green infrastructure treatment volume goal, termed the Runoff Reduction Volume ( $RR_V$ ), is calculated as a percent of the  $WQ_V$  and the site's hydrologic character. The post-development stormwater management system must then meet this  $RR_V$  goal. For the Fishers ridge site, the  $RR_V$  is calculated at 1.45 acre-feet while the RRV provided by the infiltration systems is 2.27 acre-feet. Thus, the Fishers Ridge stormwater system significantly exceeds the green infrastructure requirement.

A listing of all required environmental permits is contained in Section 2.5 of this DEIS.

Snow and ice removal will follow standard practices for this region. Snow will be plowed to roadsides and far reaches of parking lots for temporary storage. If large amounts are accumulated before melting, the snow will be trucked to nearby vacant lands off the project site. Specific locations will be negotiated with nearby land owners as needed at the time they are needed. Minimal use of deicing salts and other ice retardants is anticipated for sidewalk and pedestrian areas. Based upon experience in similar areas, no significant impacts from these practices are anticipated.

As described in this section, the proposed Fishers Ridge stormwater management system meets or exceeds all applicable stormwater mitigation standards.

As the detailed planning for future phases is conducted other green initiatives, such as green roofs on selective buildings, will be explored and incorporated as practicable.

### **3.2.4 Unavoidable Impacts**

Unavoidable impacts due to changes in the site's surface and groundwater conditions include an increase in the total volume of runoff from the property and some degradation in runoff water quality. However, the stormwater management system designed for the site meets or exceeds the latest NYS standards for both water quantity and water quality mitigation, including the newest green infrastructure standards. Given this, it is concluded that the proposed project will not result in any significant off-site impacts related to storm peak flow rates, stormwater volumes or stormwater quality. Thus water quality, flow conditions and associated habitats for downstream water and wetland areas should remain essentially unaffected by the proposed development.

It is concluded that impacts from the Fishers Ridge development related to surface and groundwater resources will be mitigated to maximum extent feasible and practicable.

## ***3.3 Terrestrial and Aquatic Ecology***

The existing terrestrial and aquatic ecological conditions have been investigated and evaluated by Terrestrial Environmental Specialists, Inc. (TES) of Phoenix, NY. The TES investigations are detailed in four reports: Vegetation and Wildlife Report (August 2007, revised February 2013), Twin Leaf Survey (May 2008), Wetland Delineation Report (July 2007, revised July 2008) and Wetland Impact and Mitigation Report (June 2013). This section of the DEIS contains a summary of the TES findings. For more detail, reference should be made to the full TES reports contained in Appendices E (Wetland Delineation Report and Wetland Impact and Mitigation Report) and F (Vegetation and Wildlife Report and Twin Leaf Survey) to this DEIS.

### **3.3.1 Existing Vegetation, Wildlife and Habitats**

The TES investigations started with a thorough review of available background information and

aerial photographs. This included review of materials from the NYS DEC Natural Heritage Program, NYS DEC Freshwater Wetlands Maps, the US Fish and Wildlife Service National Wetlands Inventory, the New York State Breeding Bird Atlas, mapping from the New York Herpetological Atlas Project, and the US Fish and Wildlife Service endangered and threatened species listings. The background information was then supplemented with an on-site field surveys in July 2007 and May 2008, both of which supplemented previous on-site vegetative surveys for wetland identification conducted on November 2005 and May 2007.

The background information and on-site vegetation data were combined to produce a vegetation cover type map, shown here as Figure 3.3-1. Vegetation cover types were characterized by the dominant plant species, and all plant species observed on the site were recorded. Vegetation cover types were recorded following *Ecological Communities of New York State*<sup>1</sup> (Edinger *et al.* 2002). Scientific nomenclature for plant species follows *A Checklist of New York State Plants*.<sup>2</sup>

The site vegetation and wildlife habitats reflect the fact that the site has been extensively disturbed due to former mining activities. The property now largely consists of successional old field and successional shrubland communities with patches of successional northern hardwoods and a few linear wetlands along drainage ways.

Based on the TES mapping, uplands represent a total of 93.4 acres or 98 percent of the site. About half of the upland area is shrubland. The remaining uplands on the site are developed, successional old field, and successional northern hardwoods. About 2.2 acres or 2.3 percent of the site is wetlands. There are two wetland types that are found throughout the site. They are shallow emergent marsh and shrub swamp.

Successional old fields were dominated by waste-area species including timothy, Canada goldenrod, smooth brome, narrow-leaf plantain, and spotted knapweed. The shrub areas are a

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<sup>1</sup> Edinger, G. J., D. J. Evans, S. Gebauer, T. G. Howard, D. M. Hunt, and A. M. Olivero (editors). 2002. *Ecological Communities of New York State*. Second Edition. A revised and expanded edition of Carol Reschke's *Ecological Communities of New York State*. (Draft for review). New York Natural Heritage Program, New York Department of Environmental Conservation, Albany, NY.

<sup>2</sup> Mitchell, R. S. and G. C. Tucker. 1997. *A Revised Checklist of New York State Plants*. The State Education Department, NYS Museum Bulletin No. 490, Albany, NY.

mix of field and shrubs, with clumps of trees scattered throughout. Dominant plant species varied from location to location, but included multiflora rose, gray-stemmed dogwood and autumn olive. The forest was variable in terms of dominant species, size of trees, and degree of disturbance. Common tree species included white oak, cottonwood, sweet cherry, sugar maple, white ash and shagbark hickory.

Five wetlands/water resources were delineated on the site. Shallow emergent marsh and shrub swamp wetlands were linear along drainageways and covered 2.3 percent of the site. These wetlands/water resources were designated by TES as Wetlands A, B, BB, C, and E and are all narrow, linear wetlands which serve as drainages for the steeply sloping site. Wetlands A, B, C, and E each contain an intermittent stream within their boundaries. The Corps of Engineers issued a Jurisdictional Determination letter on 26 January 2009, which was revised in a letter from the Corps dated 25 February 2009. A total of 2.46 acres of wetlands and a total of 4,217 linear feet of intermittent stream exist on the site.

The small emergent marsh areas are dominated by common reed and reed canary grass, which are considered invasive species by the US Army Corps of Engineers and the US Fish and Wildlife Service. The shrub swamp contained some willow and green ash along with spicebush, silky dogwood, honeysuckle, gray-stemmed dogwood and nannyberry.

The wetlands present are directly associated with the intermittent drains they surround, and drainage is the main function they provide. The wetlands provide little to none of the following functions and values; groundwater recharge, flood flow alteration, sediment stabilization, wildlife diversity/abundance, sediment/toxicant retention, nutrient removal/transformation, production export, aquatic diversity/abundance, or recreation.

The wildlife resources observed on the site are reflective of the habitats present, their size, and their juxtaposition. Three species of amphibians, and only a few individuals, were observed. The wetland habitats on site are very limited, thus limiting the potential for many salamanders, frogs, and turtles. Bird use of the site consisted of common to abundant species that use small fields, shrubland communities, and disturbed forests of various ages. The successional old fields did

not support typical grassland species due to their small size and the presence of woody vegetation. The shrubland community had a few very common birds that breed in thick tangles of vines and shrubs. Gray catbirds were abundant. The successional northern hardwoods contained some good snag habitat for cavity-nesting birds. The wooded areas varied widely in age and degree of disturbance, and provided habitat for a variety of common species.

Endangered and threatened species issues were investigated to ensure that the project would not negatively affect any important natural resources. Any and all state listed or federally listed species were addressed through contact letters to the state and inquiries to the USFWS website. The state concluded that there are no records of state listed animals or plant on the site with the exception of twin leaf. The site was investigated for twin leaf habitat and it was concluded that the site was unlikely to support that species. (see Appendix F). The only species of concern by the USFWS was bog turtle; however there is no habitat on-site which could support any population of bog turtles and none were observed at the site. It is concluded that no endangered or threatened plants or animals are known or suspected to occupy the site or site vicinity and none were observed.

### **3.3.2 Potential Impacts**

Due to the existing steep topography of the project site, extensive re-grading will be required to create level development areas. This re-grading will result in the removal of all vegetation over approximately 86 acres of the 96 acre site. Approximately 9 acres of existing wetland, intermittent stream, and surrounding woods will be left undisturbed. These undisturbed areas are associated with the wetland/intermittent stream and surrounding wooded lands along the eastern site boundary (wetland "B").

With the re-grading, essentially all of the upland habitats existing on the site will be removed. The 9 acres of undisturbed land will be primarily wetlands, stream bed and some adjacent upland woods.

The proposed site plan impacts a total of 1.71 acres of Corps of Engineers jurisdictional wetlands and 3,179 linear feet of intermittent streams while avoiding any disturbance to Wetland B (0.75 acre) and Stream B (1,038 linear feet). Many alternatives, both on-site and off, were considered in order to find an even less intrusive practicable alternative. Off-site alternatives were considered, however none could be chosen as viable alternatives due to environmental resource encumbrance, as well as costly or impossible zoning, ownership, or location details. On-site alternatives are primarily past configurations that are no longer viable.

As noted earlier, upland habitats on the project site are generally disturbed early successional fields and shrubland. The habitats present, and the wildlife that utilize them, are common and abundant in the project site area and in the western New York region and no significant impacts are expected due to their removal. In addition, the site has not been identified as an important wildlife corridor or migration route. Thus, the loss of the onsite habitats should not have any significant impact on wildlife species occupying other lands in the area.

It is concluded that the proposed project will not result in significant impacts with respect to vegetation or wildlife.

### **3.3.3 Mitigation Measures**

Mitigation measures for vegetation and wildlife impacts consist of the preservation of approximately 9 acres of land containing a wetland/intermittent stream corridor and some of the surrounding woods. In addition, enhancements to the existing on-site wetlands will be undertaken as well as enhancements to off-site wetlands as mitigation for any on-site wetland impacts.

Mitigation of the impacts to wetland areas will include as much avoidance and minimization of impacts as practical. As noted earlier, all of Wetland B (0.75 acre) and its surrounding uplands will remain undisturbed. Wetland A and associated intermittent stream will be enhanced to provide wildlife, educational and aesthetic values. In addition, appropriate and standard erosion

and sediment control practices will be implemented for all site work with special attention to the areas surrounding drainage ways and wetland areas. The proposed plan contains an enhanced aquatic creek feature, roughly corresponding with the location of impacted Wetland A and Stream A, which will offset some of the wetland and waters impacts. A thorough Stormwater Pollution Prevention Plan that specifies erosion and sediment control measures for the site will be in place and utilized prior to the start of construction. Additionally, mitigation for the loss of waters resources will be in the form of off-site wetland restoration/replacement planned for Fishers Park. A detailed mitigation plan is included in the wetland mitigation report in Appendix E, which specifies guidelines for such activities. In terms of Army Corps of Engineers regulatory requirements, the on-site stream disturbance required 10,241 mitigation credits to be generated to offset the identified impacts. Mitigation measures for regulatory purposes will be entirely off-site at the nearby Fishers Park. The specific details of this mitigation are currently being determined by the US Army Corps of Engineers as part of its review of the project.

### **3.3.4 Unavoidable Impacts**

Unavoidable impacts will include the loss of approximately 84 acres of existing open field, shrubland and wooded vegetation on upland areas, 1.71 acres of low quality wetland and 3,179 linear feet of intermittent stream. The upland habitats on the project site are considered common and abundant in this region and the loss will not be significant either locally or regionally. The wetland losses will be mitigated through the preservation of 9 acres of wetland/intermittent stream corridor and in the creation and enhancement of wetland and stream habitats at an offsite location through the mitigation requirements under the Army Corps of Engineers regulatory program.

### ***3.4 Historic and Cultural Resources***

#### **3.4.1 Existing Historic and Cultural Resources**

An investigation of the potential historic and cultural resources of the project site and surroundings was conducted by the Rochester Museum and Science Center (RMSC). The complete report of the investigation, entitled *Cultural Resource Management Report, Phase I Cultural Resource Reconnaissance Survey*, dated 7 August 2007, is contained in Appendix G to this DEIS. This section contains a summary of the findings and conclusions. For more detail, reference should be made to the full report in Appendix G.

The RMSC investigation includes an overview of the history of the Victor area as well as a review of archaeological site files maintained by the RMSC and the NYS Office of Parks, Recreation and Historic Preservation. The file checks identified 7 individual Native American archaeological sites within 1 mile of the project site with 2 being within or directly adjacent to the project boundaries.

It is also known that the Seneca Trail, now maintained by Victor Hiking Trails Inc., passes through the project site.

In 1687, as part of a well-organized campaign against the Senecas, the Marquis de Denonville led a force of approximately 832 French colonial regulars, over 900 Canadian militia, and some 400 Indian allies on an invasion of the Seneca territory. The force landed at Irondequoit Bay and on 12 July 1687 started moving south toward the Seneca Villages of Ganondagaro and Totiakton, heading first to Ganondagaro along what is now called the Seneca Trail. On 13 July 1687, Seneca warriors conducted an ambush of Denonville's troops in a narrow gully leading down to the Irondequoit Creek valley at a location north of the present Village of Victor. After a temporary retreat, Denonville's troops continued to Ganondagaro and destroyed the village.

The exact location of the Seneca ambush of Denonville's troops has not been established, with some conjecturing that it occurred in one of several gullies that are present on the Fishers Ridge

site. However, there are several gullies leading down the ridge to the Irondequoit Creek valley in a several mile long stretch of the ridge, including at least one destroyed by the construction of the NYS Thruway and its exit 44. No hard evidence has been uncovered or presented establishing the exact location of the ambush and no evidence of its presence on the Fishers Ridge site was uncovered during the cultural resources investigation conducted by the Rochester Museum and Science Center, as described below.

No summary of a meeting with the Town Historian and others mentioned in the DEIS scope has been found. Further information prepared by Mr. Fisher regarding the ambush location is believed to be available from the Town of Victor Historian.

On the basis of an archaeological and historic records review, as well as the topographic and other locational/environmental features, it was concluded by the RMSC that the project site had a high sensitivity for the presence of small-scale prehistoric sites, although this sensitivity is somewhat diminished due to the soil types present, extensive previous disturbance and steep slopes within the project area. Nevertheless, a detailed surface and subsurface investigation was recommended and was conducted.

The RMSC field investigation of the project site consisted of a total of 332 excavated shovel test pits (STP's) at a maximum spacing of 15 meters and a minimum spacing of 1 meter. All STP's were hand dug and the excavated soils passed through ¼ inch screen to recover any cultural materials.

No in situ archaeological artifacts were recovered during the testing program. Some cultural materials associated with the rural nature of the project area (some uncut bone, likely natural animal deaths) were encountered in the open fields tested. However, close interval testing in the immediate surrounding areas did not uncover further cultural materials. The STP's near the Route 96 frontage of the site did contain some EuroAmerican artifacts including various pieces of ceramic, metal and glass. However, it was concluded that no further such deposits and no historic structures were located in the immediate vicinity and it is most likely that the source of the materials were structures formerly located within the NYS route 96 alignment.

On the basis of the RMSC investigation, it was concluded that no sites of Native American or Historic EuroAmerican affiliation are located on the project site.

### **3.4.2 Potential Impacts**

No archaeological or historic resources were identified on the project site. Thus, development of the property as proposed will not result in any potential impacts to such resources.

### **3.4.3 Mitigation Measures**

Since no archaeological or historic resources will be impacted by the project, no mitigation measures are necessary and none are proposed.

The project sponsor continues to work with Victor Hiking Trails, Inc. to assure the continuity and public use of the Seneca Trail hiking trail in this area. Appropriate trail easements and signage will be provided for this purpose. In addition, Bass Pro has a policy of incorporating local historical and environmental themes into its store designs and motifs. Therefore, signage and displays at the Bass Pro shop, and throughout the remainder of the site, will incorporate appropriate reference displays and materials honoring the Seneca Trail, the Seneca presence in the area, and the expedition of Denonville. Finally, the applicant has committed to working with the Town of Victor to place appropriate signage, plaques and other materials throughout the project site for the same purpose.

### **3.4.4 Unavoidable Impacts**

There will be no unavoidable impacts to archaeological or historic resources resulting from the proposed project.

### **3.5 Air Quality**

#### **3.5.1 Existing Air Quality Setting**

The Fishers Ridge site is currently undeveloped with the exception of several small buildings formerly utilized in support of gravel mining operations and now not in active use. Thus, the site does not currently result in any anthropogenic air pollutant emissions.

Air pollutant emissions in the general site vicinity are primarily associated with vehicular use. NYS Route 96 is located immediately adjacent to the project site on the south and the NYS Thruway (Interstate 90) is located immediately adjacent to the north. Both roadways carry high volumes of vehicles, including heavy trucks, with resulting air pollutant emissions.

