



CITY OF LACKAWANNA
DEPARTMENT OF DEVELOPMENT

714 Ridge Road – Room 309
 Lackawanna, NY 14218
 Tel: (716) 827-6421 Fax: (716) 827-1866



APPLICATION
 TO THE CITY OF LACKAWANNA
 PLANNING AND DEVELOPMENT BOARD

Date: 2.5.2025

Application No. _____

| | |
|---|--------------------|
| Site Plan Review | Filing Fee \$10.00 |
| <input checked="" type="checkbox"/> Less than 0.5 acres | \$ 50.00 |
| <input type="checkbox"/> 0.5 to 1.0 acres | \$ 200.00 |
| <input type="checkbox"/> 1.0 to 2.0 acres | \$ 400.00 |
| <input type="checkbox"/> 2.0 to 5.0 acres | \$ 400.00 |
| <input type="checkbox"/> Greater than 5 acres | |
| \$ 400.00 plus \$100.00 per acres | \$ _____ |
| <input type="checkbox"/> Special Use Permit | \$ 500.00 |
| <input type="checkbox"/> Development Plan Review | \$ 50.00 |

Property Address: 3040 SOUTHPARK, LACKAWANNA, N.Y

S.B.L. No. _____

Description of Proposed Project: REMOVE EXISTING WOOD FRAMED STRUCTURE, CANOPY, ASPHALT. BUILD A NEW PROPOSED 2150 SF SINGLE STORY CREDIT UNION COMPLETE W/ NEW ASPHALT, SIDEWALKS, & LANDSCAPE

Director of Development

APPLICATION IS HEREBY MADE to the City of Lackawanna Planning and Development Board for a site plan review, special use permit, development plan review or subdivision review as required by the Municipal Code of the City of Lackawanna. The applicant hereby agrees to comply with all applicable laws, rules, ordinances and regulations.

THOMAS J. JOHNSON Sr.
Name of Applicant

Thomas J. Johnson
Signature of Applicant

D.R. CHAMBERLAIN CORP.
50 SIMONS ST. LOCKPORT N.Y.
Address of Applicant

[REDACTED]
Applicant Phone No.

[REDACTED]
Applicant's Email

ARCHITECT / CONTRACTOR
Role of Applicant to Project
(owner, attorney, lessee, agent,
architect, engineer, contractor...)

Property Owner:

NAME: ONE CREDIT UNION

Address: 3517 UNION RD.

CHEEKTOWAGA, N.Y. 14225

Director of Development

| | | NO | YES | N/A |
|--|--|-------------------------------------|-------------------------------------|--------------------------|
| 5. Is the proposed action, | | | | |
| a. A permitted use under the zoning regulations? | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Consistent with the adopted comprehensive plan? | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____ | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels? | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| b. Are public transportation services available at or near the site of the proposed action? | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action? | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____ | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____ | | | | |

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

Shoreline Forest Agricultural/grasslands Early mid-successional
 Wetland Urban Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?

| | | |
|--|-------------------------------------|--------------------------|
| | NO | YES |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

16. Is the project site located in the 100-year flood plan?

| | | |
|--|-------------------------------------|--------------------------|
| | NO | YES |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

17. Will the proposed action create storm water discharge, either from point or non-point sources?
If Yes,

a. Will storm water discharges flow to adjacent properties?

| | | |
|--|--------------------------|-------------------------------------|
| | NO | YES |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?

| | | |
|--|-------------------------------------|--------------------------|
| | NO | YES |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If Yes, briefly describe:

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?
If Yes, explain the purpose and size of the impoundment:

| | | |
|--|-------------------------------------|--------------------------|
| | NO | YES |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?
If Yes, describe:

| | | |
|--|-------------------------------------|--------------------------|
| | NO | YES |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?
If Yes, describe:

| | | |
|--|-------------------------------------|--------------------------|
| | NO | YES |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Thomas J. Sotillo Jr. Date: 2-5-2025

Signature: [Signature] Title: VICE PRESIDENT

PRINT FORM



CITY OF LACKAWANNA
DEPARTMENT OF DEVELOPMENT

Application Notice

February 13, 2025

Thomas Johnson
D.R. Chamberlain Corp
50 Simonds St
Lockport, NY 14094

Re: 3040 South Park Ave

The above item has been placed on the agenda for the next scheduled meeting of the Planning and Development Board and/or Zoning Board of Appeals of the City of Lackawanna.

Planning and Development Board

Zoning Board of Appeals

Date: February 26, 2025

Date:

Time: 6:00pm

Time:

City Council Chambers Room 241
Lackawanna City Hall

If you have any questions please feel free to call 827-6474

Boarding Neighbors
All neighbors on Stearns and Hamilton



CITY OF LACKAWANNA
DEPARTMENT OF DEVELOPMENT

Bordering Property Notice

Dear Sir or Madam:

As an adjoining property owner in the City of Lackawanna, you are hereby notified that a neighbor has made application to the Planning and Development Board and/or Zoning Board of Appeals of the City of Lackawanna as follow;

- | | |
|---|-----------------------------|
| 1. <input checked="" type="checkbox"/> Site Plan Review | 2. _____ Special Use Permit |
| 3. _____ Development Plan Review | 4. _____ Variance |
| 5. _____ Zoning Law Appeals | |

Property owner: Thomas Johnson

Address: 3040 South Park Ave

In reference to: Demolition of old building to build new proposed 2150 SF single story credit union

You are entitled to appear at the public hearing scheduled for 2/26/25@ 6:00pm in Council Chambers at Lackawanna City Hall to express your support or opposition to the granting of said application.

