

New York State Environmental Quality Review Act FINDINGS STATEMENT

Pursuant to Article 8 of the New York State Environmental Conservation Law and its implementing regulations, 6 NYCRR Part 617.1 et. seq. collectively known as the New York State Environmental Quality Review Act (hereinafter referred to as “SEQR”), the Town of Geneseo Town Board (“Town Board”) as an Involved Agency, makes the following Findings concerning the Gateway Town Centre Project:

Project No. 05-0145

Date: July 24, 2008

Name of Action: Gateway Town Centre

Description of Action:

Construction of an approximately ± 141,773 square foot Lowes Improvement Center with a ± 31,267 square foot garden center totaling approximately 173,040 gross square feet that will encompass the warehouse and the garden center; in addition to the foregoing, a ± 14,820 square foot retail pharmacy will also be sited on approximately 24 acres of land (the “Project”).

The Applicant and Project Sponsor, Gateway Town Centre LLC (the “Project Sponsor”) has applied for among other permits and approvals, preliminary and final site plan approval, and preliminary and final subdivision approval, as well as for a special permit from the Town of Geneseo Planning Board (“Planning Board”) pursuant to Section 106-35 and Chapter 93 of the 1977 Zoning Ordinance of the Town of Geneseo (the “Town Code”). In addition, the Project Sponsor has applied to the Town Board for rezoning of the Project Site under applicable provisions of the Planned Development District regulations under the Town Code at Section 106-58 (“PDD”).

Location: The northeast corner of U.S. Route 20A and Volunteer Road in the Town of Geneseo, New York, Livingston County (the “Project Site”).

Agency Jurisdiction: The Planning Board pursuant to its status as an involved agency on the Project Sponsor’s applications for site plan and subdivision approval, as well the Project Sponsor’s application for a special use permit, was installed as lead agency pursuant to applicable SEQR procedure. More than ten days having elapsed since the lead agency filed a Final EIS for the project, the Town Board, pursuant to its status as an involved agency, is authorized to issue its findings pursuant to SEQR.

Date Final EIS Filed: April 21, 2008

Contact Person: William S. Wadsworth, Supervisor
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Facts and Conclusions in the EIS Relied Upon to Support the Decision:

The Proposed Action and the SEQR Process

1. The application consists of the development of a Lowe’s Home Improvement Center, including the construction of a home improvement warehouse of approximately 141,000 square feet, the construction of an approximately 31,000 square foot garden center, as well as the construction of an approximately 15,000 square foot retail pharmacy on an approximately 24 acre parcel of land located at the northeast corner of U.S. Route 20A and Volunteer Road in the Town of Geneseo. In addition to the foregoing structures, construction of a parking lot with approximately 648 spaces, as well as drainage facilities and other site amenities, and the construction of typical infrastructure improvements associated with such uses are slated for the Project Site.
2. The Project Site is currently zoned pursuant to the Town Code as: Use Class 22, Mixed Use III - limited commercial, light industrial and low intensity office district (hereinafter MU - III), and such site is located in the Geneseo Gateway Overlay District (“GGOD”). Pursuant to the Planned Development District Local Law adopted on July 14, 2005 (the “PDD Law”), the Town Board designated two locations, including the GGOD, as eligible for PDD zoning. The Project Sponsor submitted an application to the Town Board on or about October 20, 2005, seeking to rezone the Project Site as a PDD. On December 8, 2005, the Town Board determined that the Project “conceptually satisfies” PDD standards, and the Town Board voted to accept the Project Sponsor’s PDD application, and forwarded such application to the Planning Board for its review. The Planning Board by Resolution dated August 14, 2006, determined that the Project Sponsor’s application for PDD approval was appropriate in concept, but the Planning Board’s determination was made without prejudice to SEQR or other determinations that the Planning Board may make regarding the applications before it for site plan and subdivision approvals as well as an application for a special use permit.
3. Project Site access is proposed to be made from two locations via an internal road. The first proposed location would provide access via a proposed internal road to the Site from Route 20A near the eastern boundary of the Project Site, opposite Morgan View Road. A second access point to the Project Site is proposed from Volunteer Road by virtue of that section of the internal road that is to be located toward the middle portion of the Project Site, and would be aligned with Veterans Drive.
4. Existing utilities will be extended to serve the Project Site. These will include public water and sanitary sewers.
5. The Project Site will include its own storm water management system in conjunction with certain structural improvements, as well as the development of certain mitigation wetlands to address impacts to federal jurisdictional wetlands.
6. The Planning Board, as lead agency, conducted a coordinated review of the Project. The Project has been the subject of numerous public meetings, workshops and public hearings before the Planning Board (and the Town Board) spanning more than two and a half years. In addition to other meetings, the Project has been discussed, reviewed and analyzed at the following Planning Board meetings or workshops:

September 26, 2005	September 18, 2006	April 10, 2007
November 12, 2005	October 9, 2006	July 9, 2007
December 12, 2005	October 17, 2006	August 27, 2007

October 17, 2005	October 26, 2006	September 10, 2007
November 12, 2005	October 30, 2006	September 24, 2007
April 17, 2006	November 13, 2006	October 15, 2007
May 1, 2006	December 11, 2006	October 29, 2007
May 8, 2006	January 8, 2007	November 12, 2007
June 12, 2006	January 22, 2007	December 10, 2007
July 10, 2006	February 8, 2007	January 1, 2008
August 14, 2006	February 12, 2007	January 14, 2008
August 30, 2006	March 12, 2007	January 28, 2008

7. The Town Board, as an involved agency, monitored the lead agency’s progress throughout the SEQR process, but did not issue any instructions, comments or guidance to the Planning Board or intervene in any way in the lead agency’s deliberations. Following the lead agency’s acceptance and publication of the FEIS, the Town Board undertook a thorough and detailed consideration of the FEIS with the assistance of the Town Engineer at public meetings of the Town Board on _____ and _____, 2008.

8. On December 11, 2006, the Planning Board issued a SEQR positive declaration, finding that the Project had the potential to have at least one significant impact on the environment due to potential impacts identified including those associated with traffic, and the impacts of the Project to officially adopt plans (community character), and the impact of same on the density of development (See paragraphs 28-42 herein) and the Project’s “precedential effect” on future development. While not required by SEQR or other procedure, the Planning Board engaged in public scoping for the Project in order to elicit public input into the nature and extent of the review to be undertaken. The Project Sponsor prepared and submitted a draft scope, and the public was given the opportunity to provide written comments on the draft scope up until January 5, 2007. Thereafter, the Project Sponsor submitted a final draft scope on January 16, 2007 addressing issues raised during the public scoping process. The Planning Board adopted a final scope on February 8, 2007. The Project was then discussed, reviewed and analyzed by the Planning Board, including at the following meetings held in 2007 on the following dates: February 12, March 12, July 9, August 13, August 27 and September 10.

9. The draft environmental impact statement (“DEIS”) was accepted by the Planning Board on September 24, 2007, and the notice of completion for public hearing was issued. Additionally, the DEIS was filed with all involved agencies as required, and it was made available for public review. The Project was further discussed at the October 15, 2007 Planning Board meeting. In addition, a joint public hearing on the DEIS was held on October 29, 2007 by the Planning Board and Town Board. Further, the October 29, 2007 hearing also addressed the Project Sponsor’s application seeking subdivision, site plan and special use permit approvals, as well as on the PDD rezoning application. In addition to the foregoing, written comments were received on the DEIS until November 8, 2007.