Adjacent and nearby land uses also are expected to result in some vehicular emissions. A large automobile dealership is located immediately south of the site, across NYS Route 96 from the property. Further south from the dealership are several industrial operations, including a trucking terminal. To the west of the project site, along Rowley and Willowbrook Roads, are several industrial sites including a large commercial nursery/landscaping operation. Finally, commercial/retail scale enterprises are located along the southern frontage of NYS Route 96 across from the Fishers Ridge site.

The presence of these indirect air pollutant emission sources has not resulted in any recognized degradation of air quality in the project site vicinity and air quality remains good for this area.

#### **3.5.2 Potential Impacts**

Potential new air emissions resulting from the development of the Fishers Ridge project include indirect emissions associated with vehicular access and movement and direct emissions associated with heating systems to be installed to support the proposed structures. In addition,

some temporary air emissions will result from construction traffic and equipment, as well as potential windborne dust, during the construction phases.

The indirect emissions from vehicular access and movement will be the dominant new source. To assess its potential impact, the total projected site-generated traffic volumes are compared to the existing traffic volumes on roadways surrounding the site. Utilizing traffic volumes from recent counts obtained on the local roadway network (see Appendix J) supplemented by NYS DOT traffic counts for the adjacent NYS Thruway, it is estimated that approximately 7,500 vehicles per hour (vph) currently utilize the adjacent segments of NYS Route 96 and the NYS Thruway during the weekday pm peak hour. With modest projected growth in traffic volumes for the local roadways and no increase in Thruway volume, the total comes to over 8,850 vph for the 2022 project build out year. By contrast, at full build out in 2022, the proposed Fishers Ridge project will generate approximately 3,000 vph over the weekday afternoon peak hour period. Thus, the additional vehicular traffic to be generated by the proposed project will represent approximately 40% of the existing 2011 traffic on the immediately adjacent roads and less than 34% of it at full build out in the year 2022. Given this, as well as the fact that the existing vehicular emissions in the area have not resulted in air quality degradation and that vehicular emissions have and will continue to drop due to better technology and regulation, it is not anticipated that the indirect emissions from vehicular access and movement on the Fishers Ridge site will result in any significant air quality impacts.

Direct emissions on the project site due to stationary equipment should be insignificant. The largest sources will be combustion emissions for residential and commercial building heating. Based upon current trends, this will most likely involve the combustion of natural gas, which has generally results in low emissions rates. These emissions will be distributed widely over the 96 acre site, which sits in an elevated and well ventilated location. Thus, it is not expected that such emissions will result in any significant air quality impacts to the site or surrounding areas.

The only potentially significant air quality impacts that may result from the project involve the potential for localized impacts due to truck idling at loading docks. This should not be a problem for the proposed project as the retail anchor store and hotel, the most likely to have large truck

deliveries, are located on the north side of the project with loading docks adjacent to the NYS Thruway. No residential structures, including those proposed as part of the Fishers Ridge project, will be any closer than 700 feet to the loading dock areas for these uses.

The only other truck deliveries will be via smaller trucks accessing the commercial areas of the Town Center portion of the project and, to a lesser extent, the out parcel development along Route 96. Once again, significant impacts will be avoided by the distance to closest residential structure along Lane Road, which will be over 600 feet distant and 40 feet lower in elevation than the closest commercial structure in the Town Center portion of the site.

It is noted that NYS regulations prohibit the lengthy, continuous idling of trucks. This will also eliminate the potential for any post development air quality impacts due to such sources.

There is the potential for windborne dust emissions from disturbed and unstabilized surfaces during the construction phases of the project. These impacts are largely avoidable with implementation of standard erosion control techniques, which are required under NYS DEC stormwater regulations. Even if windborne dust is allowed to be emitted, the large size of the project site makes it unlikely that the dust would create any impacts off the project site.

### **3.5.3 Mitigation Measures**

As noted in the previous section, the potential for significant air quality impacts from the proposed development is small even without mitigation measures in place. Mitigation and avoidance of impacts will be achieved through the use of erosion control and land stabilization methods during construction, the location of loading docks well away from property lines abutting sensitive receptors, and the enforcement of the legal ban on the idling of delivery trucks. Specifics regarding erosion control, including airborne dust, are contained in the SWPPP and associated materials contained in Appendix D to the DEIS. In addition, since the Fishers Ridge project is of mixed residential/commercial nature, total vehicular trips normally associated with either use alone will be reduced as services to residents will be within walking and biking

distances. Mitigation measures regarding traffic movements are fully addressed in section 3.7 of the DEIS. To the extent these measures result in more efficient traffic movement, resulting vehicular emissions will be reduced.

The location of all loading docks, as well as specific measures that may be required of the developer in enforcing the NYS law regarding idling trucks, will be subject to review and approval by the Town as later phases are proposed for development.

#### **3.5.4 Unavoidable Impacts**

Given the nature, size and location of the proposed project, no significant air quality impacts are expected to result from its development or operation.

### ***3.6 Aesthetic Impacts***

A detailed Visual Impact Assessment has been completed for the proposed project by Bergmann Associates. Their complete report is contained in Appendix H to this DEIS. This section provides a summary of the analysis and findings. For more detail, reference should be made to the full report in Appendix H.

The process utilized for the visual assessment consisted of identification of the physical/visual limits of the affected environment, identification of distinct landscape districts representing visual experiences by users in the site vicinity, development of a composite viewshed within a three (3) mile radius of the project area, development of a 3D visual model of the project site and use of the model to create photo simulations and visual cross sections. The photo simulations and cross-sections were then used as tools in the evaluation of probable viewer exposure and general viewer sensitivity. The assessment also identified existing visual resources as established in NYSDEC's list of aesthetic resources within the project area with particular focus

on significant visual issues identified in the DEIS scoping outline.

Based upon the analysis, mitigation measures were identified to be employed in the design of the project to eliminate or lessen any adverse visual impacts and enhance or create positive impacts to the visual resources of the project area. This includes the design and placement of buildings, the use of landscape to screen views of structures, preservation of existing vegetation and use of lighting mitigation measures as detailed in the Town of Victor *NYS Route 96 Overlay District Design Guidelines*.

It is noted that the applicant, at this time, is only requesting site plan approval for Phase I of the project and details regarding architectural elements, landscaping, etc. are available and provided for this phase. Only conceptual information is available for the later phases of the project and such information has been presented in appendix B of this DEIS. As is appropriate for a phased project, detailed plans for landscaping, lighting, signage and all other site elements will be subject to review and approval as part of the site plan application for the later phases of the project. Appropriate performance standards, such as buffering and setbacks, have been developed as part of this initial SEQR review and imposed as future conditions on the project. The theme for such elements has been indicated on the overall project concept plan and associated materials in appendix B of the DEIS.

The applicant's intent is to establish a unique and sensitive blend of the natural and built environment. The plan clearly indicates a strong focus on buffering at its perimeters by controlling the vistas and view corridors into and out of the project, but it also shows a controlled connectivity to/from surrounding properties and roadways.

Once within the site, it is apparent that both pedestrian and vehicular movement patterns will provide a visual experience that recognizes the variety in scale, color, density and texture of its internal spaces as depicted in the conceptual materials contained in Appendix B.

Artificial lighting whether building or site related is intended to be scaled to provide the ambiance of varied and focused light in lieu of general large scale lighting. Pursuant to the town

code, site lighting would consist of full cut-off “dark sky” compliant lighting standards and in an effort to achieve its green infrastructure initiatives the applicant would pursue installation of LED, low energy consuming light standards.

The project sponsor has a goal of establishing a “Finger Lakes” style of architecture with the development of Fishers Ridge. Conceptual building elevations have been provided in Appendix B. A typical town center style building along with a conceptual elevation for the proposed residential anticipated to be built on Lot 1 has been provided. The anchor tenant, Bass Pro Shops, has developed an elevation and has committed to working with the town of Victor Architectural Review Board to incorporate locally significant building design elements to celebrate the history and uniqueness of the town in their built environment on the Bass Pro site and within the store.

The plan will provide an aesthetically pleasing frontage along the Route 96 corridor with strong landscaping concepts adding to the architectural building styles, minimizing the scale and re-enforcing the rural character of the project vicinity.

### **3.6.1 Existing Aesthetic Setting**

The visual features of the project site and immediate surroundings include wooded hillsides and drumlins with curvilinear roads meandering through undulating topography. Alternating views of the hollows and ridges are hidden and revealed as woodlots and open farmland. Along the southern boundary of the site is commercial land use, which is generally concentrated along the NYS Route 96 corridor. To the west of the site is undeveloped land with some residences located along Rowley Road. To the east of the site is undeveloped land with residences further to the east along Lane Road. To the north of the site is the New York State Thruway with suburban residential land use immediately beyond it.

Along the NYS Route 96 corridor, the land use consists predominantly of simple rectangular office and commercial buildings surrounded by landscaped lawn areas and parking lots. These

buildings are built both into the low lands and across the hillsides to the northeast. Along the corridor to the northwest, the commercial land use consists primarily of large box retail (up to Eastview Mall) interspersed with smaller scale business, restaurant and retail buildings with parking areas built into the low lands. To the south and southeast along the corridor small office buildings, retail establishments and restaurants are built into the low lands and immediately adjacent to NYS Route 96. This is typical for construction extending southeast into the Village of Victor.

The bulk of the project site is unlit and illuminated only indirectly from adjacent lighting present on surrounding roadways. The exception is security lighting present on the existing building near the Route 96 frontage. Lighting in the areas surrounding the site is a mixture of highway, "cobra" style fixtures on high standards, lower level pole and building mounted lighting on nearby commercial developments, high-mounted bright flood lights on the automobile dealership located directly across from the project site, and lower level external lighting on adjacent and nearby residential properties. There is no standard style or theme of lighting in the project vicinity.

Areas of similar visual environments or experiences (landscape districts) can be categorized to provide a more specific framework within which to define and evaluate the visual resources and impacts. The landscape district represents a physiographic area of land that has common characteristics of landform, water resources, vegetation/ecosystems, land use, and land use intensity. Each landscape district represents a distinct visual experience.

Six landscape districts were identified within the three mile radius viewshed of the project. The locations for the six landscape districts are indicated in Figure 3.6-1.

***Landscape District I: Suburban - Residential***

Landscape District I encompass areas northwest and southeast of the proposed project, concentrated in areas toward the urbanized center of Rochester or toward the Village of Victor. This landscape district can be characterized as suburban residential neighborhood typically consisting of detached, regularly spaced one and two story residences, with deep

lawn setbacks, constructed in the late 20<sup>th</sup> century.

***Landscape District II: Agricultural/Rural - Residential***

Landscape District II encompasses the semi-rural and rural areas to the northeast of the NYS Thruway, south of the commercial corridor of NYS Route 96 and northwest of the NYS Route 490 and the NYS Thruway intersection and comprises a majority of the three mile project area viewshed.

This landscape district is characterized by its fallow and active farmland, scattered residential and agricultural structures, and naturalized woodlands. Residential structures in this district are generally one to two story wood frame and masonry construction. Other structures in the district support agricultural use such as barns or other storage facilities. These structures vary from one to three stories in height, typically of wood frame construction with masonry foundation walls. They are often found in close proximity to the roadway, providing one of the unique character-defining features of the district. Vegetation in this district varies from cultivated or fallow fields and meadows to woodlots.

***Landscape District III: Commercial/Industrial***

Landscape District III encompasses the NYS Route 96 corridor in the project vicinity, along with properties on Rowley Road and NYS Route 251. A portion of the project site occurs adjacent to this district.

This landscape district can be characterized as a commercial arterial setting. The land uses flanking NYS Route 96, Rowley Road and NYS Route 251, are primarily commercial, with the exception of a few remaining residential structures. Buildings in this corridor are generally one to two stories in height, newer masonry and metal commercial construction set behind large asphalt parking lots, especially with lots adjacent to NYS Route 96. Signage on the facades of the buildings and along the roadway is highly visible and plays a strong role in defining the visual character of this landscape district. Landscaped buffers may or may not exist between NYS Route 96 and the commercial development and never fully screen the buildings or parking lots.

The multiple-lane roadway, its associated signage, lighting, traffic signals, and higher traffic volume are the predominant foreground visual elements in this district.

***Landscape District IV: Undeveloped***

Landscape District IV occurs in roughly linear, north/south stretches of land, generally surrounding the flatter, commercial land use within the project area. The majority of the project site north of the NYS Route 96 commercial corridor occurs within this district.

Landscape District IV can be classified as large contiguous tracts of undeveloped or 'wild' land that can include vegetated steep slopes or hillsides, woods, large wetlands, or large designated open space or parkland areas. This landscape district is characterized by its existing vegetation, significant landforms, and its general wild, undeveloped nature, in contrast to the agricultural/rural district where, although also less developed, man's control over the landscape is clearly evident.

If structures are present, they tend to be on a small scale and are usually utilitarian in nature. The material used to construct these structures are natural stone and wood and blend into the surrounding naturalistic sites.

***Landscape District V: Village / Small Town***

Landscape District V includes the small villages within the three mile viewshed limits. This landscape district includes the Village of Victor. Outside the limits of the viewshed study is the Village of Fairport, approximately seven miles from the site and the Village of Mendon, approximately four miles from the project site. The project site is not located within this district and is not visible from these areas.

***Landscape District VI: The New York State Thruway***

Landscape District VI consists only of the New York State Thruway (Interstate 90) corridor. The project site is adjacent to and is visible from a portion of this district. This landscape district is a multi-lane divided highway with limited access.

To assess the visibility of the project site from the surrounding landscape districts, a viewshed map with a radius of three miles was constructed through three dimensional modeling. The viewshed map depicts land areas from which a site is visible or not visible. In this case, separate viewshed maps were created; one with no tree coverage representing winter conditions and one with tree coverage representing seasons with foliage present. These viewshed maps are shown in Figure 3.6-2 and Figure 3.6-3.

The next step in the visual impact assessment is the identification of aesthetic resources contained within the three mile viewshed. Aesthetic resources are defined within fifteen categories under the NYS DEC visual impact assessment policy,<sup>3</sup> which includes areas such as parks, historic sites and wildlife refuges. A complete identification of all aesthetic resources within the three mile viewshed was completed and eleven aesthetic resources were found. Of these eleven aesthetic resources, only one has potential visibility of the project site. This is the Ganondagan State Historic site located on a prominent hill at a distance of two to three miles southeast of the proposed development location.

In addition to the above inventory items, the Final Scoping Document identified nine critical viewpoints for which photo simulations were to be developed. For each viewpoint location, two existing conditions photographs were taken; one under summer conditions and one under winter (no foliage) conditions. These were then utilized to create post-development photo simulations for impact assessment, as presented in the next section.

### **3.6.2 Potential Impacts**

A description of the visual elements of the proposed project is contained in the Visual Impact Assessment report in Appendix H and on the project engineering plans. This includes a description of the lighting fixtures and screening landscaping to the extent they are currently planned. Compliance with the Town Comprehensive Plan elements, including those regarding

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<sup>3</sup> *Assessing and Mitigating Visual Impacts*. NYS DEC Program Policy DEP-00-2, 7/31/2000.

aesthetics, is contained in section 3.11 of this DEIS.

In order to predict viewer responses to changes in the visual environment, it is important to identify the viewers who may be seeing a project. When assessing the viewer groups, four factors become important: viewer exposure; viewer sensitivity; viewer activity; and viewer awareness. Each of these factors influences how a viewer group will respond to changes. For this analysis, two viewer groups were identified: residents and commuters/shoppers.

The residents include those living on Rowley and Lane Roads, Montgomery Lane and Ashford Way, and those in adjacent neighborhoods within the immediate viewshed. The viewer activity can include all aspects of day-to-day living. Local pedestrians, bicyclists, and motorists are among this viewer group, and the nature of their activity and mobility increases their views of the Project. This group has an increased likelihood of longer exposure, detailed-focused views of the project area, and therefore, an increased sensitivity towards any change in the visual environment.

The greatest number of people to potentially view the Fishers Ridge project are those who use the adjacent road system as a commuter/travel route, and those who are destination oriented for a specific location within or adjacent to the project. This viewer group will generally be dominated by motorists, bus travelers, and, to a much lesser degree, pedestrians and bicycle commuters. Those traveling on the NYS Route 96 will generally be destination oriented people because of the concentration of commercial activity within the area, and many others traveling through to reach either other transportation corridors (I-90 and I-490) or village or town centers. The same is true for motorists on the New York State Thruway (Interstate Route 90) adjacent to the north side of the site.

The high volumes and high speeds of traffic on both NYS Route 96 and the NYS Thruway in the site vicinity yields both low viewer exposure and low viewer sensitivity. While Interstate Route 490 also passes within a mile of the project area, the site is generally not visible from the roadway, resulting in low viewer exposure and low viewer sensitivity for motorists on Interstate Route 490.