Communications, relating to the application, may be filed with the appropriate Board before the meeting by writing to:

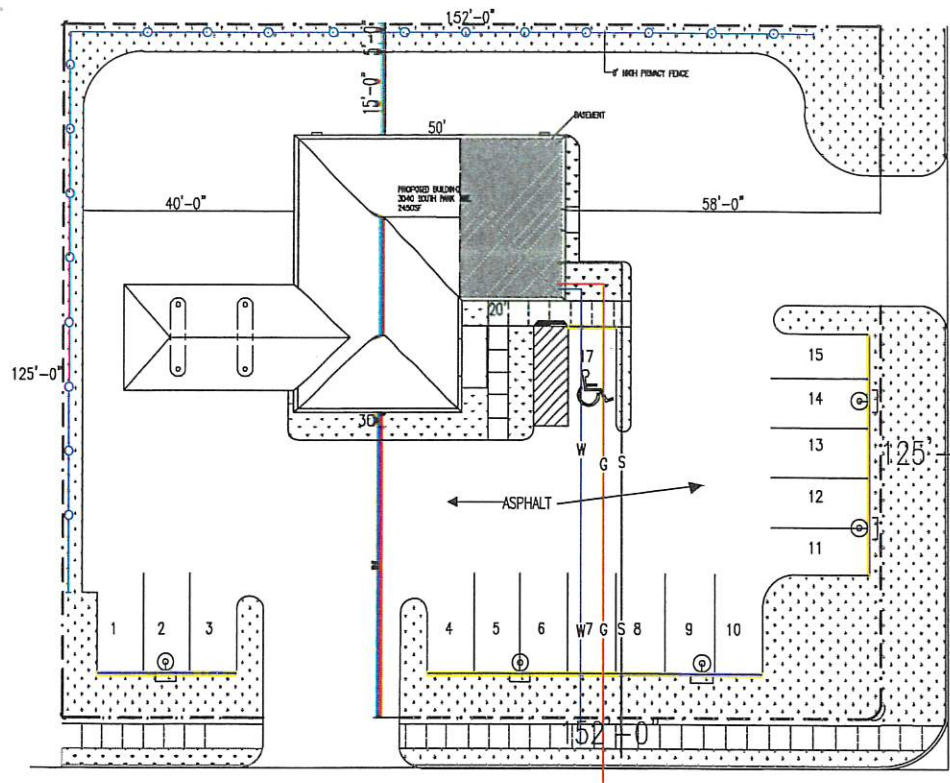
Planning & Development Board/Zoning Board
Department of Development
714 Ridge Road, Room 309
Lackawanna, NY 14218

If you have any questions regarding the meeting, please call 716-827-6474

PLANNING AND DEVELOPMENT BOARD, CITY OF LACKAWANNA
ZONING BOARD OF APPEALS, CITY OF LACKAWANNA

Robert Alessi - 15 Hamilton
Carol Krause - 18 Hamilton
Shirley Mecozzi - 21 Hamilton
Mark Packard - 24 Hamilton
David Violanti - 29-35 Hamilton
~~Mar~~ Dino Marrocco - 30 Hamilton
Chris Czechowski - 32 Hamilton
Charles Clifford - 40 Hamilton
Thomas Makeyenko - 41 Hamilton
Valerie Rauth - 43 Hamilton
Louise Biela - 47 ''
Michael Sieracki - 48 ''
Shawn Szentesy - 54 ''
Chester Przybylo - 55 ''
Edward Patronik - 59 ''
60 Hamilton Lackawanna LLC - 1580 ¹⁴²¹¹Genesee
Margaret Fanning - 66 ''
Cheryl Packard - 67 ''
William A. Katalinich - 74
Abdulla Mohsen - 41 Ingham - lack
Sabrina Davis - 78 ''
Jodie O'Connor - 79-81 ''
Vincent Potter - 86 ''
Robert Schmitt - 92 ''
Frank Schwed - 93 ''
Janet Adams - 95 Hamilton

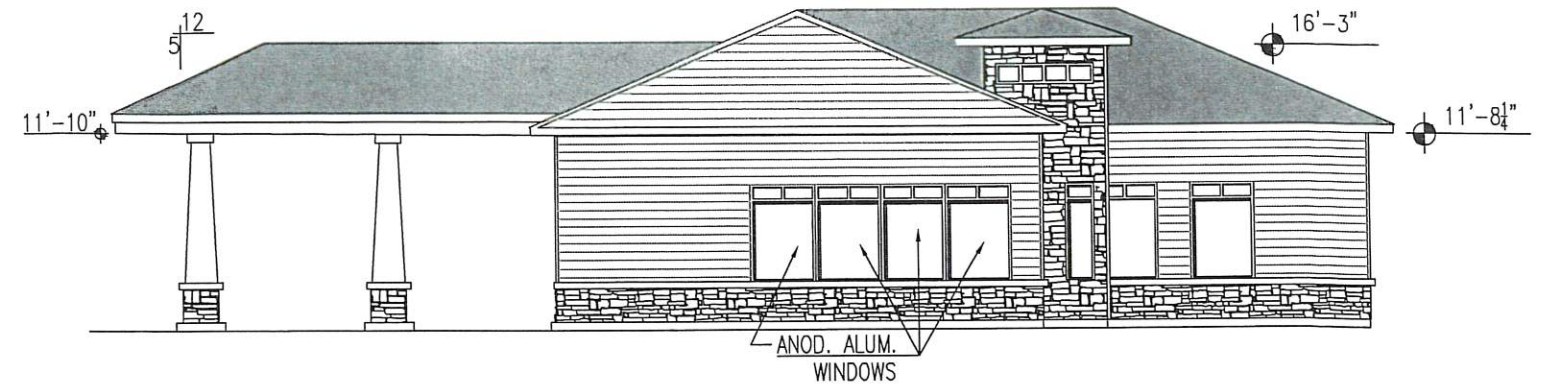
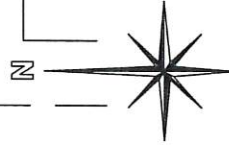
| | | |
|-----------------------------|---|------------|
| Adnan Mohsin - 240 | Arlene St - Staten Island | 10314 |
| Shibbir Ahmad - 17 | Stearns | |
| David SzaFranski - 22 | Stearns | |
| Markian Slabyk - 25 | Stearns | |
| Zayador Rahman - 28 | " | |
| Michael Gallagher - 33 | " | |
| Anthony Monaco - 39 | " | |
| 2030 Development Inc - 1580 | Genesee | 14211 |
| Ayish Alomari - 50 | " | |
| Tracey Jahnke - 51 | " | |
| Thomas Sikorski - 57 | " | |
| Ahmed Abdullah Alomari - 58 | " | |
| Michelle Jarosz - 63 | " | |
| Lawrence Edwards - 68 | " | |
| Jeneen Bish - 69 | " | |
| Amanda Klee - 72 | " | |
| DA Legacy Real Estate LLC - | 9265 Carnisbrook Ln Brentwood TN 37027 | |
| Heather Davern - 77 | " | |
| Paul Koch - 81 | | |
| Margaret Prell - 49 | Newman PL | BF10-14210 |
| Janice Kosnikowski - 88 | " | |
| Leo Murphy - 89 | " | |
| Adel Fadel - 96 | " | Lower |