10. The DEIS provided an extensive overview of the Project and included more than twenty (20) reports, studies, analyses and other documents encompassing more than 1,000 pages in addressing the issues identified in the final scope. Among other studies and analyses undertaken in the DEIS included the following:

- Traffic Assessment Report;
- Revised Traffic Assessment Report;
- An analysis of the previously completed Comprehensive Access Management Plan;
- Gap/alternative Travel Route Study;
- Trip Generation Study;

- Truck Traffic Impact on National Historic Landmark District;
- Draft Access Management Plan Comparison Study;
- Community Comparison Study;
- Market Assessment Study;
- Alternative Routes to Rochester Study;
- Pedestrian and Bicycle Facility Assessment.

Further, the DEIS contained over 100 written or oral comments from the public and interested/involved agencies.

11. Thereafter, a final environmental impact statement (“FEIS”) was prepared and accepted by the Planning Board on April 7, 2008, and a notice of completion was duly issued pursuant to a resolution of the Planning Board of that same date. The FEIS was filed on April 21, 2008 and the notice of completion was forwarded to the Environmental Notice Bulletin where it was published during the week of April 30, 2008. The FEIS provided responses to each relevant written and oral comment received regarding the DEIS. Further, as required by SEQR procedure, the FEIS was made available for public review, including at the Wadsworth Public Library, the Village offices and the Town offices, as well as on the internet via a link. More than the requisite ten (10) calendar days elapsed prior to the issuance of written findings, and prior to any decision being made regarding the Project. Further, the Project Sponsor stipulated to extend the time to issue a findings statement pursuant to a letter dated May 23, 2008.
12. The Town Board based upon the traffic studies and analyses undertaken (including those most recently completed in or about early 2008 and as more particularly identified below) is satisfied that the various traffic analyses undertaken provide a reasonable reflection of anticipated Project traffic, including traffic expected to be generated from the home improvement warehouse, the pharmacy and garden center. As discussed in detail in the DEIS (as well as the revised DEIS prepared as part of the FEIS), numerous mitigation measures addressing traffic have been identified on which the Planning Board will condition any permits or approvals, including left turn lanes at certain intersection approaches, a through right lane, a left turn pocket lane, the extension of certain left turn lanes at appropriate intersections, as well as traffic signal timing adjustments at certain intersections.
13. Further, the Planning Board shall condition any approvals for the Project on the performance of a traffic study to be completed within three months after the Project is built and becomes operational, in order to evaluate traffic impacts from the Project on several intersections (the “Post Construction Traffic Study”). If the results of the Post Construction Traffic Study meet certain criteria (as detailed below), then specifically identified traffic improvements will be implemented to mitigate any such traffic impacts identified. The Town Board has determined that the traffic mitigation measures identified herein are sufficient to address potential impacts from traffic, and to mitigate any of those potential impacts to the maximum extent practicable.
14. In addition, the Planning Board will require as conditions to any approvals issued for site plan and subdivision, as well as before issuing a special use permit that additional mitigation measures be undertaken as identified below to address impacts associated with other aspects of the Project including, but not limited to the following measures: the filing of an conservation easement by the Project Sponsor, the completion of certain pedestrian traffic and bicycle traffic safety improvements; the institution of specific features in the Project to ensure design and architectural features of the Project are appropriate and address concerns identified by the public and the Planning Board, including concerns that such features match as much as practicable features of buildings located adjacent to the Project Site and otherwise that such Project features are appropriate based upon community character.

15. Further, the Planning Board will require as conditions to any approvals issued other mitigation measures to address potential impacts to views identified as important to the community, requiring that the Project Sponsor construct the home improvement center, pharmacy and other structures associated with the Project in a manner that avoids as to the maximum extent practicable any adverse impacts to views deemed important to the community. In addition, the Planning Board will require as conditions to any of its approvals, that the Project Sponsor require that Project construction traffic avoid certain roadways associated with the National Historical Landmark status of the Village. The Planning Board shall also require as a condition to its approvals that the Project Sponsor construct the required mitigation wetlands pursuant to the United States Army Corps of Engineers permit, and that the Project Sponsor construct drainage facilities required for the Project Site in order to control surface water and drainage.

Purpose and Need

16. The purpose of the Project is to provide a modern shopping center to serve the needs of the Town and Village of Geneseo and surrounding areas. According to the Project Sponsor, the uses proposed for the Project will provide a broader range of goods and services to the community than are currently available, and will enhance consumer convenience. For example, the Lowe's Home Improvement Warehouse which is the primary component of the Project will increase the variety and quality of home improvement products available – including hardware items, lumber, and plants and gardening supplies at competitive prices to local residents.
17. Moreover, there is a need for this type of development in the area. The anticipated market area for the uses proposed for the Project includes the Town and Village of Geneseo, as well as parts of Wyoming, Steuben and Allegany Counties – areas that are within 20 to 45 minutes driving time of the Project Site. The Project will also feature a drive-thru pharmacy, which is a use that is not currently found outside of the Village of Geneseo (there is a drive thru pharmacy located in the Village associated with the Wal-Mart). The pharmacy will be the first free-standing pharmacy in the Town to feature a drive-thru window for the drop-off and pick-up of prescription medicine, thereby providing an additional option for persons in the community, including seniors, parents traveling with sick children and others of the convenience and expediency of receiving prescription medicines without having to exit their vehicle.
18. The Town Board expects that operation of the Project will result in an increase in employment opportunities. In fact, approximately 120 construction jobs will be created, generating over \$5 million in wages. The CGR Report (commissioned by the Town Board) indicates that once the Project is constructed, the home improvement center is projected to employ approximately 150 employees, resulting in a net gain of approximately 90 employees. While the Planning Board has expressed certain reservations regarding the nature of the permanent employment provided by the home improvement warehouse, it appears that the Project nevertheless represents substantial new employment opportunity for the community.
19. Further, the Project will provide an increase in tax revenue with the expectation that during the first year of operation, Project property tax revenues are anticipated to range between \$190,000 and \$230,000 and that tax revenue is expected to grow thereafter. It is expected that Livingston County and the Town will receive a percentage of the benefit of the additional property tax revenue.

Site Access

20. The Project Sponsor has proposed access to the Project Site from Route 20A as well as by virtue of an entrance into Volunteer Road from an internal roadway that is to be constructed in the future. Pursuant to applicable Town Code provisions, including Section 106-58, the application for PDD zoning is intended to result in development: “with certain advantages over that which would be available under conventional zoning; result in the preservation and enhancement of the natural, cultural or historic features of the site; result in land uses and physical site arrangements which are not contemplated under conventional zoning, but which would further development goals of the Town without conflicting with surrounding land uses, as well as for more efficient arrangement of varied land uses, buildings, circulation systems, and infrastructure and result in the promotion of the general health, safety and welfare of the Town.”
21. Issues have been raised as to whether the underlying zoning applicable to the Project Site contemplates or authorizes direct access to Route 20A (Town Code § 106-27(G)(4)) based upon among other issues, how provisions concerning the “internal road system” are interpreted. In any event, under applicable provisions of the PDD (including as outlined previously), if the Project Sponsor’s application to re-zone the Project Site to a PDD is accepted, the Town Board may determine that Site access directly onto Route 20A meets the requirements of the PDD without regard to the requirements of the underlying zoning. Moreover, for the reasons set forth in the revision to the DEIS, included as part of the FEIS at pp. 208, there are benefits to direct access to the Project Site from Route 20A, including among other benefits, alternative access to the Volunteer Road entrance, decreased traffic volume impacts to Volunteer Road, and additional access for emergency vehicles to the Project Site, and other benefits identified in the FEIS.