To identify and assess the potential visual impacts, the photo simulations for nine critical viewpoints, shown in Figure 3.6-4 are discussed within the context of the six Landscape Districts and associated viewer groups as identified within the three mile radius viewshed. These are discussed separately below.

### **Impacts to Landscape District I (Suburban-Residential): Viewpoints 3 and 9**

This district occurs in pockets throughout the three mile view shed. Within the one mile radius they are concentrated to the north and east of the Project site. From one to three miles, the districts pockets are sporadically interspersed throughout the viewshed radius. Residences north of the site, across the Thruway, and the residences along Lane Rd. have been identified as having views into the project site.

Viewpoint 3 (Figures 3.6-5 - 3.6-8) is located along Lane Road, east of the project. The existing vegetation, even without foliage, effectively screens the project site from this viewpoint. There is no visual impact from this viewpoint.

Viewpoint 9 (Figures 3.6-9 - 3.6-12) is on Ashford Way, just north of the NYS Thruway. The lots on Ashford Way back up to the NYS Thruway right-of-way. The NYS Thruway in this area is a 300 foot wide corridor providing seven lanes of traffic flow with little vegetation to screen the road or anything beyond it. Ashford Way is at a higher elevation than the project and this creates opportunities for views across the highway and into the project site. Visual impacts for residents at this viewpoint can be expected to be moderate. As the photo simulations illustrate, roof lines of the proposed buildings will be below the horizon. As such they will tend to blend in with the existing landscape as background. The visual impacts during daylight hours will be more apparent during the winter months because the screening vegetation is primarily deciduous.

Little measurable visual impact is expected for the remainder of Landscape District I as most of the locations have no view of the project site. As a result, the proposed development poses little overall visual impact to the viewer groups within this district.

**Impacts to Landscape District II (Agricultural/Rural – Residential): Viewpoints 5 and 7**

A majority of the three mile radius viewshed is categorized as the agricultural/rural residential landscape district. Of this area, only a small percentage is found to have potential views of the project. The majority of that small percentage having potential views lies within two miles of the project site.

Viewpoint 5 (Figures 3.6-13 - 3.6-16) is on High Street, looking south. This viewpoint is located in an area that has been identified as having views into the project site. It shows that while the project is visible, it is well below the horizon and has the same appearance as existing roof lines. This allows the view to recede into the background, making minimal visual impacts for this viewpoint.

Viewpoint 7 (Figures 3.6-17 - 3.6-20) is from the Ganondagan State Historic Site. Portions of the Ganondagan site have been identified as having views of the project site at a distance of two to three miles. Viewpoint 7 illustrates that a small portion of the project will be visible. However, the project is below the horizon and blends into the distant hills forming a part of the background from this viewpoint. There are no visual impacts from this viewpoint.

Little, if any, measurable visual impacts are expected for the remainder of Landscape District II.

**Impacts to District III (Commercial): Viewpoints 1, 2, 4, and 6**

This district is located along major roads throughout the viewshed area. A portion of District III is adjacent to the southern edge of the Site. With proposed development involving earthwork, grading and the removal of existing vegetation adjacent to the roadways, the most open views of the project will occur along NYS Route 96 and near its intersection with Victor Mendon Road (NYS Route 251). Areas to the south and west, within a one mile radius of the site, have also been identified as having views into the site.

Viewpoint 1 (Figures 3.6-21 - 3.6-24) is on NYS Route 96 at the proposed western access

drive looking north. Being one of the two main entrances to the site, there is significant visual impact due to the signage and the lower tier development around the major pond. Views of the multi-story residential units will also be prominent in this location.

Viewpoint 2 (Figures 3.6-25 - 3.6-28) is on NYS Route 96 at the eastern access road across from Victor Mendon Road (NYS Route 251). As with Viewpoint 1, there is significant visual impact due to the signage and the lower tier development around the major pond. The lower tier development at this entrance consists of restaurants, retail space and the low-rise residential units.

Viewpoint 4 (Figures 3.6-29 - 3.6-32) is on Victor Mendon Road (NYS Route 251) looking north to the main entrance at the project site. Being further away from the project at this location, the viewing angle is increased resulting in a significant visual impact. Views from this point will be deeper into the site with more residential units and structures in the main commercial neighborhood starting to be visible.

Viewpoint 6 (Figures 3.6-33 - 3.6-36) is on Rowley Road looking east. Viewpoint 6 can be included into Landscape District II as well as District III. The area appears to be transitioning to more commercial uses, thus the choice of District III. The existing wooded area screening the site from Rowley Road is to be preserved and will act to screen the project site along with a natural vertical ridge. However, the multi-story residential units will be visible between the trees. When the trees have leafed out, a lesser visual impact from the developed site will exist. Additional landscaping can be planted to provide a denser buffer if deemed necessary during the project review.

Other than Landscape District VI, this district will have the most visual impact from the project as it will be seen from two of the corridors throughout the year. The grades, stepping up the site in concert with the topography, will buffer the upper tiers of the site containing the more dense development. The lowest tier of development has more separation between buildings resulting in denser landscaping and more natural land forms. In addition, the distance from the roadway to the first buildings is such that most travelling viewers will not

be focused on the activity on site. Immediately above this initial tier, the next tier of development consists of residential units which follow the character of existing development along the corridor.

Visual impacts to the Commuter/Shopper viewer group in Landscape District III will range from minimal for viewers not on NYS Route 96, to significant for those that are. The most significant potential visual impacts occur along the NYS Route 96 corridor near the eastern entrance and looking north from Victor Mendon Road (NYS Route 251). However, this viewer group on Route 96 tends to experience the district in a dynamic way as they travel through the area with a limited exposure along the corridor due to the travel speed, resulting in less attention to detail. For those stopped at the traffic light at Route 96 and Route 251, the visual exposure may potentially result in a significant impact. Mentioned above, the lower tier structures are set back a greater distance from the roadway so there will be few visually active foreground elements (signage, building architecture, etc.) for viewers to focus on. Because of these factors, even though there are some significant potential visual impacts, overall there will be low perceived impacts within District III from the proposed development.

**Impacts to Landscape Districts IV and V (Undeveloped and Village/Small Town):**

Undeveloped land (District IV) is scattered throughout the viewshed. Few, if any undeveloped areas have potential views of the project site. From the list of viewpoints established in the scoping process, there are no locations within this landscape district for evaluation.

Undeveloped land in the district has significant trees and /or landforms that screen the views beyond their boundaries. The Village of Victor (District V) is located approximately 2 miles from the project site and has few areas that have been identified as having potential views of the project site. The Viewshed Section 3 (Figure 3.6-37) shows the potential visibility from the Village of Victor to the Project site. The views of the project site will be limited to the backgrounds, beyond existing buildings and roof lines. There are no discernible visual impacts to Landscape Districts IV (Undeveloped) and V (Village/Small Town) from the

proposed project.

**Impacts to District VI (The New York State Thruway):**

This area has been identified in the viewshed analysis as having views of the project site. Viewpoint 8 photograph and photo simulation (Figures 3.6-38 and 39) are from the New York State Thruway looking across the westbound lane looking southwest to the project site. The project is clearly visible from this viewpoint. Travelling through this District views are screened by topography and existing vegetation until you are travelling parallel to the site, resulting in visibility of the development for only a short period of time. Due to the high travel speed and drivers' attention to the road instead of side background, it has a moderate visual impact.

**3.6.3 Mitigation Measures**

The Project will significantly alter the land use and, therefore, the views of and on the project site. However, the project development and resultant views will be consistent with and complement the commercial character of the area. As detailed in the previous section, visual impacts will primarily impact motorists and other users of the adjacent NYS Route 96 and NYS Thruway and those with views across those major highways.

Mitigation measures have been incorporated into the basic design and layout of the Fishers Ridge project. The proposed grading and placement of buildings, as discussed fully in section 3.3 of this DEIS, is designed to follow the existing topography to the greatest extent practicable with tiered development stepping up the existing sloped topography. As the tiers rise, the density of the development increases with the largest structures at the highest elevations along the northern portion of the site adjacent to the NYS Thruway. The lowest elevations at the southern portion of the site, along NYS Route 96, have the larger open spaces, the pond designed to follow the natural topography, and smaller, more separated buildings with buffered parking areas. Additional trees will be used to supplement the existing buffers to provide visual interest and will control the views of the parking areas and buildings for travelers along NYS Route 96.

New landscaping will be used to supplement the existing treed buffers that are being preserved along the overall perimeter of the project site. In addition, strategically placed rolling earthen mounds will replace the existing topography where grading had to occur for the development. A detailed planting plan will be created during the site plan review process. The future landscape plan will show a variety of evergreen trees, shade trees and both evergreen and deciduous shrubs to assist with screening, add aesthetic quality and heighten visual interest. Additional plantings, located where necessary throughout the site as the plan is progressed, are also expected to be provided, subject to the Town's input. See the Visual Impact Assessment report in Appendix H for the Proposed Plant Palette.

The buildings will be designed to follow the architectural vernacular of the Village of Victor, with the desire to develop a Finger Lakes style of architecture. Design elements will be included to minimize the appearance of large uniform walls with assistance from vegetative screening. These elements will include varied rooflines and will utilize a palette of building materials to increase the visual interest of the building facade. Building mounted architectural accent lighting, plantings, and benches will also be positioned to enhance the façade and create pedestrian scale comfort zones. The building design for Phase I is shown in detail in Appendix B of the DEIS. Conceptual materials demonstrating architectural design elements and construction materials that are proposed for later phases are also indicated in Appendix B. Likewise, the detailed planting and lighting plans for Phase I of the project are contained in Appendix B of the DEIS. Detailed review and approval of all design elements for later phases of the project will be done by the Town at the time of site plan application for those phases.

The "Lifestyle Center", will consist of multiple smaller buildings with varying adjacencies to create interesting spaces between buildings leading to the larger open spaces that form the activity area of the Lifestyle Center. Walking through the retail neighborhoods of the Center will be a similar experience to walking through the Village with much reduced vehicular traffic. Articulation of the streets and sidewalks will strengthen the pedestrian oriented experience. The variation of textures and colors of walkways/streets will help the orientation within the Center, i.e., neighborhoods will have their own identifying elements. Coordinated hardscape features

such as lights, bollards, park benches and trash receptacles will be selected to augment the desired feel of the development.

All these architectural elements will further reduce the visual impact of the project from both on and off site viewing areas. For on-site viewers, they will create views that have a comfortable scale, are inviting, and enhance the overall experience. From off site, the varying roof lines, facades and details will make the project smaller in scale and appearance, allowing it to recede into the background and minimize potentially undesirable overall visual impact.

### **3.6.4 Unavoidable Impacts**

From the Visual Impact Assessment, it has been determined that the proposed Fishers Ridge development will result in potentially significant, unavoidable visual impacts only for viewers traveling along the adjacent transportation corridors and especially for those traveling along NYS Route 96. However, even for this area, views of the site will generally consist of the lower tier of the development with smaller outparcels separated by landscaping and open space. This portion of the project will be visually consistent with the existing commercial character of NYS Route 96 in the area and, thus, the visual impact will not be severe. Motorists traveling the NYS Thruway will also have visibility into the site, with the proposed hotel and retail anchor visible as motorists pass the site. Due to travel speeds on the Thruway, driver attention will generally not be toward the site and visual impacts will, therefore, not be significant.

Except for motorists traveling the adjacent roadway corridors, the only other viewers that will have visibility into the project site are the residences and yard areas along Ashford, located north of the site and across the NYS Thruway. Visual impacts from this area will be moderate, being mitigated somewhat by the distance from the site, the fact that the viewers will be separated from the project location by approximately six lanes of high speed, limited access highway, and the change in grade from the viewing area to the project site.

### ***3.7 Transportation***

A detailed Traffic Impact Study has been completed for the proposed project by Bergmann Associates and has been reviewed by the NYS Department of Transportation (NYS DOT). The full traffic report and the NYS DOT review letter (dated 16 April 2014) are contained in Appendix J to this DEIS. This section provides a summary of the report and its conclusions along with additional information on transportation resources as specified in the DEIS Scoping Document. For more detail on the traffic methodology and calculations, reference should be made to the full report in Appendix J.

#### **3.7.1 Existing Transportation Setting**

The traffic impact analysis focuses on the local roadways serving the site and its immediate surroundings as well as the fourteen intersections specified for analysis in the DEIS Scoping Document.

To assess current operating conditions, all roadway geometrics were obtained, traffic operations were observed and sight distance analyses were conducted at the proposed access driveway locations on NYS Route 96. As part of this effort, manual turning movement counts were obtained at the fourteen intersections in the study area specified by the DEIS Scoping Document.

The intersections are as follows:

- NYS Route 96 and Main Street Fishers
- NYS Route 96 and Omnitech Driveway
- NYS Route 96 and Rowley Road
- NYS Route 96 and Victor-Mendon Road (Route 251)
- NYS Route 96 and Lane Road
- NYS Route 96 and High Street (in Village)

- NYS Route 96 and School Street
- NYS Route 96 and Maple Avenue
- NYS Route 96 and Lynaugh Road
- High Street and Willowbrook Road
- High Street and Aldridge Road
- High Street and Lane Road
- High Street and Gillis Road
- County Route 9 and Lane Road Extension

The traffic and turning movement counts were obtained at the fourteen intersections on Friday, September 16<sup>th</sup> and 23<sup>rd</sup>, 2011 and Saturday, September 17<sup>th</sup> and 24<sup>th</sup>, 2011. Counts were made between 7:00 and 9:00 AM and between 2:00 and 6:00 PM on the Friday dates and between 11:30 AM and 1:30 PM on the Saturday dates. The traffic volumes were increased by 4% to update to the base year of 2012, accounting for area development and normal traffic growth.

The traffic count time periods were chosen because the combined traffic of the adjacent streets and similar land developments generally peak during these time periods. The traffic counts were recorded by 15-minute increments to enable identification of specific peak hours and traffic peaking characteristics within the peak hour. The study area AM, PM and Mid-Day peak hours were determined to be 7:30 AM to 8:30 AM, 5:00 PM to 6:00 PM, and 11:45 AM to 12:45 PM respectively.

The traffic volumes for the fourteen intersections under the existing conditions are shown in Figure 3.7-1.

Level of Service (LOS) analysis is a means of determining the ability of an intersection to accommodate traffic volumes. The Level of Service procedures are provided in the Highway Capacity Manual (HCM) published by the Transportation Research Board, 2000. Version 7 of Synchro software package was utilized to determine the LOS for the subject intersections. Synchro implements the methods of the HCM for signalized and unsignalized intersection analyses. Analysis of intersection operations using the SimTraffic software package was also

performed. SimTraffic offers a microscopic simulation of traffic flow considering interaction between driver and vehicle characteristics, geometry, and traffic control. Analysis using SimTraffic offers a method of assessing vehicle delay at stop sign controlled approaches where a nearby traffic signal affects gaps in traffic.

Level of Service is defined by letter characters that range from A to F based upon the average delay experienced by vehicles during the peak periods. LOS A represents the best traffic operating conditions that have little or no delay and LOS F characterizes the worst conditions having significant delay. LOS A through D are usually considered acceptable and LOS E is usually considered representative of conditions where improvements may be needed. LOS F operating conditions are typically unacceptable and improvements are needed in the form of traffic control, geometric changes or a combination of both.

Level of service analysis results for the fourteen intersections under existing conditions are described below.

**NYS Route 96 and Main Street Fishers** – This intersection operates at LOS C during the AM and Mid-Day peak hours and LOS D during the PM peak hour. All movements operate at LOS D or better during all peak hours with the exception of the southbound through movement during the PM peak hour which operates at LOS E.

**NYS Route 96 and Omnitech Driveway** – The northbound through movement and southbound through lanes and right turn movement operate at LOS B or better during all peak hours. The northbound left turn movement and eastbound right turn movement operate at LOS B or better during all peak hours. The eastbound left turn movement operates at LOS C or better during the AM and Mid-day peak hours, and at LOS D during the PM peak hour.

**NYS Route 96 and Rowley Road** – The northbound and southbound movements operate at LOS B or better during all peak hours. The westbound left/right movement operates at LOS C during all peak hours.

**NYS Route 96 and Victor-Mendon Road Route 251** – The eastbound right turn movement, northbound approach, southbound movements, and overall intersection operate at LOS B or better during all peak hours. The eastbound left turn movement operates at LOS C during all peak hours. The northbound left turn lane operates at LOS B during the PM peak hour and LOS A during the AM and Mid-Day peak hours. The northbound through movement operates at LOS B during the AM peak hour and LOS A during the PM and Mid-Day peak hours.

**NYS Route 96 and Lane Road** – The westbound approach operates at LOS C during the PM and Mid-Day peak hours and LOS E during the AM peak hour. The northbound approach operates at LOS A during the peak hours. The southbound left turn lane operates at LOS B and the southbound through lane operates at LOS A during all peak hours.