1 SITE PLAN

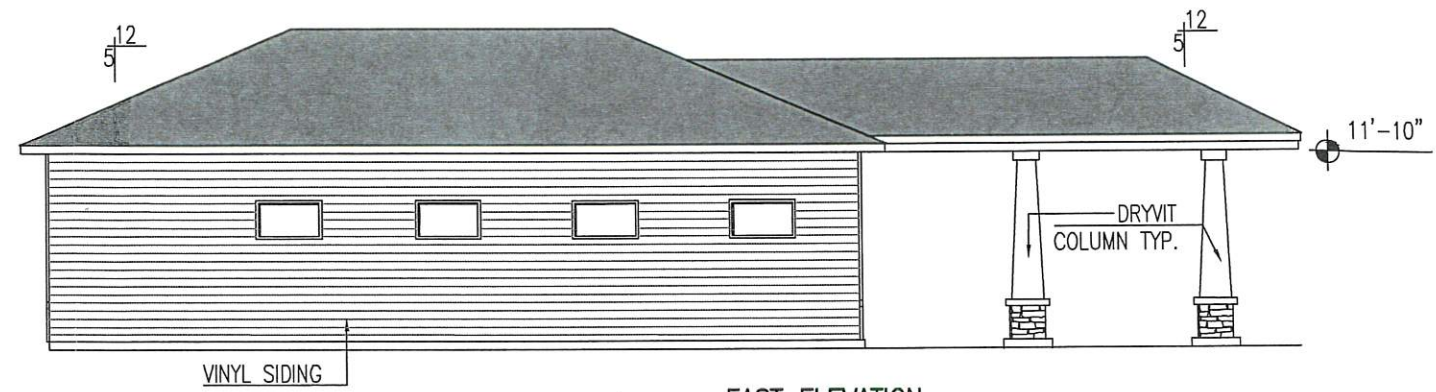
SCALE 1/8"=1'-0"

- SYMBOLS**
- RING
 - 4' HIGH IMPACT FENCE
 - PROPERTY LINE
 - HANDICAP
 - LIGHT SIGNAGE
 - ASPHALT
 - CURB
 - DRIVE
 - DRIVE
 - DRIVE
 - DRIVE
 - EXTERIOR LIGHTS



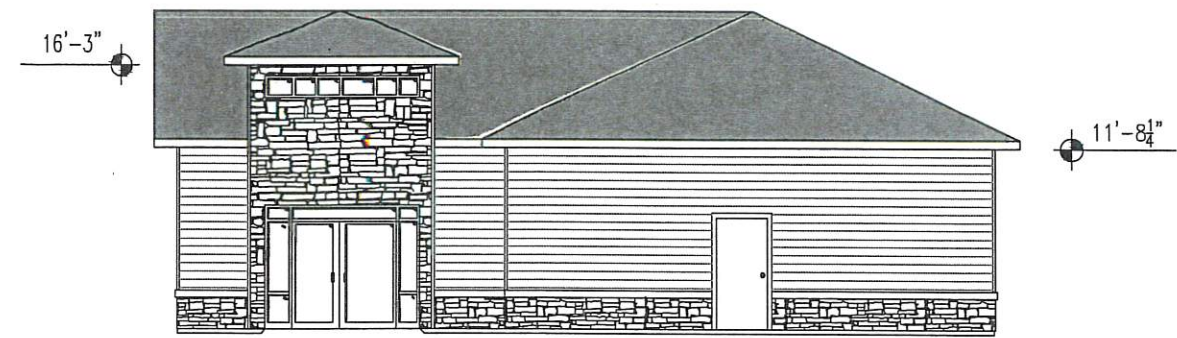
5 WEST ELEVATION

SCALE 1/8"=1'-0"



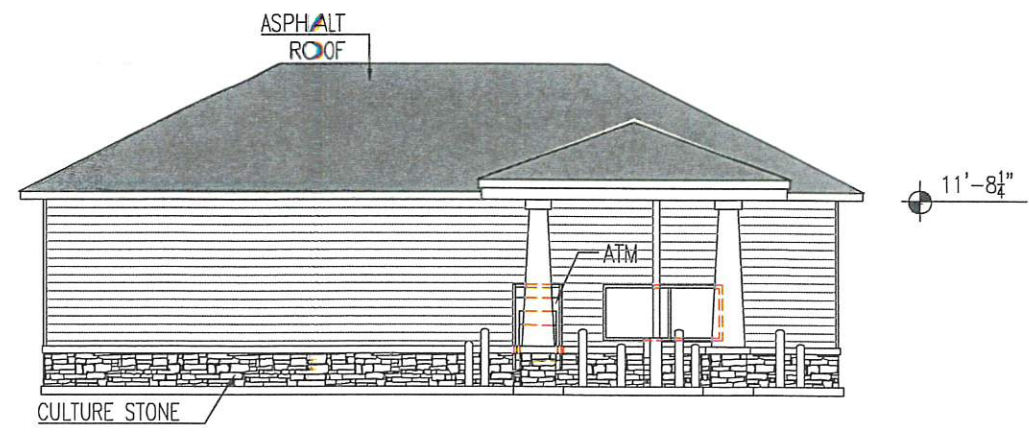
6 EAST ELEVATION

SCALE 1/8"=1'-0"