Consistency with the Town Comprehensive Plan and Town Land Use and Goals

22. The current Master Plan for the Town of Geneseo is entitled the “Town and Village of Geneseo Comprehensive Plan of April 1992.” (the “Comprehensive Plan”). The Comprehensive Plan contains the community’s goals for development. Objective Number 1 of the Comprehensive Plan states in pertinent part: “provide for balanced development, including all kinds of uses.” Thus, the Comprehensive Plan identifies several objectives, as well as including proposed land use maps which demarcate the potential location for certain uses. The proposed land use maps provide for “all types of land uses: residential, commercial, industrial, open space/agricultural and public/institutional.”
23. As to the area associated with the Project Site, the Plan provides that: “[c]ommercial areas in the Town’s proposed land use maps extend from those in the Village. General commercial and general commercial/business office park uses and transitional office uses are proposed for Route 20A, east of the Village.” On the other hand, Objective Number 2 of the Comprehensive Plan is to: “[m]inimize sprawl by encouraging more intensive land uses to locate near existing development.” Recommendations regarding Objective Number 2 include proposed land use maps which locate more intensive land uses within and adjacent to the Village.
24. Further, Objective Number 13 of the Comprehensive Plan is to: “[a]llocate sufficient areas in the Town and Village for commercial development.” The recommendations concerning that Objective include that: “[t]he recommended boundary for the general commercial (GC) area south of Route 20A remains unchanged from current zoning. This area is planned for development of a 250,000 square

foot shopping center [this area has now been constructed since the Comprehensive Plan was drafted].” Further, the Comprehensive Plan provides that the recommended boundary for commercial area north of 20A extend from the new (as of 1991) Town/Village line to the existing residential development west of Country Club Road. Further, the recommendations for that objective state that the Town and Village should: “[p]rovide for different types and scales of commercial uses, and to provide a transition from commercial to residential use, this commercial area on the north side of 20A is divided into two segments.”

25. Moreover, Objective Number 13 of the Comprehensive Plan, including recommendations provided therein, states that: “[t]he Segment adjacent to the Town/Village line is recommended for either general commercial or business office park use (GC/OP). . . . and further states that “the eastern most segment of the commercial area on the north side of Route 20A is recommended for low intensity office use (OFF).” In addition, the recommendations provide: “such a traditional use (low intensity office) provides a buffer between the higher intensity commercial uses and residential and agricultural uses.”
26. Further, the underlying zoning for the Project Site is GGOD, MU-III, and the uses allowed in the current underlying zoning for the Project Site pursuant to MU-III (as part of the GGOD) authorize limited commercial uses, and specifically allow retail uses with a special use permit. Allowable uses under the current underlying zoning however, are limited to 35,000 square feet in total area, and the uses proposed for the Project Site include the construction of an approximately 141,000 square foot Lowe’s Home Improvement Warehouse, as well as two other structures including an approximately 32,000 square foot Garden Center, and an approximately 15,000 stand alone retail pharmacy. It should be noted that with granting of area variances, the underlying zoning potentially could accommodate such uses above and beyond the restrictions set forth above, and/or such uses could be allowed pursuant to the application of the PDD as (such application has been made by the Project Sponsor here).
27. Based upon the foregoing, including the plans evaluated in the DEIS, the GTC Project is not inconsistent with officially adopted and applicable land use plans and goals in the Town of Geneseo, and the Project is consistent with same. There are several aspects of the GTC that may be considered inconsistent with certain aspects of the referenced plans and/or zoning, including the potential for direct access onto Route 20A (depending on how certain terms are interpreted related to the underlying zoning), as well as the underlying zoning restriction on maximum building height and certain requirements regarding green space. That having been said, the Comprehensive Plan and other documents contemplate similar uses in the area of the Project Site and, while certain Project Site structures including the warehouse are larger than what is contemplated by the underlying zoning (without the granting of area variances), the types of uses contemplated by the Project are authorized. Further, for the reasons set forth below, including mitigation measures identified herein concerning conditions the Planning Board will impose regarding decreasing the size of the home improvement warehouse, increased green space and measures to be taken to preserve certain views associated with the Project Site, the Town Board finds that the Project is consistent with the Comprehensive Plan as well as being consistent with Town land use provisions and goals.

Impacts on Cultural Resources, Neighborhood Character and the Community and Density

28. The historic Village of Geneseo is located within the Town which is located in a rural setting and is also the center of Livingston County. The Village’s downtown commercial area is dominated by small retail, service and office uses with many such uses adapted to meeting market needs of college students at the State University of New York Campus located adjacent to the downtown area of the Village. Smaller downtown commercial uses are complemented by larger commercial development concentrated along Route 20A located at the eastern border of the Village, and extended into adjacent

areas of the surrounding Town. The immediate vicinity of the Project Site is of a commercial character which has expanded in recent years along this important regional highway. The Project Site is currently an agricultural field located adjacent to an existing commercial use.

29. The cultural setting associated with the Project Site includes visual and historic components. The view of the Genesee River Valley has been identified by the Planning Board as a potential visual resource, and is discussed in more detail below. The National Historic Landmark District of the Village of Geneseo is a local historic resource located approximately 1.25 miles west of the Project Site.
30. The FEIS has identified several potential impacts to the Village National Historic District (the "Historic District"). Potential impacts to the Historic District include: the "[p]otential degradation of existing and future patterns of commercial development in the Town and Main Street of the Village of Geneseo relating from both recently completed and planned new construction."
31. Further, other impacts analyzed were business vacancies along Main Street one year after the opening of the new Wal-Mart Super Center to examine the impacts of the recently completed projects, including the recently completed Wal-Mart. Vacancies were not noted among the approximately 30 store front businesses analyzed. In order to assess the potential ramifications of the Project, the Project Sponsor commissioned two fiscal analyses (which were appended to the DEIS) that considered, among other factors, displacement of existing businesses within the Town. According to the reports/analyses provided by the Project Sponsor, case history reviewed supported that regional retailers such as Lowe's attract significant retail dollars back into the community.
32. In addition, studies commissioned by the Town Board and, subsequently, by the Project Sponsor concluded that consumers are currently traveling from the Town to spend money at retail stores outside the region, and it is anticipated that those consumers will be retained in the local community once the Project is completed and becomes operational. Nevertheless, as indicated in the FEIS, there is concern that the studies identified in the DEIS may not have been of sufficient length to gauge potential long-term impacts, including potentially positive impacts from the Project as well as potentially negative impacts from it. In any event, it does not appear that there will be a material loss of businesses in the Town or Village due to the establishment, construction and operation of the Project.
33. In addition to analyzing impacts based upon among others, the potential for businesses closing, the DEIS including the revisions thereto (found in the FEIS), also examined potential that traffic would adversely impact the Town including the Historic District. The analysis undertaken by the Project Sponsor concluded that proposed impacts could include truck traffic through the Historic District. As part of a condition to any approvals herein, the Planning Board shall require the Project Sponsor and its contractors to prohibit truck traffic from traveling through the Historic District during construction.
34. In addition, analyses were undertaken as part of the DEIS (and the revision thereto) to evaluate the capacity of Route 20A, and the potential need for road widening to accommodate additional traffic. The conclusion of these additional analyses showed that widening of Route 20A had the potential to affect the National Historic Landmark designation of the Village, but such analyses showed that traffic expected to be generated by the Project will not require the widening of Route 20A within the National Historic District, and therefore is not expected to have an impact on same. In any event, based on the measures identified, including requiring trucks that serve the Project during the construction phase not to travel through the Historic District, any impact from such traffic to it will be mitigated to the maximum extent practicable.
35. Further, the applicant was required in the DEIS and revisions thereto to review the potential