**NYS Route 96 and High Street (in the Village)** – This intersection operates at an overall LOS B during the AM and Mid-Day peak hours and LOS C during the PM peak hour. All movements operate at LOS C or better with the exception of the westbound approach which operates at LOS D during the AM and PM peak hours.

**NYS Route 96 and School Street** – Overall, this intersection operates at LOS C during the AM peak hour and LOS B during the PM and Mid-Day peak hours. All movements operate at LOS C or better with the exception of the eastbound left turn movement and eastbound approach. The eastbound left turn movement operates at LOS D during the AM peak hour and LOS E during the PM peak hour. The eastbound approach operates at LOS D during both of these peak hours.

**NYS Route 96 and Maple Avenue** – This intersection operates at LOS C during the PM and Mid-Day peak hours and LOS B during the AM peak hour. The eastbound left turn movement operates at LOS D or better during the AM and Mid-Day peak hours and at LOS E during the PM peak hour. The westbound approach operates at LOS D only during the PM peak hour. All other movements operate at LOS C or better during all peak hours.

**NYS Route 96 and Lynaugh Road** – The northbound and southbound movements operate at LOS A with minimal delay during all peak hours. The westbound approach operates at LOS D

during the AM peak hour, LOS F during the PM peak hour, and LOS F during the Mid-Day peak hour. SimTraffic results show better LOS and less delay and based on field tests, actual delays have often been shown to fall between Synchro and SimTraffic results.

**County Route 9 and Lane Road Extension** – This intersection operates at an overall LOS C or better during the peak hours. The eastbound and westbound approaches operate at LOS C or better with the exception of the eastbound approach during the PM peak hour which operates at LOS E. The northbound and southbound approaches operate at LOS B or better during all peak hours.

**High Street and Lane Road** – This intersection operates at an overall LOS C during the PM peak hour and LOS B during the AM and Mid-Day peak hours. All movements operate at LOS C or better during all peak hours.

**High Street and Aldridge Road** – The northbound and southbound movements operate at LOS A with minimal delay during all peak hours. The westbound approach operates at LOS B during all peak hours.

**High Street and Willowbrook Road** – This intersection operates at an overall LOS A during all peak hours as do the northbound and southbound movements. The eastbound movement operates at LOS C or better during the peak hours. The westbound approach operates at LOS A during the AM and PM peak hours and LOS B during the Mid-Day peak hour.

**High Street and Gillis Road** – The northbound and southbound movements operate at LOS A with minimal delay during all peak hours. The westbound approach operates at LOS B during the AM and Mid-Day peak hours and at LOS D during the PM peak hour.

The analysis of sight distances at key intersections is based upon the recommendations of the American Association of State Highway and Transportation Officials (AASHTO) *Policy on Geometric Design of Highways and Streets*. The results of the analysis indicate that vehicles utilizing the High Street/Lane Road intersection have adequate sight distances in both directions

and that both of the planned Route 96 access drives for the proposed development will have adequate sight distances in both directions. At the Aldridge road intersection with High Street, vehicles on the Aldridge Road approaching High Street have adequate sight distance looking to the right. Sight distance for these vehicles looking to the left is only 300 feet and falls short of the recommended 445 feet. The northbound High Street approach has an intersection warning sign and 35 mph speed advisory plaque with flashing beacons to enhance safety and make motorists aware of the upcoming intersection at Aldridge Road.

The most currently available accident information was obtained from the Ontario County Sherriff's Department and the New York State Accident Location Information System (ALIS). The road segments considered consisted of NYS Route 96 between Main Street Fishers (CR 43) and Lynaugh Road, High Street between NYS Route 96 and Gillis Road, and Lane Road between NYS Route 96 and County Road 9.

Analysis of the accident history for the segments listed above did not show any significant current condition meriting immediate mitigation. The largest numbers of accidents since 2008 were of the "Rear End" classification (48%). This is typical of a signalized corridor subject to large traffic volumes and associated congestion. The next most frequent accident types were of the "Right Angle" (15%) and "Left Turn" (6%), consistent with large traffic volumes and numerous uncontrolled points of access. The absence of separate or protected left turn phasing at the signalized intersections may be a contributing factor to these "Right Angle" and "Left Turn" accidents. The majority of the causal factors, other than animal (deer) action (3%), were attributed to operator error and there are no locations or patterns of contributing circumstances which indicate any geometric deficiency requiring investigation. The traffic volumes expected to be generated by the Fishers Ridge project are not expected to exacerbate this set of conditions.

It is noted that there is little pedestrian and bicycle use of the roadways immediately surrounding the project site. This is most likely due to the heavy traffic volumes in the area, the lack of nearby pedestrian destinations, and the availability of a nearby dedicated pedestrian/bicycle trail that parallels NYS Route 96 in this area.

The potential to include public transportation on the site is high, but will depend upon the anticipated number of transit trips and how they support the local regional transit authority on its routes. The design of the site would support the ability for operation of a transit vehicle through the development including:

- Design lane widths for proposed roads at a minimum of ten (10) feet although twelve (12) feet is preferred and turning radii at a minimum of 42 feet.
- The site does not include severe speed bumps or raised crossing areas in development design, as these can be damaged by heavy-duty vehicle movements and are difficult for these vehicles to navigate;
- Includes protected left turn movements at entrances and exits to ensure safe entry and exit to and from the development;
- Includes stop signs and stop bar markings at all interior road intersections. This allows for safer pedestrian movements and ensures that transit vehicle movements are not stalled by uninterrupted intra-development traffic flows.

Coordination with the County Area Transit System (CATS) of Ontario County will occur as part of the ongoing development of the project. CATS provides two bus routes on NYS Route 96 in the study area. Route 3 (Canandaigua – Victor) and Route 7 (Eastview – Bloomfield – Canandaigua). Both make stops at the intersections of NYS Route 96 and NYS Route 251 and NYS Route 96 at Maple Avenue. The Fishers Ridge site will be designed to provide access and internal connectivity for public transportation.

The existing site does not have pedestrian accommodations except for the Seneca Trail. The Seneca hiking trail, developed and maintained by Victor Hiking Trails Inc., traverses the Fishers Ridge project site. It enters the site at the southeast corner, traverses north and west to near the NYS Thruway right-of-way, and then continues northwest off the site toward Willowbrook Road. The project developer has committed to working with Victor Hiking Trails Inc. to maintain the Seneca trail link through the property during construction and after project completion, as described in more detail in a later section.

The "Lifestyle Center" is designed with an emphasis on pedestrian users. It is intended to be a destination for people shop, dine, or take a stroll and explore the amenities offered. With that in mind, the exterior spaces are equally important as the interior spaces for the users.

### **3.7.2 Potential Impacts**

It is noted that the Fishers Ridge development is designed to be pedestrian friendly and encourage walking and biking access throughout. Trails, walks and other pedestrian amenities are shown on the project plans in Figure 2.2-1 and 2.2-3 as well in the detailed Phase I site plans and concept plans for future phases, all contained in Appendix B.

The potential to include public transportation on the site is high, but will depend upon the anticipated number of transit trips and how they support the local regional transit authority on its routes. The design of the site would support the ability for operation of a transit vehicle through the development including:

- Design lane widths for proposed roads at a minimum of ten (10) feet although twelve (12) feet is preferred and turning radii at a minimum of 42 feet.
- The site does not include severe speed bumps or raised crossing areas in development design, as these can be damaged by heavy-duty vehicle movements and are difficult for these vehicles to navigate;
- Includes protected left turn movements at entrances and exits to ensure safe entry and exit to and from the development;
- Includes stop signs and stop bar markings at all interior road intersections. This allows for safer pedestrian movements and ensures that transit vehicle movements are not stalled by uninterrupted intra-development traffic flows.

Coordination with the County Area Transit System (CATS) of Ontario County will occur as part of the ongoing development of the project. CATS provides two bus routes on NYS Route 96 in the study area. Route 3 (Canandaigua – Victor) and Route 7 (Eastview – Bloomfield – Canandaigua). Both make stops at the intersections of NYS Route 96 and NYS Route 251 and NYS Route 96 at Maple Avenue. The Fishers Ridge site will be designed to provide access and internal connectivity for public transportation.

The existing site does not have pedestrian accommodations except for the Seneca Trail that leads through the middle of the site from the intersection of NYS Route 96 and Route 251 to the northwest corner of the site near the NYS Thruway. The trail location through the site will be changed (see Figure 3.7.5) and the trail will be upgraded, but the trail heads at either end will remain in the same location. In addition, during the design phase of the project, pedestrian accommodations will be designed within the project which can be connected with any future pedestrian facilities constructed.

The "Lifestyle Center" is designed with an emphasis on pedestrian users. It is intended to be a destination for people to shop, dine, or take a stroll and explore the amenities offered. With that in mind, the exterior spaces are equally important as the interior spaces for the users.

To assess potential traffic impacts, an analysis was conducted of traffic operation conditions in the year 2022, the approximate time frame for complete project build out. During the meetings with NYSDOT, Town of Victor, and Town of Victor Traffic Consultants to discuss traffic growth it was determined that a 4% initial growth followed by a compounded 2% annual growth would be used to account for development in the area and to the east of the Town of Victor. Distribution of that traffic was also discussed with the above agencies and adjusted to meet the requirements of NYSDOT. Thus future development has been accounted for in the growth rates and distribution.

A baseline growth rate of 2% remains a reasonable estimate for long term growth based on traffic data trends on Route 96 in the 2000s (starting roughly from 2000 through 2009). A greater rate of increase was used for the near term (2011-2012) due to various area developments planned for the near future. This includes traffic specific to the following developments: High Point Business Park, Victor Crossing, Fisher's Landing, The Fairways and the Farmington Aldi. The resulting 2022 No Build traffic volumes and turning movements are shown in Figure 3.7-2.

Traffic volumes to be introduced to the local roadway network from the new development were derived on the basis of the Institute of Transportation Engineers (ITE) *Trip Generation*

*Handbook.* For the purposes of the traffic impact analysis, full development includes the contiguous parcel of land located immediately east of the site, and under the same ownership, to account for future potential development of there. To be conservative, a potential 120,000 square foot supermarket is assumed to be developed on that adjacent parcel.

The full development in 2022 is expected to generate 1,276, 2,448, and 3,241 primary vehicle trips during the weekday AM, weekday PM and Saturday Mid-Day peak hours, respectively. A summary of the total number of trips generated by the development is provided in Table 3-5.

The roads within the Fishers Ridge development will be built to town standards and have been designed to accommodate delivery vehicles. The auto-turn truck volumes movements are provided and demonstrate that heavy trucks can access the site and utilize the interior roadways. Heavy vehicle traffic is projected to be 2% of the total site traffic.

Access to the site from the adjacent roadways has been carefully considered. Under the full build scenario the traffic generated indicates that two access points on Rt.96 are necessary in order for the access road to function with acceptable levels of service and without long delays to Route 96 through and left turning traffic. Also, exiting traffic would experience long delays without two access points on Route 96. The level of service analysis shows that under full build with two access points Levels of Service D can be achieved. Without two access points failing level of service F would occur.

As proposed, two access driveways will be provided along NYS Route 96 between Rowley Road to the west and Lane Road to the east. Both access driveways will be signalized, spaced 1,150 feet apart, and provide for good circulation within the project site. The easterly driveway will be located opposite NYS Route 251 and provide direct access to and from the project site for traffic using that highway. Route 96 traffic coming from the north will be able to enter the project site via the two signalized driveways. Left turn lanes will be provided on NYS Route 96 as well as a northbound right turn lane for the driveway opposite NYS Route 251.

Vehicles will be able enter and exit the project site from either access driveway. Together, the

access driveways form a loop around the central core of the development, with smaller access roads providing access to the interior building and the buildings north of the main access driveway loop. The site has been designed to accommodate all modes of transportation including: vehicle, transit, pedestrian, and bicycle. The intent of the circulation plan is to allow and encourage non-motorized cross access between the site facilities.

The access driveways and internal roadways have been designed to accommodate emergency access. An emergency vehicle turning movement plan is shown in Figure 3.10-1 and a reference and description of emergency access is contained in Section 3.10.2 of the DEIS.

A complete analysis of required and provided parking is contained in the site data table of Figure 2.2-1. This is the basis for the summary data provided in Table 2-1 contained in Section 2.2 of this DEIS. The size of spaces and drive aisles and the provision of accessible spaces would all be in compliance with the Town of Victor requirements and any other applicable regulations or standards.

The distribution of traffic from RT 96 onto the site is provided. Given the phasing of the project and uncertainty of tenants beyond Phase I it is difficult to determine at this time how traffic will be distributed internal to the site. The full build scenario shows traffic distributions that were discussed and agreed to by NYSDOT and Town of Victor Traffic Consultants. Cars and trucks will utilize the internal road network, which is designed to town standards including lane widths, turning radii and traffic control devices such as stop bars on the internal road network. Pedestrians will utilize the sidewalks.

<b>LAND USE</b>	<b>SIZE</b>	<b>TRIP TYPE</b>	<b>AM PEAK HOUR TRIPS</b>	<b>PM PEAK HOUR TRIPS</b>	<b>MIDDAY PEAK HOUR TRIPS</b>
Sports Retail	130,129 SF	Total	61	433	1,041
		Shared within Site	0	69	187
		External to Site	61	364	854
Shopping Center	387,265 SF	Total	342	1,576	2,066
		Shared within Site	17	252	372
		External to Site	325	1,324	1,694
Supermarket	120,197 SF	Total	432	964	1,304
		Shared within Site	22	154	235
		External to Site	410	810	1,069
Office	107,500 SF	Total	199	199	44
		Shared within Site	10	32	0
		External to Site	189	167	44
Hotel	200 Units	Total	112	118	144
		Shared within Site	0	0	0
		External to Site	112	118	144
Apartments	374 Units	Total	191	232	194
		Shared within Site	10	37	35
		External to Site	181	195	159
Townhouses	76 Units	Total	41	48	65
		Shared within Site	2	8	12
		External to Site	39	40	53
<b>TOTAL</b>		Total	1,378	3,570	4,858
		Shared within Site	61	552	841
		<b>External to Site</b>	<b>1,317</b>	<b>3,018</b>	<b>4,017</b>

The 2022 projected Full Build traffic generated by the development was distributed onto the roadway system based upon existing traffic patterns coupled with the predominant land uses and destinations in the area. The distribution patterns have been developed for Friday AM and PM and Saturday Mid-Day peak hours. The resulting sum of the 2022 background (No Build) traffic and all site-generated trips are shown in Figure 3.7-3. This condition represents traffic after full build out of the proposed development, the 2022 Build condition.

The 2022 No Build and 2022 Build traffic volumes and turning movements were analyzed to determine operating Levels of Service. The detailed analysis, including results regarding queuing at the driveways, are included in the Synchro files in the Traffic Impact Study appendices (see

Appendix J of this DEIS). The following results were obtained assuming no mitigation measures are put in place:

**NYS Route 96 and Main Street Fishers** – During the AM peak hour the overall intersection is projected to operate at LOS E as compared to LOS D in the 2022 No Build condition. The northbound through/through right and approach change to LOS F and the southbound through/through movement and approach change to LOS E and D respectively. During the PM peak hour the northbound left movement changes to LOS E while all other movements and approaches remain the same as in the 2022 No Build condition. During the Mid-day peak hour the northbound through/through-right movement and approach change to LOS F and the southbound through/through movement and approach change to LOS F. All other movements and approach LOS remain the same as in the 2022 No Build condition.

**NYS Route 96 and Omnitech Driveway** – The eastbound approach changes to LOS D and the northbound left movement changes to LOS C during the AM peak hour. During the PM peak hour the eastbound right movement changes to LOS D and the northbound left movement changes to LOS C. During the Mid-day peak hour the eastbound left and right movements change to LOS F and LOS C respectively. The eastbound approach changes to LOS F while the northbound left movement changes to LOS C. All other movements at this intersection operate at the same LOS as the 2022 No Build condition during the peak hours. While the Synchro level of service analysis shows long delays during the PM period, observations in the field show much better operating conditions due to the gaps created by the signal at Route 96 and Main St. Fishers.

**NYS Route 96 and Rowley Road** – During the AM peak hour the westbound approach changes to LOS F and the southbound left movement changes to LOS C. During the PM peak hour the westbound approach also changes to LOS F and southbound left turn movement changes to LOS F. During the Mid-day peak hour the westbound approach changes to LOS F and the southbound left changes to LOS F. All other movements operate at the same LOS as the No-Build condition.

**NYS Route 96 and Victor-Mendon Road Route 251** – During the AM peak hour the overall intersection is projected to operate at LOS F as compared to LOS B in the 2022 No Build condition. The approaches are expected to operate at LOS C or better with the exception of the northbound approach which changes to LOS F. During the PM peak hour the overall intersection is projected to operate at LOS F as compared to LOS D in the 2022 No Build condition. The eastbound, westbound, and southbound approaches change to LOS F. During the Mid-day peak hour the overall intersection is projected to operate at LOS F as compared to LOS B in the 2022 No Build condition. The eastbound approach LOS changes to LOS D and the westbound, northbound and southbound approaches change to LOS F.