4 SOUTH ELEVATION

SCALE 1/8"=1'-0"



7 NORTH ELEVATION

SCALE 1/8"=1'-0"

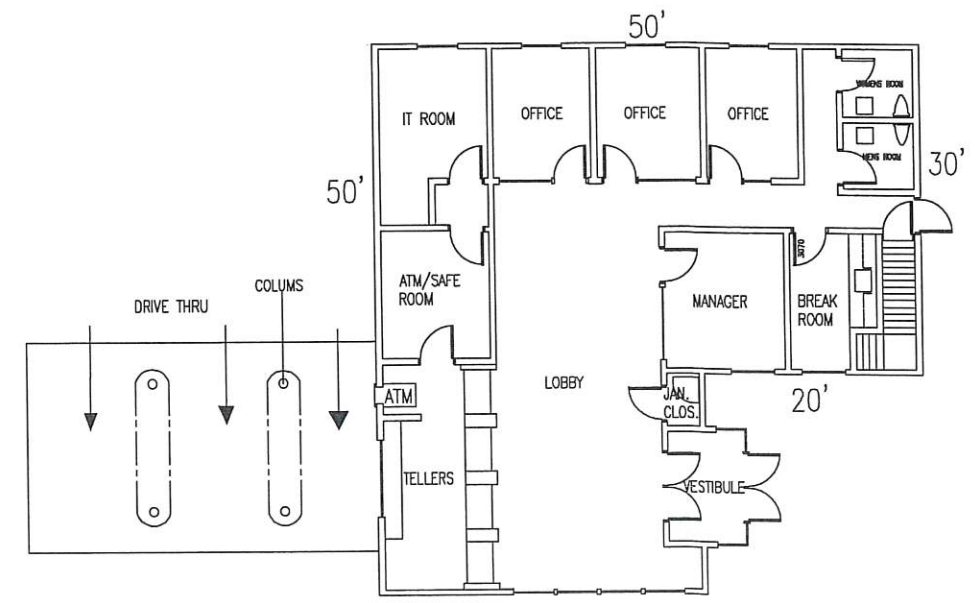
SITE AREA & BUILDING CALCULATION

| | | |
|----------------------------|--------|--------|
| SITE: | 19000 | SQ FT |
| BUILDING: | 2149 | SQ FT |
| ASPHALT: | 12,685 | SQ FT |
| GREEN: | 4165 | SQ FT |
| SIDE WALKS/ISLANDS: | 375 | SQ FT |
| PARKING CALCULATION | | |
| SIZE: | 9X19 | |
| PROPOSED: | 16 | SPACES |
| HANDICAP: | 1 | SPACE |



2 EXISTING SITE

SCALE 1/16"=1'-0"



3 FLOOR PLAN

SCALE 1/8"=1'-0"

ONE CREDIT UNION
 3040 SOUTH PARK AVE, LACKAWANNA, NY, 14218
 11/13/24
 SP-2 PROPOSED SITE PLAN
 D. E. CHAMBERLAIN ARCHITECTURE



CITY OF LACKAWANNA OFFICE OF CODE ENFORCEMENT

714 Ridge Road – Room 311
Lackawanna, NY 14218
Tel: (716) 827-6474 Fax: (716) 827-1866



Date 2/26/25

Agenda Checklist
Zoning Board of Appeals
Planning and Development Board

Property address 2470 HAMBURG TURNPIKE

Reason in front of the board SPECIAL USE PERMIT APPROVALS

Special use permit needed for Zoning? Yes / No Planning? Yes / No

Agenda Applicant JACOB HICKS

Agenda item CANNABIS DISPENSARY

Zone REGIONAL COMMERCIAL

Use variance needed? Yes / No

Description of use variance (not allowed in that zone) TO OPEN A CANNABIS DISPENSARY

Area variance needed? Yes / No

Description of area variances needed (Parking/ height ect...) _____

Description of agenda use? TO OPEN A CANNABIS DISPENSARY

Code enforcement research (attached if applicable) YES

Legal opinion/ research (attached if applicable) _____

Scott Hayes
Code Enforcement Officer



CITY OF LACKAWANNA DEPARTMENT OF DEVELOPMENT

714 Ridge Road – Room 309
Lackawanna, NY 14218
Tel: (716) 827-6421 Fax: (716) 827-1866



APPLICATION TO THE CITY OF LACKAWANNA PLANNING AND DEVELOPMENT BOARD

Date: 02/07/2025

Application No. _____

Site Plan Review

Filing Fee \$10.00

| | |
|---|-----------|
| <input checked="" type="checkbox"/> Less than 0.5 acres | \$ 50.00 |
| <input type="checkbox"/> 0.5 to 1.0 acres | \$ 200.00 |
| <input type="checkbox"/> 1.0 to 2.0 acres | \$ 400.00 |
| <input type="checkbox"/> 2.0 to 5.0 acres | \$ 400.00 |
| <input type="checkbox"/> Greater than 5 acres | |
| \$ 400.00 plus \$100.00 per acres | \$ _____ |
| <input checked="" type="checkbox"/> Special Use Permit | \$ 500.00 |
| <input type="checkbox"/> Development Plan Review | \$ 50.00 |

Property Address: 2470 Hamburg Turnpike, Lackawanna, NY 14218

S.B.L. No. 141.59-5-1

Description of Proposed Project: _____

Application for approval of an interior fit out for New York State licensed adult-use retail cannabis dispensary

Director of Development

APPLICATION IS HEREBY MADE to the City of Lackawanna Planning and Development Board for a site plan review, special use permit, development plan review or subdivision review as required by the Municipal Code of the City of Lackawanna. The applicant hereby agrees to comply with all applicable laws, rules, ordinances and regulations.