incompatibility of the Project with the cultural landscape and historic ambience associated with the Town and Village, including the Historic District. The Project is to be located in the Gateway Overlay District with permitted uses including light manufacturing, research and development facilities, as well as warehousing/freight terminal and data centers. Thus, given the wide range of uses contemplated by the underlying zoning, it cannot be said that the Project once developed would be incompatible with the zoning of the Gateway Overlay District, nor is there any indication that the Project would be inappropriate to the cultural landscape, and historical ambience or insensitive to same in light of current allowed uses in the Project Site area and in light of the current uses developed in the Project Site area.

36. Moreover, the Gateway Overlay District zoning includes provisions to recognize and preserve the unique character of the land, such as a 100 foot buffer along Route 20A; requiring 40% open space for any site located within 300 feet of Route 20A; and encouraging construction of an internal roadway. The Town Board finds that the proposed internal road, the CP-3 orientation and proposed landscaping plan submitted by the Project Sponsor are consistent with the requirements of the underlying zoning. In addition, as a condition to subdivision, site plan and special use permit approvals herein, the Planning Board shall require that the Project Sponsor not develop any of the remaining space at the Project Site, and condition such approvals on no further subdivision of the Project Site.
37. Further, the Project appears to comply with the foregoing provisions with the potential exception of the proposed access to New York State Route 20A (depending upon among other things, how the terms internal road are interpreted in the provision at issue), and the exception of the 40% open space requirement. The Planning Board will condition any approvals on meeting or exceeding the 40% open space requirement by eliminating the 100 foot wide lot along Route 20A, and combining this land and lots that contain the proposed warehouse as well as the proposed pharmacy. Because of the foregoing, concerns regarding the density of land use presented by the Project have been addressed and mitigated to the maximum extent practicable. Further, the Planning Board will condition any approvals requested by the Project Sponsor filing an appropriate conservation easement associated with the Project Site so as to preserve open space and green space.
38. As a condition to any approval by the Planning Board, including approval of site plan and subdivision as well as the application on the special use permit, the Planning Board shall require the Project Sponsor (in keeping with the proposed architectural elements for structures of the Project) to work with the Planning Board's Architectural Committee to ensure Project structures to be constructed at the Project Site contain features that complement existing structures in the area of the Project Site to the maximum extent practicable and appropriate. Specifically, the Planning Board requires that the Project Sponsor utilize appropriate building materials, including brick face as well as appropriate architectural components to ensure that the structures at the Project Site are constructed in a manner so as to complement buildings in proximity to the Project Site. As such, the Planning Board shall condition any approvals including subdivision and site plan approval on the Project Sponsor using appropriate building materials that match uses in the area of the Project Site, and work with the Architectural Review Board to insure that the structures constructed as part of the Project match to the extent practicable structures in the area of the Project Site and that such structures provide a good fit for the community. Based upon the foregoing, the Town Board finds that the architectural features of the structures planned for the Project Site will not result in adverse impacts, as the mitigation measures identified herein are appropriate, and will be incorporated as conditions into any approval and such measures mitigate to the maximum extent practicable any potential adverse impacts associated with the construction of the Project.
39. The Project is also consistent with the requirements of the Livingston County Agriculture and Farmland Protection Plan. Specifically, the Project Site and the proposed use comply with the

farmland protection plan's recommendation to avoid "leapfrogging" development. Leapfrogging is discouraged because it limits the expansion of existing farmland operations. Further, the proposed orientation of the Project structures – facing away from existing farm operations – as well as the commercial nature of the Project reduces effects to nearby farm operations and limits restrictions to nearby farm operations that could otherwise be imposed if other uses (such as residential uses) were proposed for the Project Site.

40. In response to concerns raised by the Planning Board and others, the Project Sponsor has submitted to the Planning Board a proposal in further support of its application to limit the size of the home improvement center and garden center structures to be constructed on the Project Site. Specifically, the Project Sponsor has proposed that the total gross area for the home improvement warehouse and garden center would consist of 155,433 square feet (approximately) as opposed to the current plan of 173,040 square feet as proposed. Thus, the smaller proposal would reduce the proposed square footage associated with the warehouse and garden center by approximately 10%. The reduction in square footage associated with the warehouse and garden center addresses concerns about the density of the uses proposed as part of the Project.
41. Based upon the revised application for a smaller warehouse and garden center, the Town Board finds that the reduced size of those structures better suit the community, including the Town and County, particularly based upon the Planning Board's review of similar sized home improvement warehouses located in Brockport and Henrietta, and based upon the Planning Board's experience and its review of other uses located along Route 20A.
42. In addition, the Town Board finds that as set forth below, the smaller home improvement warehouse and garden center will have less of an impact on views deemed important to the community. Further, the Town Board finds that the reduction in size of the home improvement warehouse will also address concerns raised by the Planning Board and others concerning any precedent that might be set by the granting of the GTC application, and particularly precedent that might be set for larger retail concerns, including big box stores. In short, the Planning Board, by conditioning any further approvals on the applicant limiting the size of the home improvement warehouse as proposed, has demonstrated that it believes the square footage devoted to such uses should be limited, and that by so limiting same that the smaller size proposed is more in keeping with community character. As such, as a mitigation measure, as set forth previously, the Planning Board shall condition the granting of subdivision, site plan and special use permit approvals on the structures to be constructed for the Project being limited as set forth above, including the total gross area for the home improvement center and the garden center limited to approximately 155,433 square feet with the caveat that the alternate loading dock appendage of a slightly larger size may be required to mitigate visual and wetland impacts associated with the Project Site.