**NYS Route 96 and Lane Road** –During the AM peak hour the southbound left movement changes to LOS C and during the PM peak hour the same movement changes to LOS F. The westbound approach and southbound left turn movement changes to LOS F and LOS D respectively, during the Mid-Day peak hour. All other movements operate at the same LOS as the 2022 No Build condition.

**NYS Route 96 and High Street (in the Village)** – During the AM peak hour the northbound approach and overall intersection LOS change to LOS F from the 2022 No Build conditions. During the PM peak hour there is no change in LOS from the 2022 No Build condition. During the Mid-day peak hour the northbound and southbound through movement and approaches also change to LOS F. There are no other changes to LOS at this intersection from the 2022 No Build conditions.

**NYS Route 96 and School Street** – During the AM peak hour the eastbound left and approach change to LOS F and the northbound through movement and approach change to LOS F from the 2022 No Build condition. The overall intersection LOS changes to LOS F. During the PM peak hour the eastbound left, right, and approach change to LOS F, LOS C, and LOS F, respectively. The northbound left turn movement changes to LOS B and the southbound left turn movement and approach change to LOS F. The overall intersection LOS changes to LOS F from the 2022 No Build condition. During the Mid-day peak hour the northbound and southbound through movement and approach change to LOS F and the overall intersection LOS also changes to LOS

F. The northbound left turn movement changes to LOS B. All other movements and approaches remain the same as the 2022 No Build condition.

**NYS Route 96 and Maple Avenue** – During the AM peak hour the eastbound left turn movement and approach change to LOS F. The northbound through/right movement and southbound through movement change to LOS F and the approaches also change to LOS F. The overall LOS of the intersection changes to LOS F as compared to LOS C in the 2022 No Build condition. All other movements and approaches remain the same as the 2022 No Build condition. During the PM peak hour the eastbound and westbound approach changes to LOS F and the southbound through movement and approach also change to LOS F. The overall intersection LOS changes to LOS F. All other movements and approaches operate at LOS D or better. During the Mid-day peak hour the eastbound left movement and approach change to LOS E and LOS F, respectively. The northbound through/right movement and approach change to LOS F and the southbound approach also changes to LOS F. The overall intersection LOS changes from LOS D to LOS F from the 2022 No Build condition.

NYS Route 96 and Lynaugh Road – There is no change in LOS from the 2022 No Build condition.

**County Route 9 and Lane Road Extension** – During the AM peak hour the eastbound and westbound approaches change to LOS D and LOS C, respectively. During the Mid-Day peak hour the eastbound and overall LOS change to LOS F and LOS D, respectively. All other movements remain the same as the 2022 No Build condition.

**High Street and Lane Road** – During the Mid-day peak hour the eastbound, westbound, southbound and overall intersection LOS changes to LOS C. All other movements and approaches remain the same as the 2022 No Build condition.

**High Street and Aldridge Road** – There is no change in LOS from the 2022 No Build condition with the exception of the westbound approach which changes from LOS B to LOS C during the PM and Mid-Day peak hours.

**High Street and Willowbrook Road**– During the AM peak hour the eastbound approach changes to LOS D. During the PM peak hour the eastbound approach and overall intersection LOS changes to LOS F and LOS C, respectively. There are no other changes in LOS from the 2022 No Build condition.

**High Street and Gillis Road** – There are no changes in LOS at this intersection from the 2022 No Build condition with the exception of the westbound approach which changes to LOS C, LOS F, and LOS C, during the AM, PM, and Mid-Day peak hours, respectively.

**Route 96 at Proposed Driveway** – During the AM peak hour the northbound through/right movement will operate at LOS F. The overall intersection will operate at LOS E and all other movements and approaches will operate at LOS D or better. During the PM peak hour the westbound right movement and approach will operate at LOS F and LOS E, respectively. The northbound through/right will operate at LOS F. The southbound left and through movement, as well as the approach, will operate at LOS F. The overall intersection LOS will operate at LOS F. During the Mid-day peak hour all movements and approaches will operate at LOS F with the exception of the westbound left movement which will operate at LOS E. The overall intersection LOS will operate at LOS F.

Mitigation measures to address the potential traffic impacts are detailed in the next section.

### 3.7.3 Mitigation Measures

The following mitigation measures are proposed to improve LOS, alleviating the traffic generated by the proposed development, as well as mitigating some existing problems within the study area:

- Signal retiming is recommended at the intersections of NYS Route 96 and Main Street Fishers.

- A second northbound and southbound lane should be added to NYS Route 96 through the immediate project area, from Omni Tech Driveway to Lane Road. This is a widening of the existing 3 lane section between Omni Tech and the northerly Fishers Ridge Entrance/Exit to 5 lanes, two lanes in each direction with a center left turn lane. Between the northerly entrance/exit and Lane Road it is a widening of 4 lanes to 6 lanes, two lanes in each direction with dual left turn lanes.
- Additional turning lanes should be added to the intersection of NYS Route 96 and Victor Mendon Road (Route 251) to accommodate the new approach, the southern site driveway. On NYS Route 96: one northbound right turn lane and two southbound left turn lanes are recommended. On Route 251: two left turn lanes, one through lane and one right turn lane is recommended, basically a widening of the approach for two exclusive left turn lanes. Four exit lanes are recommended for the south Fishers Ridge driveway exit consisting of two left turn lanes, one through lane and one right turn lane. On the Fishers Ridge entrance two lanes are recommended to accept the double left turn lanes from NYS Route 96.
- The proposed NYS Route 96 traffic signal at the northern site driveway should be coordinated with the signal at Victor-Mendon Road (Route 251). Two exclusive southbound left turn lanes are recommended at the north driveway with a protected only phase. On the Fishers Ridge driveway exit: two exit lanes are recommended, one left turn lane and one right turn lane. On the Fishers Ridge driveway entrance: two enter lanes are recommended to accept the double left turn lanes from NYS Route 96.
- Addition of a right turn lane on Lane Road is recommended so motorists turning right onto NYS Route 96 north do not have to wait for queued left turn vehicles.
- Traffic flowing on NYS Route 96 through the Village of Victor, approximately 30% of the peak period flow, contributes to the delay and backups that are experienced. Although there is an alternate route by using the New York State Thruway between exit 44 and 45, some motorists choose not to use this route. As traffic flow continues to grow by normal background growth and development, this delay will increase. Since the Village is developed, installation of additional through lanes on NYS Route 96 would not be a considerable option. A possible mitigation measure would be to work with the New York State Department of Transportation to install real time traffic measuring devices on

NYS Route 96 that would indicate actual delay and adjust traffic signal timings real time based on this delay. While this can help to reduce delay, it will not be the answer to reducing through traffic. A possible solution would be to install real time traffic message signs on I-490 approaching the NYS Route 96 exit and on Route 332 approaching NYS Route 96. These signs would be based on real time traffic delay measured in the Village of Victor and can display a simple message indication to drivers of the congestion conditions in the form of colors: RED - Long Delays, Yellow - Moderate Delays, and Green – Short Delays. The ultimate goal would be that when the sign showed Red or Yellow, motorists would divert to the Thruway to bypass the Village. As a mitigation measure it is recommended that this be pursued with the New York State Department of Transportation.

Mitigation measures proposed for roadways that are not under the control of the Town of Victor would be accomplished through the permit processes necessary by other agencies as well as by conditions imposed on the project through the SEQR review and Town approvals.

Alternative access locations to the site from the adjacent roadways were considered. Under the full build scenario the traffic generated indicates that two access points on Route 96 are necessary in order for the access road to function with acceptable levels of service and without long delays to Route 96 through and left turning traffic. Also, exiting traffic would experience long delays without two access points on Route 96. The level of service analysis shows that under full build with two access points Levels of Service D can be achieved. Without two access points failing level of service F would occur.

It is desirable to have one of the access points located on the east side of the site opposite NYS Route 251, providing direct access to and from the project site for traffic using that highway. The second Route 96 entrance is placed approximately 1,150 feet to the west. This access could not be located further west due to the steep topography of the site in that area.

An alternative access configuration is also possible through the creation of a new Town roadway running from Route 96 at its intersection with Route 251, through the project site and an adjacent

property, and connecting to High Street at the location of its current intersection with Lane Road. Lane Road could then come off the northern portion of the new roadway and have a cul-de-sac terminus before reaching Route 96. Such a configuration is shown in Figure 3.7-4 and a supplemental traffic study has been completed analyzing the effect of its implementation. This study, entitled "Alternative Highway System – Lane Road Alternative", is contained in Appendix J of this DEIS.

This alternative access configuration offers several advantages. It will take current "cut-through" traffic off the residential Lane Road, eliminate an unsignalized intersection from Route 96, and provide a more efficient path for vehicular traffic from High Street to the commercial corridor along Route 96. This configuration will further the Town of Victor goals and initiatives as stated in the 2014 Draft Comprehensive Plan Appendix XIV: Traffic Project List. The Fishers Ridge project sponsor controls the adjacent land to the northeast necessary to make this connection and has indicated a willingness to assist the Town in its creation.

The adopted Scope suggests an alternative in which the Lane Road intersection with Route 96 is re-aligned with Route 251. In this case, access to the project site would have to come off of Lane Road nears its intersection with Route 96. Such a configuration, even if approved by the NYS DOT, would introduce more traffic to the residential area of Lane Road, which is not desirable.

As noted earlier, the proposed Fishers Ridge is intended as a pedestrian friendly community offering an extensive internal trail and sidewalk network. Site access and circulation are shown in the project plans in Figure 2.2-1 and, in more detail for Phase I, Figure 2.2-3 and the detailed site plans for Phase I in Appendix B. The development will incorporate the Seneca Hiking Trail passage through the site. A proposed configuration for the Seneca Hiking Trail is shown in Figure 3.7-5. The applicant will continue to work with the Victor Hiking Association in finalizing the signage, surface treatment and detailed alignment of the trail as it passes through the property.

Alternative site layouts are discussed in Section 4 of this DEIS.

### 3.7.4 Unavoidable Impacts

With implementation of the recommended mitigation measures, the following traffic impacts are found:

**NYS Route 96 and Main Street Fishers** – Proposed balancing of traffic signal green by phase is expected to achieve better overall operation. During the AM peak hour the overall intersection LOS is mitigated to operate at LOS D as compared to LOS E without mitigation and the northbound through/through-right movement and approach are mitigated to LOS D. The southbound through movement and overall approach are mitigated to LOS C and LOS B, respectively. During the PM peak hour the overall intersection LOS remains at LOS F, however the average delay improves from 257 seconds to 91 seconds. Similar to the AM peak hour results, reduced delays for Route 96 are expected with the balanced signal timing splits. During the mid-day peak hour the northbound and the southbound delays are reduced, improving service levels to LOS D or better for the Route 96 movements in conjunction with a marked overall improvement from LOS F to LOS D.

**NYS Route 96 and Omnitech Driveway** – During the AM peak hour no change in LOS is expected from the 2022 Build condition. During the PM and Mid-day peaks, long delays are expected on the Omnitech exit without a traffic signal, but signalization is expected at this intersection by the development owner at such time as delays require and NYSDOT approves.

**NYS Route 96 and Rowley Road** – During the AM peak hour the westbound approach is mitigated to LOS D and the southbound left movement is mitigated to LOS B. During the PM peak hour the westbound approach is mitigated to LOS E and the southbound left movement is mitigated to LOS C. During the mid-day peak hour the westbound approach is also mitigated to

LOS E and the southbound left movement is mitigated to LOS B. All other movements and the overall approach LOS operate at LOS A.

**Route 96 at Proposed North Driveway** – During the AM peak hour the northbound approach is mitigated to LOS A. The overall intersection LOS is mitigated to LOS A from LOS E without mitigation. During the PM peak hour the northbound approach is mitigated from LOS F to LOS B. The LOS F projected for the southbound left and through movements is mitigated to LOS D and LOS A, respectively, while the southbound overall approach is mitigated to LOS B. The overall intersection LOS is mitigated to LOS B from LOS F without mitigation. During the mid-day peak hour the Route 96 approaches are mitigated from LOS F to LOS C in each direction. The overall intersection LOS is mitigated to LOS C from LOS F with no mitigation.

**NYS Route 96 and Victor-Mendon Road Route 251 with the Fishers Ridge driveway** – During the AM peak hour the overall intersection is mitigated to operate at LOS C from LOS F without mitigation. The eastbound left movement is mitigated to LOS D and the northbound through movement and approach are mitigated to LOS B. All movements and approaches operate at LOS D or better during the AM peak hour. During the PM peak hour the overall intersection is mitigated to LOS C as compared to LOS F without mitigation. All movements and approaches are mitigated to operate at LOS D or better with the exception of the eastbound through, westbound left/left, northbound left, and southbound left/left movement which will operate at LOS E. All approaches are projected to operate at LOS D or better during the PM peak hour. During the mid-day peak hour the overall intersection is mitigated to operate at LOS D as compared to LOS F with no mitigation. The westbound left movement and approach operate at LOS E and LOS D, respectively. The northbound through movement and approach are mitigated to LOS D and the southbound left and through movements are mitigated to operate at LOS E and C, respectively. All other movements and approaches operate at LOS D or better with the exception of the eastbound through movement which will operate at LOS E.

**NYS Route 96 and Lane Road** During the peak hours, the delays on the westbound approach are reduced by adding lane capacity. The addition of lanes on Route 96 provides improved capacity and a right turn lane is recommended so motorists turning right onto Route 96 north do

not have to wait for queued left turn vehicles. This is expected to alleviate congestion on Lane Road.

**Route 96 Signals in the Village-** Real time signal timing is recommended at the traffic signals in the Village of Victor; at High Street, at School Street, and at Maple Avenue. Signal synchronization within the Village of Victor , with coordination of the signals and a link of these signals to the Regional Traffic Operations Center (RTOC) for real time monitoring, has been discussed for some time. In general the proposed signal timing plan would add more delay for movements with the least volume in order to improve traffic movements with the highest volume for the Village corridor signals. The proposed retiming will result in an overall benefit by providing optimum operation.

**Route 96 Intersection at Lynaugh Road** – The Synchro analysis shows poor LOS F for Lynaugh Road. SimTraffic indicates/predicts less delay and better LOS, but it is still poor. Expected delays are lengthy, but installation of a traffic signal could have negative impacts and encourage commuters to use Lane Road and Lynaugh Road, local roads.

**Lane Road at Church Street** –Synchro indicates LOS F for Lane Road during the PM and midday peaks. SimTraffic indicates less delay and better than acceptable LOS.

**Lane Road at High Street** – Synchro indicates LOS F at this intersection during the PM peak. SimTraffic indicates less delay and better than acceptable LOS.

**High Street at Willowbrook Road** –Synchro indicates LOS F for Willowbrook Road during the PM peak. SimTraffic indicates less delay and better than acceptable LOS.

**High Street at Gillis Road** –Synchro indicates LOS F for Gillis Road during the PM peak. SimTraffic indicates less delay and better than acceptable LOS.

### ***3.8 Impacts on Energy Use and Utilities***

#### **3.8.1 Existing Energy and Utilities at Project Site**

Energy needs for the proposed development will be supplied by private suppliers. Upgrades to the electrical or natural gas delivery system in the immediate project area will be made by the energy supplier and/or the project developer. Adequate energy supplies to meet the anticipated project demands are available. The applicant has requested confirmation from the utility (Rochester Gas and Electric) of its willingness and ability to serve this project. Once received, it will be submitted to the Town.

Solid waste collection and disposal for the site will be handled under contracts with licensed, private haulers, including provisions for recycling as practiced in Ontario County. There is sufficient landfill disposal capacity in the region to handle the additional solid waste load.

The adequacy of the public sanitary sewer and potable water supply systems to serve the site has been investigated by Costich Engineering and its report with findings is contained in Appendix K to this DEIS. A summary is provided in this section.

Two existing 8" diameter dedicated Town of Victor sanitary sewers are located on the site's Route 96 frontage. One is located at the southeast corner of Lane Road and Route 96, which flows southeasterly to the Village of Victor wastewater treatment plant. The second is located at the intersection of Route 96 and proposed "Road A". It drains southwesterly to a Town of Victor pump station (PS #29), eventually discharging to the Farmington Wastewater Treatment Facility. Based on a meeting with representatives from the Farmington Water and Sewer District (FWSD), facilities downstream of the two (2) Route 96 connection points have existing capacity issues that would require system upgrades.