Jacob Hicks
Name of Applicant

100 Franklin St, Suite 404,
Boston, MA 02110
Address of Applicant

[REDACTED]
Applicant's Email

DocuSigned by:
Jacob Hicks
Signature of Applicant

[REDACTED]
Applicant Phone No.

Agent
Role of Applicant to Project
(owner, attorney, lessee, agent,
architect, engineer, contractor...)

Property Owner:
FTS DEVELOPMENT LLC, PRESIDENT
NAME: JAMES A GRYS

Address: 135 CARVERT BLVD
TONAWANDA, NY 14150

Director of Development



CITY OF LACKAWANNA
DEPARTMENT OF DEVELOPMENT

Application Notice

February 14, 2025

Jacob Hicks
100 Franklin St Suite 404
Boston, MA 02110

Re: 2470 Hamburg Tpke

The above item has been placed on the agenda for the next scheduled meeting of the Planning and Development Board and/or Zoning Board of Appeals of the City of Lackawanna.

Planning and Development Board

Zoning Board of Appeals

Date: February 26, 2025

Date:

Time: 6:00pm

Time:

City Council Chambers Room 241
Lackawanna City Hall

If you have any questions please feel free to call 827-6474

Boarding Neighbors
Prisha NY LLC-2380 Hamburg Tpke
MLG Contracting – 2424 Hamburg Tpke



CITY OF LACKAWANNA
DEPARTMENT OF DEVELOPMENT

Bordering Property Notice

Dear Sir or Madam:

As an adjoining property owner in the City of Lackawanna, you are hereby notified that a neighbor has made application to the Planning and Development Board and/or Zoning Board of Appeals of the City of Lackawanna as follow;

1. Site Plan Review
2. _____ Special Use Permit
3. _____ Development Plan Review
4. _____ Variance
5. _____ Zoning Law Appeals

Property owner: Jacob Hicks

Address: 2470 Hamburg Tpke

In reference to: Special use permit for cannabis dispensary

You are entitled to appear at the public hearing scheduled for 2/26/25@ 6:00pm in Council Chambers at Lackawanna City Hall to express your support or opposition to the granting of said application.

Communications, relating to the application, may be filed with the appropriate Board before the meeting by writing to:

Planning & Development Board/Zoning Board
Department of Development
714 Ridge Road, Room 309
Lackawanna, NY 14218

If you have any questions regarding the meeting, please call 716-827-6474

PLANNING AND DEVELOPMENT BOARD, CITY OF LACKAWANNA
ZONING BOARD OF APPEALS, CITY OF LACKAWANNA



Jacob Hicks
100 Franklin St. Suite 404,
Boston MA 02110

February 4th, 2025

Lackawanna City Hall
714 Ridge Road, Room 309,
Lackawanna NY 14218

Dear Esteemed Members of the City of Lackawanna Department of Development,

I am attaching this letter to provide further clarification on the enclosed items, for the cannabis dispensary application at 2470 Hamburg Turnpike. In this envelope you will find:

- Cover Page/Application for a Site Plan and Special Use Permit Review with both the City's Planning and Zoning Board.
- A check made out to the City of Lackawanna for the filing fees, review fees, and fees to appear before the Zoning and Planning Boards. The check totals to \$560.00.

Today, we spoke with the Director of Development Mr. Clark and the Code Enforcement Team who gave feedback to the site plan. After our discussion, we agreed to incorporate the City's feedback into our final submittal due on February 7th for the February 26th Planning and Zoning Board Meetings.

Today, Code Enforcement informed us that we could supply an electronic copy of the full application to the Department of Development on Friday 2/7, and then provide 16 hard copies by Monday 2/11.

This letter is to inform you that we intend on submitting our finalized documents electronically on Friday, and your department will receive the 16 hard copies before end of day Monday, latest. It is our hope we can get these hard copies to you on Friday as well, but in the case that we are unable to, this check and reference to our application has been told can suffice to get us on the February 26 agenda.

If you have any questions or concerns, feel free to call or email me, and thank you for your flexibility.

Jacob Hicks
Vice President
Tenax Strategies

P: 617-378-8500

E: jacob@tenaxstrategies.com

DRIVEN | DEDICATED | DETERMINED

LACKAWANNA TREE MARKET NY LLC

2470 HAMBURG TURNPIKE, CITY OF LACKAWANNA, NY 14218

OWNER/ APPLICANT:

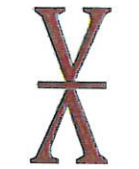
PROPERTY OWNER:
FTS DEVELOPMENT LLC, PRESIDENT JAMES A GRYS
135 CARVERT BLVD TONAWANDA, NY 14150

TREE MARKET NY LLC OWNER:

DIANA SHANE
15627 NE 107 CT., REDMOND, WA 98052

ARCHITECT:

VIVID ARC
511 S BROAD AVE., 2ND FL
GLEN ROCK, NJ 07452



VIVID ARC

TELEPHONE NUMBER: 551.206.6196
E-MAIL ADDRESS: arlenis@vivid-arc.com
WEBSITE: vivid-arc.com