Visual Impacts

43. The existing visual setting of the Project Site includes an open agricultural field located near an arterial highway in a commercial area located on the edge of the Village of Geneseo. The Project Site is bounded on the south by U.S. Route 20A, with existing commercial uses along the south side of Route 20A, and west of Volunteer Road across from the Project Site. The north and east of the Project Site are bordered by open agricultural fields, while the western Project Site boundary borders on Volunteer Road, with an existing Wal-Mart Super Center located across from the Site.
44. The FEIS addresses concerns regarding the view of the Genesee River Valley from U.S. Route 20A, including its significant scenic value and the importance of this view to the visual character of the community. It should be noted that the Genesee River which is located approximately 2.5 miles to the east of the Project Site is not visible from the Project Site, nor is it visible from U.S. Route 20A. The

opposite valley wall, extending to an elevation of approximately +/- 1,200 feet at 7 to 10 miles from the Project Site is visible from portions of U.S. Route 20A (at an elevation of +/- 900 feet) when facing or driving west. The so-called valley wall visible from portions of U.S. Route 20A is referred to as the "Route 20A Valley View Corridor."

45. The results of the visual analyses performed, including the line of sight analyses show that except for the no-build option, each of the alternatives for the Project impact the valley view including the Route 20A corridor when viewed from U.S. Route 20A/Morgan View intersection. Indeed, any development of the Project Site, even one that is Code compliant and that would not require variances, would impact the valley view from the referenced viewpoint.
46. As a result, a visual EAF Addendum, as well as photo simulations were undertaken in order to analyze the impact to such view including to the Route 20A valley view corridor as previously described. Further, several different layouts, including CP-1, CP-3, CP-4, CP-5 and CP-6 (CP-6 including the so-called Code compliance layout) would each affect and impact the valley view. Indeed, the valley view can clearly be observed on the right-hand side of the view shed or camera location "E," as shown on photo simulations included in the DEIS at each of the proposed locations. In addition, the photo simulations illustrate that the proposed structure associated with the home improvement warehouse is partially obscured by an existing hedgerow on the left side of the Project Site. The line of sight analysis and photo simulations undertaken as part of the DEIS and FEIS adequately demonstrate the visual impacts of the Project, and such information and figures provide sufficient data for the Town Board to evaluate impacts to the Route 20A valley view corridor.
47. Based upon the foregoing, including the line of sight evaluation provided, photo simulations and the visual Addendum to the EAF, the Town Board finds that potential impacts from the Project to the community and the area adjacent to the Project Site, including potential visual impacts, have been sufficiently identified to evaluate same. Upon review of the aforementioned line of sight evaluations, photo simulations and the visual addendum, the Town Board finds that the visual impact on the valley view is similar for each of the five alternate building locations (CP-1, CP-3, CP-4, CP-5 as well as CP-6). Although the DEIS indicates that CP-5 is the preferred alternative, the Town Board further finds that the degree of impact on the valley view as between the five alternative orientations is indiscernible and/or not consequential, and does not outweigh the other advantages presented by the CP-3 alternative preferred by the Planning Board. The Planning Board shall require as a condition to any permits or authorizations requested by the Project Sponsor herein, that the configuration of the Project Site shall most closely approximate CP-3, as while it produces some impact on the valley view (as do all of the configurations analyzed) when each of the alternative locations and orientations is considered, CP-3's orientation does not result in a visual impact greater than those produced by the studied alternatives. Thus, as CP-3 requires orienting the building on the Project Site so that it is at a 90° angle in relation to the U.S. Route 20A, this will avoid potential impacts associated with development onto Route 20A, and thus will avoid to the maximum extent practicable adverse impacts to community character.
48. Further, the Town Board finds that the referenced CP-3 configuration better meets the community character based upon current development along Route 20A and based upon the Town Comprehensive Plan and underlying zoning. Further, the Town Board finds that CP-3 also provides for more efficient parking and traffic patterns as well as pedestrian patterns at the Project Site.
49. The Town Board finds that with the addition of the buffering and landscaping as outlined herein as well as the architectural features that the Planning Board is requiring, and the requirement to appropriately orient Project Site structures to Route 20A, that any visual impacts associated with the Project will be adequately addressed so as to minimize the effect of same to the maximum extent practicable.

50. Further, as set forth above regarding the selection of CP-3 as the orientation which the Planning Board will require as a condition for various approvals, and as set forth above regarding the Planning Board's conditioning of such approvals on a reduced square footage of the home improvement warehouse and garden center, the Town Board finds that the impact presented by the smaller home improvement warehouse and garden center will have less of an impact on views deemed important to the community. Further, the Town Board finds that in utilizing the CP-3 orientation, such orientation is a better suit to community character based upon uses in proximity to the Project Site, and based upon the underlying zoning and the Comprehensive Plan.

Traffic Issues

51. The FEIS addresses concerns regarding the potential for traffic impacts from the Project, including increased traffic to Route 20A as well as to collector streets in the vicinity of the Project, such as Center Street, Temple Hill and Second Street. Specifically, the Project Sponsor analyzed anticipated traffic increases associated with Project traffic during the Friday and Saturday peak travel periods. Based upon the analyses conducted, the Project Sponsor determined that anticipated trip increases during such peak periods projected to result in, among other impacts, the addition of two vehicles in and two vehicles out of each of the collector streets (as identified) per hour, including at Second Street and Temple Hill. Further, such analyses determined that collector streets (including Center Street) were projected to experience an increase of approximately 13 vehicles in and 13 vehicles out during the Saturday peak travel period. The previously referenced new trips associated with development and operation of the Project were generally expected to be local residents entering and exiting their own neighborhoods, and such increased traffic will represent one vehicle every 15 minutes on local side streets, and represent one vehicle every 2 minutes on collector streets during the busiest shopping hour of the week (peak periods as identified above).
52. In addition to the foregoing analyses, the Project Sponsor undertook assessments of the impact of Project traffic on Lima Road, including to the intersection of Lima Road with Volunteer Road. Among other impacts assessed, the Project Sponsor undertook analyses to determine the existing operating condition on Lima Road. Such existing condition was evaluated, and found to be significantly higher than a reasonable level of service, and in fact, the traffic condition on Lima Road showed a more than acceptable level of service (at a level of “a” or “b”).
53. Anticipated trips generated for the Project were also factored into traffic anticipated to use Lima Road and were thus analyzed. The level of service on Lima Road based upon traffic projected for the Project remains above an acceptable level of service based on criteria used by traffic professionals (a level of service of “a” or “b”). Indeed, a more than acceptable rate of service is anticipated to remain even after taking into account increased traffic from the development of the Project, as well as after taking into account additional traffic (including background traffic) generated by the Project or any traffic from other anticipated or known development in the area of the Project Site. Thus, as shown in the traffic analyses undertaken, Lima Road is projected to experience an increase of 22 trips during the Friday peak hour, with 16 trips on the western segment of Lima Road from Volunteer Road to the Village of Geneseo (or one new trip every four minutes) and six trips on the eastern segment from Volunteer Road to Country Club Road (or one new trip every ten minutes). For the Saturday peak period, Lima Road is projected to experience an increase of 38 trips, with 26 trips on the western segment of Lima Road (or one trip every two minutes) and 12 trips on the eastern segment (or one trip every five minutes).
54. Further, the Project Sponsor analyzed the level of traffic operations at the intersection of Lima Road and Volunteer Road by analyzing traffic conditions both before and after the development of the Project based upon projected traffic volumes associated with same. The analyses determined that expected impacts from increased traffic due to the Project to Lima Road was expected to be minimal, as the Project was projected to result in only one new trip every two minutes. As such, it was determined that the Project Sponsor had undertaken studies which adequately identified potential traffic impacts on Lima Road.
55. In addition, the Project Sponsor was required to analyze travel times for Village and non-Village residents to determine if such travel times alter travel patterns so as to cause traffic from the Route

20A corridor to divert to Court Street/North Street/Lima Road (the “Court Street Route”). Specifically, the Project Sponsor was asked to determine whether there was a potential for traffic to divert to the Court Street Route due to the operation of the Project, the number of additional trips anticipated to so divert, and potential mitigation to be used to address the impact of drivers so diverting.