As suggested by the sewer district, an alternative connection to an 8" sewer located on Aldridge Road is being investigated. Access to this location via High Street appears feasible with the construction of a pump station and force main to service the new development. The pump

station would be constructed at the lower elevations of the Fishers Ridge Development, allowing all of the flows generated to be collected and conveyed to the Aldridge Road sewer. The force main would exit the Fishers Ridge site at the High Street/NYS Thruway underpass whereby existing right-of-way could be utilized to accommodate the proposed force main to the Aldridge Road sewer line.

The developer is working with the sewer district and town engineer to see if the proposed pump station can be designed to accommodate all of the proposed sanitary loads from the Fishers Ridge development plus any potential future flows from undeveloped lands in the site vicinity while alleviating the existing capacity issues.

An existing 12" diameter dedicated Monroe County Water Authority (MCWA) water main is located on the north side of Lane Road. Hydrant flow data supplied by the MCWA is as follows:

#### Hydrant Flow Test Data

Test Location: Lane Road

Static Pressure: 82 psi                      Residual Pressure: 74 psi

$Q_{20} = 4,401$  gpm                      Observed Flow: 1,432 gpm

There is also an existing 8" diameter watermain located at a lower elevation on the south side of Route 96. The MCWA does not want a new connection between the two as they are in different pressure zones. As a result, the new development will be serviced from the Lane Road watermain.

It is concluded that the existing site and utility infrastructure pose no restrictions to the proposed development for sanitary sewer collection or water distribution needs and that the sanitary and water systems will adequately accommodate the project's needs.

### 3.8.2 Estimated Project Demands and Impacts

Average daily sanitary sewage flows for the proposed development were calculated based on the "NYSDEC Design Standards for Intermediate-sized Wastewater Treatment Systems," dated 2012. Estimated flows equal 253,350 gallons per day. This estimate is conservative due to the high square footage of restaurant use. The Farmington Water and Sewer District has indicated that the existing wastewater treatment facility has sufficient capacity to service this additional flow.

For the potable water supply, the maximum fire flow demand will be for the sprinkler system for the anchor retail building located adjacent to the thruway at the highest elevation. A conservative sprinkler demand of 2,500 gpm was modeled and results indicate a residual pressure at the future right-of-way line of 29 psi. Backflow prevention will be provided on the private combined services to each lot. Peak domestic demand for the entire development will be lower than the 2,500 gpm sprinkler demand for the anchor retail.

Section 3.2 of this DEIS details the proposed stormwater management, including a summary of compliance with state regulations regarding peak runoff rates and stormwater volume reduction techniques. Further details are found in Appendix D, including a full SWPPP for the project.

Natural gas and electrical demand has been estimated for the proposed project, with a total demand at full project build-out and occupation at 39,186 MMBtu of gas and 21,852,067 kWh of electric annually. Calculation of the estimate is shown in Table 3.8 on the following page. Since all buildings in the development will be new, it is expected that energy use will be lower since energy conservation measures will be incorporated as per current standards and market demand. Any "green energy" infrastructure will be assessed at the time building plans for individual project components are designed and will be implemented at the discretion of the entity responsible for the operation of the element. This will depend upon multiple regulatory and economic considerations at the time this is evaluated.

Table3-8 Natural Gas and Electrical Energy Usage Estimate									
Space Type	CBECS Classification	Square Footage	Natural Gas Usage Intensity (Adjusted for Region, New Construction and Building Size)					Total NG Energy Usage	
			(Btu/ sqft)					MMBtu	Therms
			Space Heating	Water Heating	Cooking	Other	TOTAL		
Residential	Lodging	20,700	13,855	12,631	4,073	-	30,559	633	6,326
	Lodging	19,000	13,855	12,631	4,073	-	30,559	581	5,806
	Lodging	19,000	13,855	12,631	4,073	-	30,559	581	5,806
	Lodging	18,000	13,855	12,631	4,073	-	30,559	550	5,501
	Lodging	14,400	13,855	12,631	4,073	-	30,559	440	4,400
	Lodging	6,000	15,204	23,579	9,997	-	48,780	293	2,927
	Lodging	6,000	15,204	23,579	9,997	-	48,780	293	2,927
	Lodging	4,500	20,087	31,719	16,415	-	68,221	307	3,070
	Lodging	4,500	20,087	31,719	16,415	-	68,221	307	3,070
	Lodging	4,500	20,087	31,719	16,415	-	68,221	307	3,070
	Lodging	4,500	20,087	31,719	16,415	-	68,221	307	3,070
	Lodging	4,500	20,087	31,719	16,415	-	68,221	307	3,070
	Lodging	4,500	20,087	31,719	16,415	-	68,221	307	3,070
	Lodging	3,000	20,087	31,719	16,415	-	68,221	205	2,047
<b>Total Residential</b>		<b>133,100</b>						<b>5,416</b>	<b>54,159</b>
Retail	Malls	132,200	-	-	-	-	-	-	-
	Mercantile	40,000	19,355	1,500	2,435	2,966	26,256	1,050	10,502
	Mercantile	33,500	19,355	1,500	2,435	2,966	26,256	880	8,796
	Mercantile	20,500	22,075	1,038	3,826	2,373	29,312	601	6,009
	Mercantile	20,300	22,075	1,038	3,826	2,373	29,312	595	5,950
	Mercantile	20,200	22,075	1,038	3,826	2,373	29,312	592	5,921
	Mercantile	20,100	22,075	1,038	3,826	2,373	29,312	589	5,892
	Mercantile	18,700	22,075	1,038	3,826	2,373	29,312	548	5,481
	Mercantile	9,900	24,225	1,938	9,391	1,681	37,236	369	3,686
Mercantile	9,600	24,225	1,938	9,391	1,681	37,236	357	3,575	
<b>Total Retail</b>		<b>325,000</b>						<b>5,581</b>	<b>55,813</b>
Restaurant	Food Service	19,000	36,022	17,303	80,718	-	134,043	2,547	25,468
	Food Service	17,400	36,022	17,303	80,718	-	134,043	2,332	23,324
	Food Service	10,000	39,531	32,299	198,127	-	269,957	2,700	26,996
	Food Service	9,600	39,531	32,299	198,127	-	269,957	2,592	25,916
	Food Service	8,200	39,531	32,299	198,127	-	269,957	2,214	22,137
	Food Service	7,900	39,531	32,299	198,127	-	269,957	2,133	21,327
	Food Service	7,600	39,531	32,299	198,127	-	269,957	2,052	20,517
	Food Service	6,800	39,531	32,299	198,127	-	269,957	1,836	18,357
	Food Service	6,500	39,531	32,299	198,127	-	269,957	1,755	17,547
	Food Service	6,200	39,531	32,299	198,127	-	269,957	1,674	16,737
	Food Service	4,900	52,226	43,450	325,319	-	420,996	2,063	20,629
	Food Service	4,900	52,226	43,450	325,319	-	420,996	2,063	20,629
<b>Total Restaurant</b>		<b>109,000</b>						<b>25,958</b>	<b>259,583</b>
Hotel	Lodging	21,000	20,087	31,719	16,415	-	68,221	1,433	14,326
Cinema	Public Assembly	27,100	27,372	562	785	-	28,720	778	7,783
<b>Gas Total</b>		<b>615,200</b>						<b>39,166</b>	<b>391,664</b>
<b>Electrical Use</b>									
Use	sq. ft.	rate(kw/sf)	hr/day	days	Total(Kwh/yr)				
Retail	325,000	0.0103	13	250	10,879,375				
Hotel	21,000	0.0093	16	365	1,140,552				
Restaurant	115,000	0.0103	13	312	4,804,332				
Residential	128,600	0.008	12	365	4,506,144				
Cinema	27,500	0.0076	8	312	521,664				
<b>Electric Total</b>					<b>21,852,067</b>				

### **3.8.3 Mitigation Measures**

No further mitigation, beyond providing the watermain, pump station and force main to service the site, are anticipated to be necessary to meet the utility needs of the proposed development. Details on these mitigation measures are provided in section 3.8.2. It is noted that all utility easements for Phase I are proposed to be contained within existing or new public rights-of-way and that easements for future phases will be specified at the time of their review and approval by the Town.

Any “green energy” infrastructure will be assessed at the time building plans for individual project components are designed and will be implemented at the discretion of the entity responsible for the operation of the element. This will depend upon multiple regulatory and economic considerations at the time this is evaluated.

### **3.8.4 Unavoidable Impacts**

Adequate capacity exists to meet the utility demands of the proposed development and no unavoidable impacts in this regard are anticipated.

## ***3.9 Noise and Odors***

A detailed Sound Impact Assessment has been conducted by Bergmann Associates for the proposed development. The full report is contained in Appendix I to this DEIS. This section provides a summary of the noise findings and an evaluation of potential odor impacts.

### 3.9.1 Existing Noise Levels and Odor Sources

Existing noise and odor producing sources in the project site vicinity consist of automobile and truck traffic passing on the adjacent roadway network and accessing nearby businesses. The area is generally open and well ventilated. As a result, odors due to the traffic flow have not been reported as problems in the past.

Existing noise sources in the project vicinity are associated with the heavy traffic flows on the NYS Thruway and NYS Route 96. To assess existing noise levels at sensitive receptors, sound measurements were made at the project site boundary at the existing residence on Rowley road to the west of the project site and at four locations along the rear lot lines of residences on Lane Road to the east of the project site. Both mid-afternoon and nighttime noise levels were obtained at these locations and it was found that the dominant noise sources were traffic flows along both Route 96 and the NYS Thruway. The measured daytime noise levels ( $L_{eq}$ ) varied from 50 to 55 dBA for the Lane Road locations and were at 58 dBA at the Rowley Road location. Corresponding nighttime levels were from 44 to 58 dBA at the Lane Road locations and at 50 dBA at the Rowley Road location. These measurements reflected the traffic flow variations on the surrounding roads, including the increased truck traffic on the NYS Thruway and decreased traffic flow on Route 96 in the evening periods.

### 3.9.2 Potential Impacts

The NYS DEC has established guidelines from which noise impacts can be assessed in its program policy report entitled *Assessing and mitigating Noise Impacts* (NYS DEC Publication DEP 00-01). In it, the NYS DEC states that the human reaction to increases in noise level of 0–5 dBA are unnoticed to tolerable and that “increases ranging from 0-3 dBA should have no appreciable effect on receptors”.

Noise impacts were predicted through the use of the CadnaA sound propagation model. The CadnaA model utilizes the ISO 9613 standard for sound propagation methodology, including the

major calculation factors of distance and shielding. The model incorporated existing roadway geometry, traffic conditions and site land features such as ground surface cover (grass, pavement, field, etc.) and terrain. To calibrate the model, the predicted sound level under current conditions was compared to the noise measurement levels recorded in the field, and adjustments in the modeling were made to provide close correlation. The modeling was found to predict sound levels no more than 1 dB(A) different from the noise levels that were measured in the field.

To assess impacts, the sound levels were calculated along the bordering residential locations using the CadnaA model with the future (2022) No-Build traffic levels only and then for the future full, post development conditions. The future post-development condition is based on the total predicted traffic (both public roadways and site roadways) and includes truck deliveries and operational point source sound levels (including parking lot sweepers and garbage/refuse collection during the morning period). The results of the noise analysis indicate that the noise level at the adjacent residential lot lines will increase by no more than 3 dBA due to the proposed development.

It is concluded that the increased noise levels due to the proposed Fishers Ridge development will result in no appreciable impact to the adjacent and nearby residential areas.

It is noted that the modeled locations for point noise sources are based upon the site plan as currently proposed. Future conditions may change the exact locations and, hence, the developer has adopted a performance standard for noise stating that noise levels will not be allowed to increase by more than 3 dBA at any adjacent residential lot line and that suitable mitigation measures will be incorporated into future siting and site design to assure this performance standard is met.

Potential odor producing sources in the new development are associated with restaurant uses. However, all the potential locations for restaurant uses are located several hundred feet from any existing residential areas, allowing any odor producing emissions to be dispersed before reaching them. In addition, the potential restaurant uses will generally be in locations on the site for which the prevailing westerly and southwesterly winds will carry any odors toward the NYS

Thruway and not toward existing adjacent residences. Thus, potential odor emissions should present no significant impact since odors are generally only a concern when they reach residential properties, which should be several hundred feet away. As appropriate for a phased project, further evaluation of potential odor impacts can be made at the time of detailed site plan review for any portions of the site in which odors from restaurants may be an issue.

Based upon these factors, it is concluded that impacts due to odors will not be significant.

### **3.9.3 Mitigation Measures**

As detailed in the previous section, no significant noise or odor impacts are expected due to the proposed development. Potential noise and odor producing uses are planned to be located well away from adjacent residential areas and will be shielded by topography and vegetation. In addition, modern restaurants incorporate particulate traps and roof venting to avoid any odor problems. Alternative locations for odor sources cannot be analyzed since the proposed locations for such sources have not even been established. As appropriate for a phased project, the specific locations for odor causing facilities, such as dumpsters, will be subject to review and approval as part of the site plan application for later phases of the project.

While impacts are projected to be insignificant based upon the current project plan, the developer has committed to a noise performance standard of no more than a 3 dBA increase at any adjacent residential lot line. Additional mitigation measures, including earth berms or noise barriers, will be incorporated into future phases if changes to the project result in noise levels above the 3 dBA threshold at adjacent residential lot lines.

### **3.9.4 Unavoidable Impacts**

As detailed in this section, no significant unavoidable impacts related to noise or odor are anticipated to result from the proposed Fishers Ridge development.

### ***3.10 Impacts on Public Health and Safety***

#### **3.10.1 Existing Public Health and Safety Issues with Project Site**

The project site predominantly consists of open fields covered with varying thickness of brush and vegetation characteristic of overgrown, inactive farmland. An inactive gravel pit with some abandoned mining equipment also exists on-site. Scattered debris is found across the property including two abandoned vehicles, several abandoned appliances, small amounts of construction and demolition debris, tires, and household garbage. Such discarded refuse and unauthorized dumping could pose public health or safety issues to the trespassing public.

The project site is gated, but is not monitored for illegal trespassing or trash dumping. Except for the access drives, no fence exists around the property to deter trespassers. The site in its current state is privately owned and not patrolled and trespassers enter at their own risk. The site has also apparently been used for target practice by local residents. Unauthorized use of firearms by trespassers on the project site poses risks to the safety and welfare of anyone in the vicinity.

A dirt access road extends onto the project site from NYS Route 96 leading to the inactive gravel quarry. The dirt road continues north past the abandoned quarry and branches into several smaller trails. These trails are often utilized by the trespassing public. Recent tire tracks on these trails point to evidence of dirt bikes and ATVs traversing the area. Unauthorized off-road vehicle usage in an abandoned quarry poses risks to the safety and welfare of those who trespass on the project site.

The designated Seneca Trail, sponsored by Victor Hiking Trails, Inc., passes through the project site. The project sponsor continues to work with Victor Hiking Trails, Inc. to assure the continuity and public use of the Seneca Trail in this area. Appropriate trail easements and signage will be provided for this purpose.

### **3.10.2 Potential Impacts**

The proposed project will provide needed housing and convenient and safe retail shopping opportunities to the public. Outdoor lighting with mounted surveillance cameras and security personnel will exist on-site to ensure safety and security.

Parking lot and internal roadway systems will be provided with pavement markings and signage to provide safety for vehicles and pedestrians. An extensive network of internal sidewalks and trails will provide for safe pedestrian and other non-motorized circulation throughout the site with connections to the Route 96 frontage and all parking areas.

Two stormwater management basins are proposed on the project site as discussed in detail earlier in this DEIS. The basins have been designed to reduce the possibility of drowning that could result if someone enters or falls into a stormwater management basin. A safety bench will be provided with gentle slopes from the top of pond to the static water surface elevation. This gentle slope will allow anyone who accidentally enters the stormwater basin to walk back out. At the starting point of the static water surface elevation, an aquatic bench extends into the pond approximately 15 feet. The water at the end of this bench will be approximately 18-inches deep. The bench will be planted with various materials which assist with water quality. The presence of the vegetation will discourage people from entering the water. Additional safety features that could be explored during the site plan approval stage include fencing, guide rails, and signage.

A gasoline station is not proposed on the project site and it is not anticipated that any fuel dispensing facilities will be included as part of the Fishers Ridge project.

Emergency access will be from NYS Route 96. Thus, emergency services can use the same routes they currently use to respond to calls to existing retail plazas and residential uses along NYS Route 96.

Impacts to neighboring properties should be positive with respect to public safety as the site will be occupied, lighted, will have access for emergency personnel and will have a private security

presence.

An emergency services turning movement plan for the project site has been developed and is shown in Figure 3.10-1. It shows on-site circulation for emergency vehicles as well as off-site access points. This plan illustrates how the site roadways can accommodate emergency vehicles, modeled as a large fire trucks. During the site plan approval process for the future phases of the development, all intersection radii will be designed and again checked to ensure adequate clearance for the emergency vehicles. In addition, the site is planned with two access points from NYS Route 96 allowing for access for traffic and emergency vehicles even if one of the intersections is completely blocked.