LACKAWANNA TREE MARKET NY LLC

2470 HAMBURG TURNPIKE, CITY OF LACKAWANNA, NY 14218

FTS DEVELOPMENT LLC- PRESIDENT JAMES A GRYS & DIANA SHANE

GENERAL NOTES

- CONTRACTOR SHALL VERIFY ALL CONDITIONS COVERING OR AFFECTING THE STRUCTURAL WORK, OBTAIN ALL DIMENSIONS TO ENSURE THE PROPER FIT AND LOCATION OF THE STRUCTURAL WORK, REPORT TO THE ARCHITECT AND/OR ENGINEER ANY AND ALL CONDITIONS WHICH MAY INTERFERE WITH OR OTHERWISE AFFECT OR PREVENT THE PROPER EXECUTION AND COMPLETION OF THE NEW WORK. NOTIFY ARCHITECT OF ALL CONFLICTS.
- ALL CONSTRUCTION SHALL COMPLY FULLY WITH THE APPLICABLE PROVISIONS OF OSHA AND THE LOCAL OR STATE BUILDING CODE'S LATEST EDITION. ALL REQUIREMENTS IN THE CODE SHALL BE ADHERED TO AS IF THEY WERE CALLED FOR, OR SHOWN ON THE DRAWINGS. THIS SHALL NOT BE CONSTRUED TO MEAN THAT ANY REQUIREMENTS SET FORTH ON THE DRAWINGS MAY BE MODIFIED BECAUSE THEY ARE MORE STRINGENT THAN THE CODE REQUIREMENTS OR BECAUSE THEY ARE NOT SPECIFICALLY REQUIRED BY CODE.
- THIS SET OF CONSTRUCTION DRAWINGS WITH ITS ACCOMPANYING SPECIFICATIONS, TOGETHER WITH AIA DOCUMENT A101, OWNER-CONTRACTOR AGREEMENT, AND AIA DOCUMENT A201, GENERAL CONDITIONS, SHALL CONSTITUTE THE CONTRACT DOCUMENTS FOR CONSTRUCTION.
- THE CONTRACTOR SHALL PROVIDE ALL MATERIALS AND PERFORM ALL WORK DESCRIBED IN THE ACCOMPANYING SECTION OF THESE SPECIFICATIONS, AS HEREIN ENUMERATED AND SHOWN ON THE ACCOMPANYING DRAWINGS.
- CONTRACTOR TO COMPLETELY INSPECT SITE CONDITIONS PRIOR TO SUBMITTING A BID PRICE. ANY OMISSION OR OVERSIGHT ON THE PART OF THE CONTRACTOR WILL NOT BE CONSIDERED SUFFICIENT GROUNDS TO JUSTIFY ADDITIONAL COMPENSATION.
- CONTRACTOR TO VERIFY ALL CONDITIONS IN THE FIELD BRINGING ANY DISCREPANCIES BETWEEN DRAWN INTENT AND EXISTING CONDITIONS TO THE ATTENTION OF THE ARCHITECT. PRIOR TO START OF CONSTRUCTION.
- THE CONTRACTOR TO VERIFY DIMENSIONAL ACCURACY OF ALL DRAWINGS IN FIELD. NOTIFY ARCHITECT OF ALL CONFLICTS.
- ALL MATERIALS AND PRODUCTS ARE TO BE INSTALLED AS PER MANUFACTURER'S RECOMMENDATIONS AND SPECIFICATIONS. EXCEPTIONS TO BE APPROVED BY OWNER IN WRITING.
- THE CONTRACTOR SHALL PROTECT THE WORK AND ALL ADJACENT PROPERTY FROM LOSS OR DAMAGE RESULTING FROM ITS OPERATIONS, AND IN THE EVENT OF SUCH LOSS OR DAMAGE, SHALL MAKE SUCH REPLACEMENTS OR REPAIRS AS REQUIRED WITHOUT ADDITIONAL COST TO THE OWNER.
- ALL MATERIALS STORED WITHIN THE BUILDING SHALL BE NEATLY STACKED. MATERIAL SHALL NOT BE STORED OUTSIDE THE BUILDING. DO NOT STORE COMBUSTIBLE MATERIAL ON THE PREMISES FOR A PERIOD LONGER THAN NECESSARY FOR THE EXECUTION OF THE WORK.
- CONTRACTOR TO PROVIDE ALL LABOR ACCESSORIES NECESSARY TO INSTALL OWNER SUPPLIED ITEMS, INCLUDING BUT NOT LIMITED TO: LIGHT FIXTURES, PLUMBING FIXTURES, APPLIANCES, ETC.
- ALL WORK TO BE PERFORMED BY LICENSED TRADESMAN POSSESSING VALID INSURANCE.
- CONTRACTOR TO SUPPLY SHOP DRAWINGS FOR ALL CABINETS.
- CONTRACTOR TO VERIFY THE ADEQUACY OF THE EXISTING ELECTRICAL POWER FOR THE INTENDED NEW USE AND PROVIDE PRICE FOR ADDITIONAL POWER IF IT IS FOUND TO BE NECESSARY TO COMPLETE THE REQUIRED WORK.
- CONTRACTOR TO PROVIDE WORKMAN'S COMP. PUBLIC LIABILITY, CONTRACTOR'S PROPERTY DAMAGE AND VEHICLE LOSS INSURANCE.
- CONTRACTOR SHALL PROTECT FROM DAMAGE ALL PORTIONS OF THE STRUCTURE TO REMAIN, MAINTAIN EXISTING UTILITIES TO ADJACENT AREA & PROTECT AGAINST DAMAGE DURING DEMOLITION AND CONSTRUCTION.
- CONTRACTOR RESPONSIBLE FOR REMOVAL AND DISPOSAL OF ANY BUILDING MATERIALS & DEBRIS GENERATED DURING DEMOLITION & CONSTRUCTION.
- WALL AND CEILING FINISHES ARE TO HAVE A FLAME SPREAD CLASSIFICATION NOT GREATER THAN 200 AND A SMOKE DEVELOPED INDEX NOT IN EXCESS OF 450.
- IN ACCORDANCE WITH SITE PLAN, REMOVE ALL VEGETATION OR REFUSE IN CONFINES OF BUILDING CONSTRUCTION AND PAVING CONSTRUCTION AND PAVEMENT PRIOR TO COMMENCEMENT OF WORK.
- EXCAVATE AS REQUIRED TO PROVIDE SUFFICIENT WORKING ROOM FOR THE LAYING OF PROPER VAPOR BARRIER WHERE REQUIRED.
- CONTRACTOR SHALL PROVIDE ALL THE NECESSARY SUPPORT, BRACING, SHORING, ETC. (TEMPORARY AND/OR PERMANENT) AS REQUIRED FOR THE SAFE INSTALLATION OF NEW CONSTRUCTION.
- BACKFILLING OF WALLS IN INTERIOR AREAS WHERE CONCRETE SLABS WILL BEAR ON GRADE SHALL BE GRITS OR BACKRUN GRAVEL, WELL COMPACTED, BROUGHT TO A SUBGRADE OF 12" BELOW FINISH FLOOR LINE OR AS CALLED FOR IN DRAWINGS.
- REMAINDER OF SITE SHALL BE GRADED TO ASSURE DRAINAGE OF SURFACE WATER FROM BUILDING.
- CONTRACTOR SHALL PROTECT FROM DAMAGE ALL PORTIONS OF THE STRUCTURE TO REMAIN. MAINTAIN EXISTING UTILITIES TO ADJACENT AREA & PROTECT AGAINST DAMAGE DURING DEMOLITION AND CONSTRUCTION.
- CONTRACTOR RESPONSIBLE FOR REMOVAL AND DISPOSAL OF ANY BUILDING MATERIALS & DEBRIS GENERATED DURING DEMOLITION & CONSTRUCTION.