56. Specifically, the analyses undertaken included studying drivers from outside the Village of Geneseo taking the Court Street Route to save time as an alternative route to Route 20A, and in so doing, the analysis addressed traffic from two separate sources: traffic approaching the Town from the south and the west, and traffic approaching the Town from the north and west. Based upon additional analyses including revisions to the DEIS, it was determined that travel times for traffic traveling from the south and the west on Route 20A are quicker today than if such traffic uses Lima Road and North Street, and such travel times will remain so even after the Project is developed and any traffic generated from same appears. As such, the traffic analyses determined that it is likely that travel patterns will not be altered, and no significant diversion of trips from south and west is anticipated to occur after the Project is constructed and begins operating.
57. Moreover, an additional study was undertaken to analyze alternate routes which was entitled “Alternative Routes to Site in Rochester from Route 63/Court Street,” to provide information regarding traffic approaching Geneseo from the north and west and was provided as part of the DEIS revision. The results of the foregoing alternative routes analysis show that the use of Lima Road provides a consistently quicker journey than the time it takes to make such journey utilizing Route 20A, including for non-Village residents from the north and west, and that the use of Lima Road will remain the faster alternative even after the Project is developed and begins operating. Further, the results of the foregoing study demonstrate that a majority of the drivers from the north and west are likely using the Lima Road corridor now, and will continue to do so in the future.
58. Further, the effect of Village residents that turn left onto U.S. Route 20A was also examined in a portion of the DEIS revisions in a study entitled “Alternative Routes Travel Time Study,” which was attached as part of the revision to the DEIS. Data from previous studies undertaken were re-formatted and analyzed to identify any delay to drivers that start their trip by turning left from Village Streets. Specifically, eastbound traffic originating in the Village and heading to the Project area (including trips to I-390) was examined, and it was determined that by utilizing Lima Road to complete such a trip, it will take drivers less time than using Route 20A. The foregoing analysis also demonstrated that the Lima Road route will remain the faster option after the Project is developed and begins operating. For westbound traffic, the foregoing analysis demonstrated that for trips originating at the Project Site or originating from I-390 to the Village, such analyses showed that utilizing Route 20A was quicker than utilizing Lima Road, and that taking Route 20A will remain the quicker option (over Lima Road) even after the Project is developed and begins operating. Further, it was determined that it is likely that Village residents traveling east will continue to use the Lima Road route, and that Village residents traveling west will continue to use Route 20A.
59. Thus, based upon the foregoing, the Project Sponsor determined that the only reasonable potential for increased traffic seeking to use Lima Road as an alternative route to avoid Route 20A congestion is for eastbound traffic from the Village to use Lima Road. As part of the analyses undertaken by the Project Sponsor pursuant to the revised DEIS, an assessment was undertaken to estimate the number of trips associated with eastbound traffic from the Village and any delay that might be experienced as the result of such eastbound traffic. The foregoing study estimated that there is a potential for 12 additional trips during the Friday peak hour and 43 additional trips in the Saturday peak hour to divert from Route 20A to Lima Road. The result of these additional trips would equate to approximately one additional vehicle every five minutes during the Friday peak hour, and one additional vehicle every minute and a half, respectively, during the Saturday peak hour.

60. Moreover, due to concerns expressed regarding impacts on the National Historic District, an additional study entitled “Capacity of Route 20A” was included as part of the revision to the DEIS in order to evaluate capacity of Route 20A, and to identify the traffic volume that may require widening of the highways to mitigate such impacts (and thereby potentially adversely effect the National Historic District). The Capacity of Route 20A study concludes based upon traffic projections included in the so-called Draft Access Management Plan prepared by another consultant, that the westbound capacity of Route 20A will be exceeded in or about 2025. There were various measures identified in the Draft Access Management Plan to address such impacts which may negate the need for road widening along Route 20A including the construction of future exclusive turning lanes at Route 20A and Main Street.
61. The Planning Board also requested the impact of truck traffic on the National Historic District be examined and required that mitigation measures be identified and evaluated based upon the potential impacts from such truck traffic. The study undertaken in this regard determined that truck traffic impact on the National Historic District is expected to generate an average of approximately six new local delivery trucks per day through the National Historic District (once the Project becomes operational) compared to an average of 550 existing heavy vehicle trips per day that currently operate in the National Historic District. Moreover, the foregoing study noted that the six local delivery trucks anticipated to be generated by the Project are smaller panel trucks and that larger tractor-trailer traffic would not likely travel through the National Historic District.
62. Further, the Planning Board will as a mitigation measure condition any approvals requested or required for the Project that the Project Sponsor restrict construction vehicles to travel on routes that specifically avoid the National Historic District.
63. The Town Board finds that the reduced size home improvement warehouse and garden center will not present impacts materially different than those presented by the size of the warehouse and garden center proposed in the application and as addressed in the DEIS except as noted regarding view sheds and community character. For the reasons set forth above, the Planning Board will condition approvals for the Project based upon a reduced size home improvement center and garden center, as such reduced size structures will have less of an impact on views important to the community, and will result in structures that are in better keeping with the character of the community. That having been said, the Planning Board has found, based upon input from its engineer and traffic engineer that the reduced size home improvement center and garden center will not result in impacts materially different from traffic and parking that are materially different from those impacts presented by the revised home improvement center and garden center presented in the DEIS.
64. As mitigation measures the Planning Board will require a condition to any approval that the Project Sponsor and Project Operator undertake the following improvements or measures:
 - (a) US Route 20A & Morgan View Road - re-evaluate the intersection after the Project has been constructed and has been operational for at least 3 months, including and while SUNY Geneseo is in session, to determine the need to signalize the referenced intersection. The signal infrastructure will be provided as part of the intersection improvements.

In addition, the northbound and southbound approaches will be aligned to provide left turn lanes and shared through/right turn lanes. A westbound right turn lane will be constructed and an eastbound left turn lane will be provided.
 - (b) Volunteer Road & Veteran Drive – The new access will align with Veteran Drive. The access approach will include a left turn lane, and a shared thru-right

lane. The Volunteer Road southbound approach will include a short left turn pocket. The east and west approaches will be stop controlled. A traffic signal is not proposed.

- (c) US Route 20A & Volunteer Road – The eastbound left turn lane will be extended into a two way left turn lane that backs up to the westbound left turn lane at Ryan Drive.
- (d) US Route 20A & Reservoir Road – Minor traffic signal timing adjustments will be made to maintain the background condition level of operations, provided that the New York State Department of Transportation concurs with these signal timing changes.
- (e) US Route 20A & Main Street – Reduce the Friday peak period cycle from approximately 115 seconds to approximately 80 seconds. A corresponding reduction in the eastbound approach is also recommended during a Saturday peak, provided that the New York State Department of Transportation concurs with these signal timing changes.