Growth of background traffic is expected to have impacts on levels of service for area roadways and intersections, which has the potential to impact emergency service response time. However, proposed traffic mitigation measures, as discussed in another section of this DEIS, will alleviate impacts due to traffic generated by the project as well as mitigating some existing and projected future traffic problems in the project vicinity. As a result, impacts to police, fire, and emergency service response time are not expected to occur as a result of the proposed development.

### **3.10.3 Mitigation Measures**

The project sponsor, above all others, has an interest in keeping the buildings and property clean, safe, properly maintained, and aesthetically pleasing to its customers, residents and the general public. The applicant/operator will accept the responsibility to inspect the project site and ensure litter does not accumulate. To reduce littering, refuse containers will be provided for the retail and restaurant use areas for customers use. The owner/operator will assure that internal roadways and parking lots are regularly swept and cleaned and that snow plowing is done during the winter months. The owner/operator will also assure that all outdoor areas and proposed landscaping are maintained.

All wastes generated within the development will be stored in a sanitary manner that will not

create public health or safety issues. The majority of waste generated at the retail and office facilities will be cardboard, paper and glass, which will be recycled. The relatively small amounts of food and other non-recyclable waste from proposed residential units and restaurants will be stored in closed dumpsters at locations screened from public view. A local trash hauler will be hired to empty the dumpsters on a regular basis so trash is never stored onsite for extended periods of time. With proper maintenance and waste disposal practices in place, no adverse impacts to public health or safety are anticipated.

The proposed stormwater management facility will be privately owned and maintained by the applicant. A post construction Best Management Practices Operations and Maintenance Plan will be implemented as part of the DEC required Stormwater Pollution Prevention Plan (SWPPP). This plan provides information on maintaining all aspects of the stormwater management system and areas draining into it. In addition, the plan provides a schedule with specified frequency for the various inspections and maintenance activities.

Public safety will also be enhanced through the inclusion of an extensive network of pedestrian trails and walks throughout the development. This will effectively separate vehicular from pedestrian activities resulting in a safe pedestrian environment.

#### **3.10.4 Unavoidable Impacts**

With implementation of all mitigation measures, no significant unavoidable impacts related to public health and safety are anticipated from the proposed development.

### ***3.11 Impacts on Growth and Community Character***

#### **3.11.1 Existing Community Character and Growth Trends**

The Town of Victor, located in northwest Ontario County and adjacent to Monroe County, is at the fringe of the Rochester metropolitan area. With its convenient access to transportation, commercial and recreational facilities, and its growing high technology industrial sector, the Town has seen significant growth in population and attendant housing demand over the last two decades. This growth is projected to continue into the future.

According to U.S. Census Bureau, the Town of Victor population grew from 3,414 in 1980, to 4,883 in 1990, 9,977 in 2000 and to 14,275 by 2010. In 2010, approximately 71% of the Town population was 21 years old or older, 49% male and 51% female, forming 5,470 separate households. The median household income for the Town is reported to be \$85,392, well above the \$55,712 median New York State household income level. Further demographic data can be found at the Town of Victor web site <http://www.victorny.org>.

As the population and affluence of the Town increased, so did the demand for housing. In 1990 the Town contained 2,763 housing units. This increased to 3,872 by 2000 and to 5,822 in 2010. Of the 5,822 total housing units in 2010, approximately 82.5% were owner occupied with the remaining 17.5% rentals. Rental vacancies were reported at approximately 1.1%, indicating a strong unmet demand for that type of housing.

Significant economic development has occurred in Victor following the construction of Interstate 490, connecting Victor to metropolitan Rochester, in the 1960s, and of the Eastview Mall in 1971. This includes significant office and industrial development in and around the hamlet of Fishers and just to the east of Victor in the Town of Farmington.

Table 3-6 lists some of the retail and mixed use developments, both existing and proposed, along the Route 96 corridor in the Town of Victor.

<b>Table 3-6: Route 96 Corridor Developments</b>				
<b>Name</b>	<b>Use</b>	<b>Land Area</b>	<b>Square Footage</b>	<b>Overall Density (10<sup>3</sup> sf/ac)</b>
Eastview Mall Retail	retail	156	1,771,241	11.35
Cobblestone Court	retail	35	273,991	7.83
Eastview Commons	retail	39	328,406	8.42
High Point Business Park	office, retail, residential	106	400,000	3.77
Victor Crossing	retail	95	323,287	3.40
Fishers Ridge	retail, hotel, office, residential	95	750,000	7.89
Victor-Mendon Professional Park	office	69	114,576	1.66
Bluestone Creek Office	office, residential	74	30,000	0.41
Omnitech Business Park	office	14	30,000	2.14
Valentown Plaza	retail	9	27,700	3.08
Victor Best Western	hotel	2.7	40,370	14.95

As illustrated by the data in Table 3-6, the proposed Fishers Ridge development is of a similar size and density as other large commercial developments along the Route 96 corridor in the Town of Victor.

According to the Town of Victor 2014 draft Comprehensive Plan documents, top employers in Ontario County have shifted from traditional manufacturing sectors to health care, food related industries and tourism. Retail trade, government and manufacturing remain the largest industry employers within the county as of 2013.

Between 2000 and 2013 the number of professional, scientific and technical firms established in the 14564 zip code, which is centered upon the Village of Victor and includes much of the surrounding Town, increased by more than 77 percent. Based on five-year estimates prepared by the U.S. Census Bureau (2006-2010 American Community Survey), the Town of Victor has a high labor force participation rate of 71.5 percent compared to the labor force participation rates for the County (67.4%), State (63.7%) and Rochester Region (64%). Victor's resident workforce

is composed of a significantly higher share of white-collar occupations (management, sales, science) than is the case within either Ontario County or New York State. Similarly, Victor also has a lower share of its resident workforce employed in traditional blue-collar occupations (production, transportation, construction).

The top paying jobs in the Victor community fall within the management, businesses and financial sectors. Employees in these occupations have estimated median earnings of more than \$91,000 in 2010 in Victor – far greater than every other occupational sector. Other high paying sectors in Victor and within Ontario County include computer, engineering and science occupations and health care practitioner and technical occupations. It should also be noted that Victor residents generally have higher earnings in each occupational category compared to their counterparts in Ontario County, the Rochester MSA and New York State as a whole.

In order to preserve the unique qualities which define the community character of the Town of Victor, Town officials have undertaken a variety of planning efforts, which have generally been incorporated into the Town Zoning Ordinance. Figure 3.11-1 shows the zoning map for the Town of Victor. The zoning map clearly shows that the project site is designated for commercial and light industrial uses (C/LIND District). The 2014 Draft Town Comprehensive Plan documents (see <http://www.victorny.org>) indicate the intent to continue to encourage commercial development in this area of the Route 96 corridor and at the project site in particular.

In addition, the Draft Comprehensive Plan documents call for the development of housing that would attract high technology, younger workers and specifically calls for rental housing units combined with street level retail, just as planned for the Fishers Ridge town center area.

The location, design, and components of the Fishers Ridge Project are in conformance with and in furtherance of many of the goals and objectives set forth in both the Town's 1995 Comprehensive Plan and the proposed 2014 Draft Comprehensive Plan, including:

**Town of Victor Comprehensive Plan -- 1995**

Section 1, Page 8:

"The Town should maintain its position as a regional shopping area and industrial economic development projects when the interests of local government and the private sector are mutual. The Town needs to sustain and enhance its local economy and tax base, [and] both jobs and property assessments."

Section 1, Page 14:

"The major concentration of commercial development in the Town of Victor is the Route 96 corridor. This [corridor] contains an adequate amount of developable land for future commercial growth."

Section 2, Page 19:

"The physical design of the Route 96 corridor through the Town of Victor should reflect the Town's natural heritage (landform, vegetation, hydrology) to travelers and advertise the community as a positive place to live and do business."

**Sustainable Victor - Draft Comprehensive Plan, December 8, 2014**

Page 4.3:

"Foster a regional, landscape-scale approach to open space preservation that takes into account how open space on any particular parcel contributes to the open space needs of the town as a whole."

Page 5.29:

"While home ownership is undoubtedly a significant component of stable neighborhoods, it is not necessarily appropriate for everyone, particularly in light of recent turbulent economic times. Rental housing is often portrayed in a negative light, synonymous with old or inferior housing stock, poorly maintained units, or absentee landlords, but this is certainly not always the case. . . . However, by skewing Victor's housing stock overwhelmingly towards ownership, this excludes sections of the population that the community may be seeking, such as . . . young singles and couples, seniors, and empty nesters."

Page 5.29:

The Town "is an ideal location for mixed-used development that would provide housing appropriate for intergenerational residents with a variety of income levels . . . that fosters a sense of community, encourages pedestrian activity, and supports smart growth principles. This type of development can also provide much-needed housing to those who are not ready or able to purchase Victor's larger, more expensive homes, including seniors and employ nesters, local workers, and young professionals. Young professionals are potential long-term members of the community and should be encouraged to live and shop in Victor."

Page 6.4:

"Between 2000 and 2010 the Town of Victor led Ontario County in population growth . . . due to the Town's improving economy and high quality of life. . . . The Town's economic future lies in its ability to focus more on quality than quantity while maintaining a focus on prosperity at the core as the region continues to realize growth."

Page 7.8:

"Looking forward, several recent development proposals [have] suggested Victor's potential emergence as a regional destination. In addition to the extensive concentration of shopping and other commercial opportunities already found within the Route 96 corridor, other factors that would support such an emergence include many of the same factors that have driven past

residential, commercial, and industrial development including the proximity to Thruway Exit 45, the termination of I-490 - a convenient route to the heart of the Rochester MSA, and the role played by Victor and State Route 96 as a gateway to the Finger Lakes region."

Page 7.85:

"The Town's Transportation Plan and Walkable Communities Initiative supplements to its Comprehensive Plan makes recommendations that can enhance access to local recreational opportunities. Relevant recommendations include: 'provide greater pedestrian connectivity in new [developments] and promote/require pedestrian/bicycle/transit-friendly design in all new developments and re-developments.'"

The existing character of the area in the vicinity of the Project Site is a mix of rural/suburban residential away from the Route 96 corridor and commercial/retail along Route 96. Existing commercial businesses in the immediate vicinity include Hadlock's Paint Store, Van Bortel Ford Dealership, India House Restaurant, Doodlebugs Day Care Center, and office buildings housing a variety of other businesses. Commercial/industrial uses are located immediately west of the project site extending along Rowley Road. This includes Custom Trucking Creations, a commercial truck operation, directly abutting the project site to the West and an approved, but not yet constructed light industrial park.

Existing police services for the Project Site are provided through the New York State Police and the Ontario County Sheriff Office. The New York State Police headquarters is located approximately 6.13 miles from the project site at 1569 Rochester Road in the adjacent Town of Farmington. The Ontario County Sheriff Office is located approximately 11.75 miles from the project site at 74 Ontario Street in the City of Canandaigua.

The Town of Victor is comprised of two fire districts: 1) the Victor Fire District, and 2) The Fishers Fire District. The Victor Fire District includes the Village of Victor and the eastern portions of the Town of Victor. The Fishers Fire District is the larger of the two fire districts,

covering an area over 26 square miles in the western portions of the Town. The Fishers Fire District includes the Fishers Ridge development site. The Fishers Fire Department also provides rescue and emergency medical services. The Fishers Fire Department is located approximately 2.20 miles from the Project Site at 7853 Main Street in the hamlet of Fishers.

### **3.11.2 Potential Impacts**

#### **Proposed Land Use, Zoning, and Variances**

As noted earlier the project site is located in the C/LIND (Commercial/Light Industrial District) zoning district of the Town of Victor. The C/LIND is designated for commercial and limited light industrial uses. It is the intent of this district to provide areas for customary and ordinary commercial and light industrial uses that are environmentally compatible with the physical and natural environment of the neighborhood.

The uses proposed for Phase I of the Fishers Ridge development, retail and restaurant, are specifically permitted uses under the commercial and light industrial zoning regulations. Therefore, no changes to the current zoning for Phase I of the project are required and none are proposed at this time.

Compliance with the specific Town zoning and building code requirements for Phase I of the project are detailed on the project site plans and are summarized here in Table 3-7.

<b>Category</b>	<b>C/LIND Required/Permitted</b>	<b>Fishers Ridge Phase I</b>
Use	retail, restaurant	retail, restaurant
minimum lot frontage	150 ft	832 ft
minimum lot depth	200 ft	583 ft
front setback	80 ft	292.7 ft
side setback	5 ft non-residential 25 ft adjoining residential	79.9 ft
rear setback	60 ft	61.0 ft
maximum building stories	2	1
maximum building height	35 ft	52 +/- ft
maximum building coverage	40%	21.1 %
green space	35%	26.9 %
Parking (4.5 per 1,000 sf required)	674	804

As can be seen from Table 3-7, two area variances, for height of building and green space, are anticipated to be necessary for the proposed development of Phase I of the project. As detailed in the Overall Site Plan, the applicant is committed to meeting the Town green space requirement for the entire development. Clustering of the more intensive commercial uses along the NYS Thruway right-of-way results in there being less than 35% green space in the Phase I parcel. This will be more than offset by a large amount of green space in later phases of the project.

Future phases of the development will require further subdivision and site plan approvals from the Town of Victor. It is noted that the residential components of the project are not specifically permitted principal uses under the current C/LIND zoning. In addition, the development of a downtown style, village configuration at the Town Center may not be possible under the C/LIND zoning requirements without numerous area variances. For these reasons, and at the discretion of the Town of Victor, the applicant may request a rezoning of the project site to PD (Planned Development). If approved, the PD zoning would allow much more flexibility in the project layout while still providing for review and oversight by the Town.

At present, the applicant envisions the project proceeding in three phases. Phase I is the Bass

Pro retail anchor and site infrastructure. It is likely this will be followed by a Phase II consisting of the Hillside residential community and the hotel. Phase III would consist of the Town Center and out parcels.

### **Impact to the Surrounding Neighborhood**

The project site lies at the southeastern edge of a commercial/light industrial zone, between two major transportation corridors, and on the Route 96 retail/commercial corridor. The proposed mix of residential and commercial uses will provide a transition from the more intense light industrial uses located east of the site to the existing residential area along Lane Road. The proposed uses are less intensive than those that are permitted under the current site zoning and, when combined with the large setback and extensive undisturbed buffer area, will protect and preserve the residential uses along Lane Road as well as those that may be developed in that area in the future.

Specifics on the potential impacts to adjacent and nearby residences are discussed in the sections of this DEIS dealing with topography (section 3.1), water resources (section 3.2), vegetation and wildlife (section 3.3), air quality (section 3.5), aesthetic impacts (section 3.6), transportation (section 3.7), noise and odors (section 3.9) and impacts on public safety (section 3.11).

### **Impact on Future Development and Growth**

The proposed Fishers Ridge project is consistent with the character and current growth pattern in the Route 96 corridor and is consistent with the recommendations of the Town of Victor Comprehensive Plan. The project is a response to the growth patterns that have emerged over the past decades and is intended to meet the market needs that have developed in the Town of Victor. The project is not expected to spur further growth that would not occur in any event along the Route 96 corridor in this section of the Town. This is, and is designated by the Town, a high growth, generally commercial area of the Town.

As the project is a mix of residential, retail and office uses, it will provide a transition from the

industrial uses and zoning located to the east and the residential uses and zoning to the west. As such, it should act as an enabler for the Town goal of having neighborhood density residential development along Lane Road and High Street. By incorporating a balance of retail, office, multi-residential and community space Fishers Ridge will reduce the market demand for further neighboring development since it provides a multitude of services and offerings. It will also provide a buffer and transition to any type of development desired and approved by the Town along the Route 96 corridor east of the project site. If the Town desires and approves further commercial growth in this area, this project will complement it. If, instead, the Town desires and approves residential growth along this corridor, this project will complement that and provide the transition and buffer from the more commercial areas to the west.

It is also noted that the 2014 draft Town Comprehensive Plan calls for the following in the section on future land use:

*8.11- Plan calls for higher density development in the Route 96 corridor to be coupled with density reductions elsewhere in the town.*

*8.17- Calls for amendments to the town code to support mixed use developments.*

### **Compliance with Town of Victor Comprehensive Plan**

The Town of Victor Comprehensive Plan states that the Town should maintain its regional position as a regional shopping area, and to sustain and enhance its local economy and tax base, both in jobs and property assessments. The NYS Route 96 Corridor is identified as the place for such growth. The Comprehensive Plan also discusses the intent to concentrate future commercial and office uses along the NYS Route 96 corridor. This commercial area stretches on both sides of the Project Site from the Eastview Mall to the Village of Victor. The project is consistent with these goals and the policies set forth in the Comprehensive Plan.