DEMOLITION NOTES

- DEMOLITION CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL EXISTING FIELD CONDITIONS SO AS TO FAMILIARIZE THEMSELVES WITH OVERALL SCOPE OF THE PROJECT TO PRODUCE THE FINAL RESULT INTENDED IN THE CONTRACT DRAWING BEFORE WORK IS BEGUN. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE ALL BARRICADES, FENCES, TEMPORARY BRACING, SUPPORTS, SHORING OR OTHER SAFETY MEASURES TO EXISTING STRUCTURE AS REQUIRED, TO INSURE COMPLETE SAFETY DURING THIS WORK. SUCH PROTECTIVE DEVICES MUST BE MAINTAINED FOR THE DURATION OF THE WORK AND COMPLETELY REMOVED UPON COMPLETION OF THE CONTRACT BY THE CONTRACTOR.
- DEMOLITION CONTRACTOR SHALL INCLUDE COMPLETE REMOVAL OF ALL MATERIALS AND DEBRIS FROM SITE, LEAVING THE AREA CLEAR AND CLEAN FOR THE NEW CONSTRUCTION. ALL WORK DEMOLISHED AND THE DEBRIS RESULTING THEREFROM, BECOMES THE PROPERTY OF THE CONTRACTOR AND SHALL BE REMOVED FROM THE PROPERTY AT FREQUENT INTERVALS. CONTRACTOR MUST PROVIDE ALL BARRICADES AND PROTECTION AS REQUIRED TO INSURE SAFETY.
- CONTRACTORS SHALL BE RESPONSIBLE FOR ADEQUATELY BRACING AND PROTECTING ALL WORK DURING CONSTRUCTION AGAINST DAMAGE, BREAKAGE, COLLAPSE, DISTORTIONS, STANDBARDS AND GOOD PRACTICE. CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR THE SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROPERTY, THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORK HOURS & THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY & HOLD THE ARCHITECT OR ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT.
- UTILITIES SERVING THE EXISTING BUILDING MUST BE SAFEGUARDED AGAINST DAMAGE THROUGHOUT THE DEMOLITION WORK.
- THE EXISTING STRUCTURE SHALL BE BRACED DURING ERECTION USING TEMPORARY BRACING IN ACCORDANCE WITH THE REQUIREMENTS OF THE CODE OF STANDARD PRACTICE, LATEST EDITION, OF AISC. THE BRACING SHALL BE DESIGNED TO TAKE CARE OF ALL LOADS TO WHICH THE STRUCTURE MAY BE SUBJECT TO INCLUDING EQUIPMENT AND THE OPERATION OF SAME. SUCH BRACING SHALL BE LEFT IN PLACE UNTIL THE ENTIRE STRUCTURE FUNCTIONS AS A UNIT OR LONGER IF REQUIRED FOR SAFETY.
- DEMOLITION CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS & RELATED FEES.
- CONTRACTOR TO PROVIDE ALL TEMPORARY BRACING, SUPPORTS, AND SHORING TO EXISTING STRUCTURE AS REQUIRED DURING ERECTION & IN ACCORDANCE WITH THE REQUIREMENTS OF THE CODE OF STANDARD PRACTICE, LATEST EDITION, OF AISC. THE BRACING SHALL BE DESIGNED TO TAKE CARE OF ALL LOADS TO WHICH THE STRUCTURE MAY BE SUBJECT TO INCLUDING EQUIPMENT AND THE OPERATION OF THE SAME. SUCH BRACING SHALL BE LEFT IN PLACE UNTIL THE ENTIRE STRUCTURE FUNCTIONS AS A UNIT OR LONGER IF REQUIRED FOR SAFETY.

HAZARDOUS MATERIALS:
IF THE PRESENCE OF UNANTICIPATED HAZARDOUS MATERIALS IS ASCERTAINED OR SUSPECTED DURING CONSTRUCTION, IMMEDIATELY CEASE WORK IN THE IMMEDIATE AREA OF THE MATERIALS ENCOUNTERED. CONTACT THE OWNER PRIOR TO ARRANGING TO HAVE THE TOXICITY AND EXTENT OF THE MATERIALS TESTED, A DETERMINATION BY THE OWNER AND THEIR CONSULTANT(S) WILL BE MADE AS TO THE PREFERRED METHOD OF ISOLATING, REMOVING AND DISPOSING OF THE HAZARDOUS MATERIAL.