The mitigation improvements described above will be constructed by the Project Sponsor as part of the Project, and will not require the expenditure of revenues obtained through property taxes.

65. In addition, no sooner than three months nor later than twelve months after the Project is constructed and becomes operational and while SUNY Geneseo is in session, the Town Board will require that the Project Sponsor:

Undertake a traffic study at the intersection of Center Street and Route 20A, to determine, as a result of the GTC, if this intersection meets applicable “Warrant” or “Warrants” for the installation of a traffic signal. If such “Warrant(s)” are such that installation of a traffic signal is appropriate, and the New York State Department of Transportation concurs with the analysis, then a traffic signal shall be installed at this intersection. If this study concludes that traffic associated with the GTC project has warranted installation of a traffic signal, then the Project Sponsor shall be responsible for the design and installation of traffic signal control at this intersection. The Town Board will require the Project Sponsor to sign a contract with the Town of Geneseo requiring the Project Sponsor to cover such costs.

66. Similarly, the New York State Department of Transportation has requested a review of the intersection of Morgan View Road and Route 20A, three (3) months after the GTC is in operation. The purpose of such a study is to determine whether installation of a traffic signal at this location meets “Warrant(s)” and if so, and approved by the New York State Department of Transportation, then the Applicant shall be responsible for design and installation of a traffic signal at this location.
67. Based upon the foregoing, the Town Board finds that the potential impacts from traffic due to establishment of the Project, including operation of the uses contemplated by the Project has been adequately assessed based upon the various traffic analyses, reports and studies undertaken by the Project Sponsor. Further, the Town Board acknowledges that there will be impacts to vehicular traffic in the area due to the operation of the Project, but based upon the various mitigation measures identified which will be imposed as conditions by the Planning Board to any site approvals and/or as conditions to any special use permit issued, that the traffic impacts associated with the Project will be appropriately mitigated and such mitigation will be made to the maximum extent practical under the circumstances.

Wetlands and Drainage

68. The Project Sponsor has proposed a storm water management facility to control Site runoff and

drainage. As set forth and shown in Figure 10 of the DEIS, the Project Sponsor proposes to construct a storm water management facility along the eastern boundary of the property as shown on Drawing CP3-1 for the CP-3 layout. Given the Planning Board's determination that the Site orientation which best mitigates impacts including a combination of visual and other impacts (CP-3), the Project Sponsor will be required by the Planning Board as a condition to any permits or authorization issued by the Planning Board to locate the storm water management facility outside of the proposed 100 foot buffer area associated with the Project Site and particularly the CP-3 layout as revised herein.

69. The Project Sponsor shall further comply with all requirements of the wetlands permit issued by the United States Army Corps of Engineers, including with each and every mitigation measure required by the Army Corps for the construction of mitigation wetlands.

70. Further, while the orientation associated with CP-5 was found to have slightly less impact on natural wetlands than on the orientation associated with CP-3, the Town Board finds that benefits to wetlands in selecting CP-5 are negligible and outweighed by the other benefits of CP-3 orientation as set forth herein.

Noise and Aesthetics

71. The Project is located in a primarily commercial area situated on the eastern outskirts of the Village of Geneseo. There have been few sensitive noise receptors identified that are in proximity to the Project Site boundaries. Sensitive receptors are generally identified as such uses including residences, hospitals and schools. The potential sensitive receptors for the Project Area are single family residences located north and east of the site along County Club Drive and northwest of the Project Site in the subdivision located off Lima Road. The residential properties referenced are located approximately 2,000 feet from the east and northwest of the Project Site boundaries.

72. Existing noise levels are generally characterized as typical for sites located in the outer suburban areas of small cities in close proximity to an important arterial highway such as Route 20A here. The dominant noise sources at the Project Site are traffic flow along Route 20A, farm equipment used in the area of the Project Site and surrounding areas. Farm equipment would be anticipated to occur seasonally, and is likely to occur any time from 5:00 a.m. to 9:00 p.m. Other sources include commercial activities located adjacent to the Project Site. The most critical times for potential noise impact from the new development associated with the Project are the evening and late night hours when additional noise sources may impact the private residences located north and east along Country Club Drive and in the adjacent village residential area located to the northwest of the Project Site. Noise levels are directly related to the type, speed and volume of the traffic and the distance that a site is from a roadway. Noise levels along major roads generally range from approximately 55 to 65 dB. Noise level readings taken in August of 2007 for four locations along the Project Site boundaries are consistent with levels expected along major highways.

73. The Geneseo Gateway Overlay District does not contain performance standards or noise standards for commercial development, but does contain standards for industrial uses. Thus, under Town Code Section 106-27H(3)(c), noise levels for proposed facilities are identified. It is not believed that these noise levels would be exceeded by the Project once it is developed.

74. The NYSDEC Assessing and Mitigating Noise Impacts Program Policy ("DEC Noise Policy") further provides that increases in sound pressure levels ranging from zero (0) to three (3) dB may have potential for adverse noise impact, but only in cases where sensitive receptors are present. As indicated, noise levels associated with highways generally range from 55 dB to 65 dB. Because the DEIS did not include noise level recordings along Lima Road, however, the noise recording level at the north corner of the Project Site provides a conservative representation of the anticipated noise

levels along Lima Road from the Project. The recording device available at approximately 1,000 feet north of Route 20A and is located approximately 500 feet east of Volunteer Road. Thus, recordings were taken from that device and were not largely influenced by Route 20A traffic or the existing Wal-Mart. The average noise recording at this location was 52.2 dB, or slightly less than the noise level that would be expected for along a highway.