The Comprehensive Plan expresses that retail development provides a benefit to the Town in that it generates both real property and sales taxes, helping to relieve the tax burden on the residential

properties in the community. The proposed commercial and work force rental residences proposed will place limited demands on public services and minimal impact on the school system.

Finally, the Comprehensive Plan calls for the type of residential development, rental apartments over street level retail in an urban style setting, as proposed in the project Town Center area. It is expected that this type of housing, along with the other work force rental units, will attract the younger, high tech workers that now have little option for residing in the Town. This is a specific goal of the Town Comprehensive Plan.

It is concluded that the proposed Fishers Ridge project is in compliance with and will further the goals and recommendations of the Town of Victor Comprehensive Plan.

### **Impact to Emergency Services**

The Project is anticipated to have nominal impacts on police, fire protection, and emergency medical services with any new demands being consistent with the types of services now provided to developed areas in the project vicinity. It is anticipated that the project will result in a slight increase in the number of calls handled by the New York State Police or the Ontario County Sheriff Office. It is anticipated that the existing emergency services will be adequate to meet the post-development demands generated by the project or that any needed expansion of such services will be more than offset by the increased tax revenues and other contributions enabled by the development.

No significant impacts to other community services, such as schools, parks, and recreation areas, are anticipated to occur as a result of the proposed project.

### **Fiscal Impacts**

The project will generate revenues for the Town of Victor and its residents in the form of sales taxes, during and after construction, and real property taxes. These revenues will also benefit the

Victor Central School District and Ontario County as a whole. It is noted that the project developer is working with the Ontario County IDA and New York State to arrive at an equitable incentive, most likely in the form of a temporary abatement of some sales and/or property taxes, for the proposed development. This is in recognition that the project will essentially create a new community center available for public use with all infrastructure (sidewalks, roads, sewers, lighting, etc.) provided through private funding. This will include an upgrade to the public sewer pumping capacity and the creation of public spaces, walk-able streetscapes, trail systems and a park-like setting, all of which significantly increase development costs relative to a typical commercial development.

The applicant currently has two active applications for public incentives:

1. New York State Consolidated Funding Application which is pursuing
  - a. Excelsior Jobs Program
  - b. NYSERDA Energy Efficient Projects
  - c. Empire State Development Grant Funds
2. Ontario County Industrial Development Agency
  - a. Sale/Leaseback Assistance Program

Applications before each agency are pending review and approval by those authorities. For information relative to each specific application we should refer the reader of the DEIS to those agencies websites for the most current information.

Even with all possible public incentives, it is expected that the project will generate increased sales tax revenues annually after project completion and property taxes at completion of any incentive programs. Sales tax revenues primarily go to the State government, with a portion going to the County and Town. It is projected that the project will generate approximately \$184 million in property taxes to the County and Town over its first 30 years of existence. Property taxes generated by the development go to the Town of Victor, the Victor Central School District and Ontario County. The amount and timing of property tax revenue to these taxing jurisdictions cannot be determined until any incentives are determined and approved.

Additional service costs for the Ontario County government should be negligible given wider distribution of assessments and services for this larger government unit. The primary direct service provided for the project site will be for police protection through the County Sheriff's office when the New York State Police are unavailable. As for fire service, the additional property and sales tax revenues generated by the Project should exceed any incremental service costs attributable to the project.

It is estimated that approximately 1,500 jobs will be generated during construction of the Project. After construction is complete it is estimated that approximately 1,900 permanent jobs will be added to the Town of Victor directly on the project site. However, at this time the commercial and retail tenants are not finalized and the exact number of permanent jobs created cannot be determined.

On the basis of the above, it is concluded that the proposed Fisher Ridge development will result in a positive fiscal impact to the Town of Victor, the Victor Central School District, and the Ontario County government.

### **3.11.3 Mitigation Measures**

No significant negative impacts with respect to future growth or community character have been identified and, hence, no extraordinary mitigation measures are necessary.

### **3.11.4 Unavoidable Impacts**

No significant negative impacts with respect to future growth or community character have been identified and, hence, no unavoidable impacts in this regard are anticipated.

### ***3.12 Cumulative Impacts***

Cumulative impacts are defined for purposes of SEQRA as impacts that can occur when “the incremental or increased impact of an action, or actions, are added to other past, present and reasonably foreseeable future actions”. Cumulative impacts must be assessed “when actions are proposed, or can be foreseen as likely, to take place simultaneously or sequentially in a way that the combined impacts may be significant. As with direct impacts, assessment of cumulative impacts should be limited to consideration of reasonably foreseeable impacts, not speculative ones.”<sup>4</sup>

In the present case, cumulative impacts would be identical to growth inducing impacts, addressed earlier in section 3.11 of this DEIS. As noted in that section, the proposed Fishers Ridge development is in response to Town of Victor zoning, the site location along major regional transportation corridors, and market conditions. Any further development along this corridor will not be due to the Fishers Ridge development, but instead due to these other factors.

Hence, cumulative impacts are not anticipated to result from the proposed project.

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<sup>4</sup> NYS DEC. The SEQRA Handbook, Third Edition, NYS DEC, Division of Environmental Permits, Albany NY 12233-1750, 2010.

## **4 Growth Inducing Impacts**

Growth inducing impacts are addressed under the title “Impact on Growth and Community Character” in Section DEIS 3.11 of this DEIS. This includes discussion of growth inducing impacts relative to nearby residential and commercial areas.

## **5 Alternatives**

The alternatives section of the DEIS provides an evaluation of the possible alternatives as identified in the scope. The evaluation is primarily qualitative as it is believed that a quantitative analysis may be misleading in this case.

As noted in this DEIS, the primary benefit of the proposed project is the creation of a mixed residential, service and retail development in a walkable, pedestrian friendly community. The benefits of this are somewhat intangible and a quantitative comparison based upon gallons of water use or vehicle trips would ignore the fundamental benefit of the project. In addition, such a comparison would be speculative at best. For example, a permitted light industrial development could range from a distribution facility with a large volume of truck traffic and little water use to a high technology manufacturer generating little traffic, consuming massive quantities of water and energy, and emitting pollutants to the air. Thus, the choice of specific uses even within a permitted use development, which is speculative at best, would greatly skew any quantitative comparisons.

It is noted with respect to alternatives that the control of the adjacent lands by the project sponsor is not relevant to the layout of this site except to assure that interconnections are feasible, which is accomplished in the site plan. This is demonstrated by the proposed project plan and is also shown in the discussion of the potential cul-de-sac of Lane Road presented in the transportation section as an alternative access configuration.

### ***5.1 No Action Alternative***

The “no-action” alternative results from the project not receiving approvals from the Town of Victor and/or other agencies with jurisdiction. Under this alternative, the proposed project would not be built on this site.

Benefits of the no-action alternative include a temporary preservation of the open field, stream corridor and wooded habitats on the property and a temporary elimination of all resulting off-site impacts including those due to traffic generation and visual changes to the site. These benefits would, at best, be temporary. The project site is zoned for commercial/light industrial uses, is located in a rapidly developing commercial corridor, has excellent visibility from the NYS Thruway, and has excellent vehicular access with convenient connections to major regional arterials. Thus, this site will be developed and the question is what type of development is best for the location and the surrounding community. As noted in the following sections, alternative developments at this site will generally result in comparable or greater environmental impacts with fewer benefits to the community.

The no-action alternative would also eliminate, some temporarily some permanently, the benefits associated with the proposed project. These include the provision of work force housing needed to meet the existing and growing demands of the expanding, high-tech job market in Ontario County, the creation of a new living center where people can work, shop and recreate all within a walkable community and the creation of 1,703 full time equivalent (FTE) permanent jobs, 1,785 FTE temporary construction jobs, and 1,255 FTE indirect jobs. The no action alternative will also eliminate the \$184 million in sales tax generation to the Town and County projected for the first 30 years of the project.

### ***5.2 Alternative Uses and Mixed Uses of the Project Site***

The current C/Lind zoning of the project site allows a large variety of potential uses, with the general exclusion of residential housing. Thus, a very wide assortment of single or mixed

allowed uses could be imagined. A detailed analysis of all such uses and use combinations is impossible. Hence, for purposes of this DEIS, alternative uses of the project site in compliance with the current C/Lind zoning have been developed to demonstrate several, reasonably feasible alternatives. These consist of a customary commercial site, a customary light industrial site and combinations of both. Figures 4.2-1, 4.2-2 and 4.2-3 illustrate three such development scenarios that could potentially be located on the project site.

Alternative 1 (Figure 4.2-1) is a purely light industrial development. As configured, it would consist of 20 separate buildings ranging from 15,000 to 22,500 square feet each for a total development of 319,500 square feet of usable space. Each building would have loading areas and parking to meet its individual needs.

Alternative 2 (Figure 4.2-2) is a project layout accommodating several large distribution centers. Such a use is in compliance with the current zoning and is in demand in this area due to its easy access to the regional highway network, including I-90 and I-490. This layout consists of 5 large distribution buildings ranging in size from 79,100 to 248,800 square feet, each with a smaller office building, associated parking and loading areas as well as smaller, self-contained 24,000 square foot building. This alternative would result in a build-out totaling 843,700 square feet of building space.

Alternative 3 (Figure 4.2-3) consists of 29 buildings containing "flex space". Such space is suitable for light manufacturing, small scale distribution, office, retail and service functions. This alternative contains 29 buildings ranging from 16,000 to 38,300 square feet with associated parking and loading areas. It is noted that the loading areas are smaller for this type of development, which generally does not require extensive use of large tractor-trailers.

It is noted that all three alternatives are in compliance with the current zoning of the property. Due to the topography of the site, all three alternatives will require extensive re-grading of the property to accommodate access roads and provide relative flat building and parking areas necessary for the large footprints required. This is in contrast to residential development that can be built into moderate grades.

Any of the three alternatives will involve more heavy truck traffic than the proposed mixed use project and none provide significantly less site disturbance or the preservation of usable open space for the public.

Finally, none of the alternatives under the current zoning meet the goal of creating a community where people can live, work and recreate in a walkable setting and none will help meet the existing need for work force housing in this market area.

The project site does not lend itself well to a single, "destination" type use such as a large sports venue or other large attractor in one or several inter-connected buildings. This is due to the topography that drops significantly between the NYS Thruway frontage and Route 96. Creating a single, relatively flat and open area for a single destination facility and its associated parking would entail a major re-grading and re-distribution of earth on the site, if feasible at all. Finally, such a single destination type use does not meet the project sponsor's goals for the site and there does not appear to be a viable market for such a development at this location. In this regard it is noted that Bass Pro Shop is a destination use, drawing from a wide market area. It, however, is not of a size that requires the entire project site.

It is noted that the proposed project is "mixed use", containing a variety of retail, services, residential and office uses.

The DEIS scope also asks for a discussion of a wellness center or sports complex. It is noted in this regard that a sports complex (Pinnacle Athletic Complex) is under construction west of the project site.

### ***5.3 Alternative Site Designs***

The range of alternative designs that are possible, while still incorporating the three primary elements of the project, a large anchor retail, multi-family residential, and smaller scale

retail/restaurants, are limited. This is primarily due to the site topography and the constraints imposed by access road layouts. As noted several times, the site slopes down significantly from the NYS Thruway frontage to the Route 96 frontage. In addition, the main access road must align with Route 251 on one end and intersect Route 96 north of Route 251 on the other end. Given design constraints related to maximum road grades, intersection sight lines, and slopes through intersections, the layout of the access roads are relatively fixed in the positions shown on the project plans.

No site layout is possible with a clustering all buildings to either the front or rear of the site. To create such a layout would involve massive earth work to create a relatively flat area large enough at either the front or back of the site. The resulting grades across the site would present an unnatural and stark appearance that would be far more visually intrusive than the proposed project and that would make the creation of access roads nearly impossible.

The current project plan has the large retail anchor and hotel at the upper most plateau near the NYS Thruway. The site will then step down with the Town Center in the middle plateau. The residential component of the project will then be on the outer edges of the Town Center, providing pedestrian links to the Town Center core containing the restaurants and other, small retail units. The lowest level of the site, near the Route 96 frontage, will contain the roadway oriented restaurant uses that are in high demand along the Route 96 corridor.

An alternative configuration might have the large retail anchor in the center of the site at the Town Center, surrounded by the smaller retail and restaurant uses. This would necessitate having much of the residential use on the upper plateau, resulting in difficult pedestrian access to the Town Center. In addition, all the traffic destined to the large retail anchor would have to enter the Town Center area and utilize parking there.

Another alternative layout would have the large retail anchor located near the Route 96 frontage with the mixed residential and smaller retail/restaurant uses in the Town Center at the middle of the site and the road-oriented restaurants on the upper plateau near the NYS Thruway. Such a layout would necessitate significant grading at the lower portion of the property to create the pad

and parking for the large retail anchor. This would also result in a more significant visual impact for the most important viewers of the site, motorists traveling along Route 96. It would also result in motorists destined to the road-oriented restaurant to travel across the entire site to get the upper plateau area. Both the large retail anchor site and the upper plateau restaurant sites would be less attractive from a tenant viewpoint and, thus, less marketable for the project sponsor.

Site layout alternatives that minimize impacts to the existing stream corridor wetland areas are discussed in detail in the Wetland Impact and Mitigation Report contained in Appendix E to this DEIS. No viable alternatives were identified that adequately meet the project needs.

As noted, the applicant is currently seeking approvals only for Phase I of the project, consisting of the Bass Pro retail anchor store and the necessary roadways and infrastructure to support that use. Phasing for the remainder of the project has not yet been established and the timing of development will depend upon market demand for the uses being proposed.

#### ***5.4 Alternative Project Size***

Alternative project sizes are a theoretical possibility for any development. In this case, any significant downsizing will present an economic challenge that puts the entire concept at risk. Due to the property's topography, providing access roads, utilities and other necessary infrastructure is expensive. In addition, the project sponsor will be creating another village center with pedestrian walkways, park like amenities and infrastructure to support the proposed uses at no cost to the local government. This will provide a public amenity that does not now exist in the site vicinity and that can be enjoyed by all the local residents. A certain level of development will be necessary to meet the high fixed costs associated with this type of development.

In addition to economics, the concept of a mixed residential/commercial complex can only be achieved when there is a critical mass of both the residential and the supporting commercial

development. If short on the residential component, the restaurant and small retail component suffers. If short on the restaurant and small retail, the residential component becomes less attractive. This has been demonstrated in attempts at downtown development in US cities. Without a critical mass of residential use, supporting retail/trade does not enter the market and without supporting retail/trade, residential development founders from lack of demand.

The project sponsor has carefully balanced the need for critical mass in the Town Center and surrounding residential development with the economic incentive provided by the presence of a large retail anchor and the smaller road-oriented restaurant uses to create an economically sustainable community providing benefits to the entire region.

## 6 Growth Inducing Impacts

Potential impacts on the growth and character of the surrounding neighborhood and community as a whole are detailed in Section 3.11 of this DEIS. There, it is shown that the proposed Fishers Ridge project is consistent with the zoning of the project site, is consistent with the character and current growth pattern in the Route 96 corridor, and is consistent with the recommendations of the Town of Victor Comprehensive Plan. The project is a response to the growth patterns that have emerged over the past decades and is intended to meet the market needs that have developed in the Town of Victor.

As the project is a mix of residential, retail and office uses, it will provide a transition from the industrial uses and zoning located to the east and the residential uses and zoning to the west. As such, it should act as an enabler for the Town goal of having neighborhood density residential development along Lane Road and High Street.

## **7 Irreversible and Irretrievable Commitments of Resources**

The proposed project will result in the irreversible and irretrievable commitment of the 95 acre subject property to a mixed commercial/residential use. This will involve an essentially irreversible re-grading of the site to allow the proposed construction, including buildings, roads and utilities to support the proposed use. This will result in the loss of some wooded upland habitats, upland open field habitats and a small area of streambed and associated linear wetland habitats, all as detailed in earlier sections of this DEIS. The project will also result in the commitment of capital, labor, energy and materials for the proposed construction and operation of the facilities.

As detailed in this DEIS, the commitment of resources necessary for this project have been minimized to the maximum extent practicable and mitigated to the extent that the resulting, unavoidable impacts will not be significant.

## Figures

## Appendices

### A: SEQR Documents

Environmental Assessment Form

Positive Declaration

Final Scope

February 2010 DEIS Review Correspondence

### B: Project Site Plans

### C: Geotechnical Investigation Report

### D: Stormwater Management Plan and Engineering Report

### E: Wetland Delineation Report & Wetland Impact and Mitigation Report

### F: Vegetation and Wildlife Reports

### G: Cultural Resources Study and Related Correspondence

### H: Visual Impact Assessment

### I: Noise Impact Assessment

### J: Traffic Impact Study and Related Correspondence

### K: Supplemental Engineer's Report