75. Various traffic assessments including those reproduced at Appendices B-1 and B-2 of the DEIS, as well as other previously completed assessments conclude that the Project will result in approximately 3% to 9% increase in the peak hour traffic compared to the background traffic. Table "E" of the DEC Noise Policy indicates that Light Auto Traffic will generate a sound pressure level of approximately 53 dB. The same Table attached as part of the DEC Noise Policy provides that a difference of 2 to 3 dB between two sounds equates to a 2 dB increase in the higher sound. The anticipated sound pressure along Lima Road caused by the increase in traffic due to the development of the Project is expected to result in an increase of 2.8 dB. As stated earlier, zero to three dB increase is considered to have no appreciable effect on receptors if no sensitive receptors are located in close proximity; thus, it is not believed that the Project when developed and operating will have an adverse impact on the surrounding area due to noise impacts.
76. Further, the FEIS addresses a concern regarding the potential for building abandonment as noted herein and in Section D(C)(3)(a) of the DEIS. As such, the Planning Board will require that the Project Sponsor undertake appropriate measures to ensure that the Project Site is not abandoned in the future in such a way that it detrimentally impacts the community.
77. Listed below is a summary of the provisions, including measures that will be required by the Planning Board to aid in the redevelopment of the site which the Project Sponsor has agreed to:
 - (i) The proposed tenant shall be committing to at least a 20 year lease of the grounds along with the construction and ownership of the structures associated with the Project;
 - (ii) In the event that any facility associated with the Project become temporarily vacant or abandoned permanently, the following building mitigation measures will be incorporated into a redevelopment plan. Specifically, a redevelopment plan was prepared as part of the FEIS as Figure 1 depicting the main building in a manner that could be subdivided for smaller tenants. The proposed arrangement referenced previously is similar to that used in the re-leased Walmart building located on the south side of New York State Route 20A. The redevelopment plan set forth in Figure 1 of the FEIS provides a basis for the applicant to develop a detailed redevelopment plan that will be required as a condition to any approvals issued by the Planning Board. The redevelopment plan will include the features set forth herein.
 - (iii) Moreover, in addition to the redevelopment plan, the substantial setbacks, landscaping and architectural treatments as identified herein and as provided as part of the application, including the PDD application, further enhance the Project Site. Such measures as previously identified will also be required as conditions to the issuance by the Planning Board of the site plan, subdivision and/or special use permit approvals. Further, these features will allow the Project Site to remain attractive regardless of how the site is occupied in the future, should the tenants associated with the Project no longer occupy the site or abandon same.
78. The Planning Board and others also expressed concern regarding whether the development of the Project, including operation of same, would have a synergistic or precedential effect, whereby other similar uses would be attracted to the Project Site area. The Planning Board has expressed concern that the Project may encourage other additional large-scale retailers to submit applications and seek to locate in the area of the Project Site along Route 20A. The Planning Board has acknowledged that

additional retailers may seek to locate to Route 20A, but there are any number of controls in place and other factors that would allow the Town and Planning Board to make decisions on an application-by-application basis, and decide in the future to not allow such development, should that be the determination of the Planning Board and Town Board.

79. Primarily, there is a limited amount of developable land that would accommodate additional large scale retail development in the area of the Project. In fact, it is believed that there are no other developable parcels along Route 20A that could accommodate similar type development, except for the properties currently zoned Mixed Use I, II and/or III. The GTC project will occupy approximately 24 acres of land zoned Mixed Use III within the Gateway Overlay District which leaves \pm 155 acres that could be considered for PDD zoning. Second, the application made by the Project Sponsor here only seeks a PDD zone for the parcel to be used as part of the Project; the remainder of this portion of the Gateway Overlay District will continue to be zoned Mixed Use Three.
80. Moreover, any future development in the Gateway Overlay District will be subject to Town zoning (if a PDD application is made or other re-zoning is sought) as well as review and approval by the Planning Board for site plan and a special use permit, should an applicant seek to establish a similar-sized development. Indeed, it is also noted by the Project Sponsor that a Lowe's facility was recently constructed in Canandaigua, New York along Route 20, and this construction was made concurrent with an Applebee's a smaller retail building and the relocation of a Walmart adjacent to Lowe's. To date, there has been no future expansion along Route 20 and it is worth noting that such development in Canandaigua is very similar to what is contemplated with the Project here, given the recent construction of Applebee's along Route 20A in the former Walmart plaza across the street from the Project and the relocation of the Walmart which is now adjacent to the Project Site.

Open Space and Environmental Issues

81. The land associated with the Project Site is not known to be an important open space for the community. In sum, there is no information which indicates that the land associated with the Project Site has previously been used by the community as open space for recreational or other purposes.

Pedestrian and Bicycle Traffic

82. The Planning Board had also expressed concerns regarding potential pedestrian and bicycle traffic associated with the Project Site and the operation of the Project. The Project Sponsor has proposed construction of sidewalks along the east side of Volunteer Road from the proposed Project Site entrance drive to Route 20A and along the north side of Route 20A from Volunteer Road to the western property line of the Project Site property. Crosswalks will be provided across the northern portion of Volunteer Road/Veterans Drive intersection. A second crosswalk across the new Project driveway/Volunteer Road intersection will also be provided. Pedestrian signals and/or islands are not proposed. As part of the DEIS (Appendix B13) a pedestrian and bicycle facility assessment was undertaken to identify the location and the condition of the existing pedestrian and bicycle facilities in the area. In sum, the referenced report indicated that the existing pedestrian infrastructure was in generally acceptable condition. Further, no bicycle routes were identified in the vicinity of the Project Site.
83. In addition, a pedestrian count was performed in the area of the Project Site. The referenced study noted a pedestrian count of approximately 12 pedestrians using the sidewalk, and 4 bicyclists were observed during the study. Thus, it was determined that pedestrian and bicycle traffic is not substantial. Furthermore, a pedestrian crosswalk safety assessment was performed and included as Appendix "J" of the FEIS, and analyzed pursuant to the revisions to the DEIS at Section 5 of the FEIS. The crosswalk assessment reviewed the need for pedestrian signals and intermediate pedestrian islands at the Morganview/Route 20A, Volunteer Road/Veterans Drive and Volunteer Road/Route 5 &

20A intersections. The assessment shows that the crosswalks at Route 20A/Morganview Drive and Volunteer Road/Route 20A will need some form of pedestrian protection. The assessments indicate intermediate islands at these intersections will not result in a pedestrian crossing time of less than the gap between the oncoming vehicles. The manual on uniform traffic control devices establishes guidelines and warrants for signage, signals and pavement markings. Pedestrian volumes identified in Appendix B13 of the DEIS do not meet the pedestrian volumes that would warrant the need for a pedestrian signal. Further, it is the opinion of the Planning Board's consultant that additional pedestrian facilities are not required under the circumstances.

Air Quality

84. The Project Sponsor's Erosion Control Plan provides for implementation of activities to reduce impacts to air quality. These include protecting exposed soil with a temporary cover and mitigating dust exposure by using water or other soil adhering products to limit dust impacts. Construction of the Project will comply with the New York State Guidelines for Urban Erosion and Sediment Control, which will limit the impact to air quality to the maximum extent practicable. Additionally, the traffic mitigation measures, discussed above, will minimize delays at nearby intersections and limit the impacts to air quality associated with idling traffic to the maximum extent practicable.

Alternatives to Proposed Action

85. Several alternatives to the proposed project were evaluated, including a no-build alternative, as well as alternative layouts at the Project Site. Alternative layouts at the Project Site are discussed in more detail above regarding visual impacts and impacts to community character.
86. The Project Sponsor has no other properties under its control within the Town of Geneseo beyond the property currently proposed for the Project. Further, there are no other suitable sites available in the Town or Village of Geneseo that would accommodate the Project, and in any event, the SEQRA Regulations (*See* NYCRR § 617.9(b)(5)(v)) provide that "site alternatives may be limited to parcels owned by, or under option to a private project sponsor." Given the above, evaluation of additional sites is not warranted. However, based on the direction of the Lead Agency, the Project Sponsor did provide information relative to potential alternative locations including commercially zoned areas within the Town and Village. The analysis undertaken by the Project Sponsor, as provided in the DEIS, concluded that the three alternative sites investigated were not feasible for development, because each was occupied by another use, lacked sufficient frontage, lacked sufficient access and/or visibility, and had a low probability for approval, and/or because each had prohibitive developmental costs. The three (3) alternative sites, including the former Wal-Mart parcel in particular, have been reoccupied by other uses or are currently undergoing a site plan approval process.