CONSTRUCTION NOTES

- CONSTRUCTION NOTES ARE SUPPLEMENTAL TO GENERAL NOTES FOR THE PROJECT. REVIEW GENERAL NOTES PRIOR TO COMMENCEMENT OF WORK.
- DO NOT SCALE DRAWINGS. ANY DIMENSIONAL CLARIFICATIONS OR ADDITIONAL INFORMATION WILL BE FURNISHED BY THE ARCHITECT UPON WRITTEN REQUEST OF THE CONTRACTOR. ARCHITECT'S CONSTRUCTION PLAN SUPERCEDES ALL OTHER PLANS, BUT DOES NOT LIMIT CONTRACTOR TO CONSTRUCTION PLAN WORK ONLY.
- ALL DIMENSIONS ARE FINISH TO FINISH UNLESS OTHERWISE NOTED. DIMENSIONS MARKED "CLEAR" SHALL BE EXPRESSLY MAINTAINED. ALLOW FOR THICKNESS OF ALL FINISHES INCLUDING CARPET, CERAMIC TILES, ETC.
- ALL DOOR FRAMES SHALL BE LOCATED 4" FROM FACE OF ADJACENT PERPENDICULAR WALL TO INSIDE FACE OF DOOR JAMB UNLESS OTHERWISE INDICATED. COMPLY WITH ANSI 117.1-2003 MANICURING REQUIREMENTS.
- ALL NEW PARTITIONS SHALL BE PERPENDICULAR OR PARALLEL TO BUILDING DATUM UNLESS OTHERWISE NOTED.
- FRAMING CONTRACTOR SHALL COORDINATE WITH ELECTRICAL CONTRACTOR AND COMMUNICATIONS SECURITY CONTRACTOR REGARDING LOCATIONS OF POWER AND COMMUNICATIONS RECEPTACLES AND TERMINATIONS, AND ANY OTHER SPECIAL FRAMING REQUIREMENTS.
- PROVIDE LATERAL BRACING OF PARTITIONS ABOVE CEILING AS REQUIRED. BRACING SHALL BE PROVIDED IN CONFORMANCE WITH ACCEPTABLE PRACTICE, APPLICABLE CODE, OR AS OTHERWISE MAY BE QUIRED BY THE LOCAL SUB-CODE OFFICIAL.
- PROVIDE WOOD BLOCKING AS REQUIRED AT ALL PARTITIONS RECEIVING WALL HUNG CABINETS, FIXTURES, HARDWARE, ACCESSORIES, GRAB BARS, AT ALL LOCATIONS WHERE WALL MOUNTED.
- INSTALL WATER RESISTANT GYPSUM BOARD ("GREEN BOARD") IN ALL TOILET ROOMS AND OTHER WET AREAS SUCH AS AT JANITOR'S CLOSETS, ETC.
- PROVIDE CEMENT BOARD BEHIND ALL TILES IN
- INSTALL DRYWALL FURRING AS REQUIRED TO ACCOMMODATE DEPTH OF FIRE EXTINGUISHER CABINETS, RECESSED TOILET ROOM ACCESSORIES, OR OTHER RECESSED FIXTURES OR APPLIANCES SPECIFIED HEREIN. WALL FRAMING TO COMPLY WITH BUILDING CONSTRUCTION TYPE.
- ALL GYPSUM BOARD SURFACES SHALL BE TAPED, SPACKLED, AND SANDED AS REQUIRED TO RECEIVE SCHEDULED FINISHES.
- INSTALL GYPSUM BOARD "NOMINALLY TIGHT" (1/4") TO FLOOR SLAB, TO PREVENT POOR INSTALLATION OF WALL BASE.
- FRAME AND DRYWALL AROUND DUCTWORK PENETRATING PARTITIONS. GAP BETWEEN FRAMED OPENINGS AND DUCT SHALL NOT EXCEED (1/2"), WHERE DUCTWORK PENETRATES FIRE RATED PARTITIONS, PROVIDE FIRE AND/OR SMOKE DAMPERS AS INDICATED ON ENGINEERING DRAWINGS, OR AS OTHERWISE REQUIRED BY CODE. FIT ALL PENETRATIONS IN FIRE RATED PARTITIONS WITH APPROVED FIRE STOP MATERIALS, AS REQUIRED TO MAINTAIN FIRE RATING.
- INSTALL FIRE EXTINGUISHER CABINETS IN LOCATIONS SHOWN ON DRAWINGS.
- ALL FIRE EXTINGUISHERS SHALL BE NEW, AND SHALL BE INSTALLED JUST PRIOR TO TENANT OCCUPANCY UNLESS OTHERWISE DIRECTED BY SUB-CODE OFFICIAL.

PLUMBING NOTES

- PLUMBING CONTRACTOR TO CONFORM TO THE LATEST NATIONAL STANDARD PLUMBING CODE, NJ EDITION.
- CONTRACTOR TO MAKE PLUMBING WORK AND CONTROLS ACCESSIBLE TO EACH INDIVIDUAL UNIT TO THE GREATEST EXTENT POSSIBLE.
- PLUMBER TO VERIFY EXISTING WATER PRESSURE IN THE STREET AND SIZE SUPPLY LINES AND SELECT FIXTURES ACCORDINGLY.

GENERAL DESCRIPTION

- USE GROUP: MIXED COMMERCIAL/ INDUSTRIAL
- CONSTRUCTION TYPE: TYPE 2B (ASSUMED)
- AREA: GROUND FLOOR (GROSS) 3350 SF

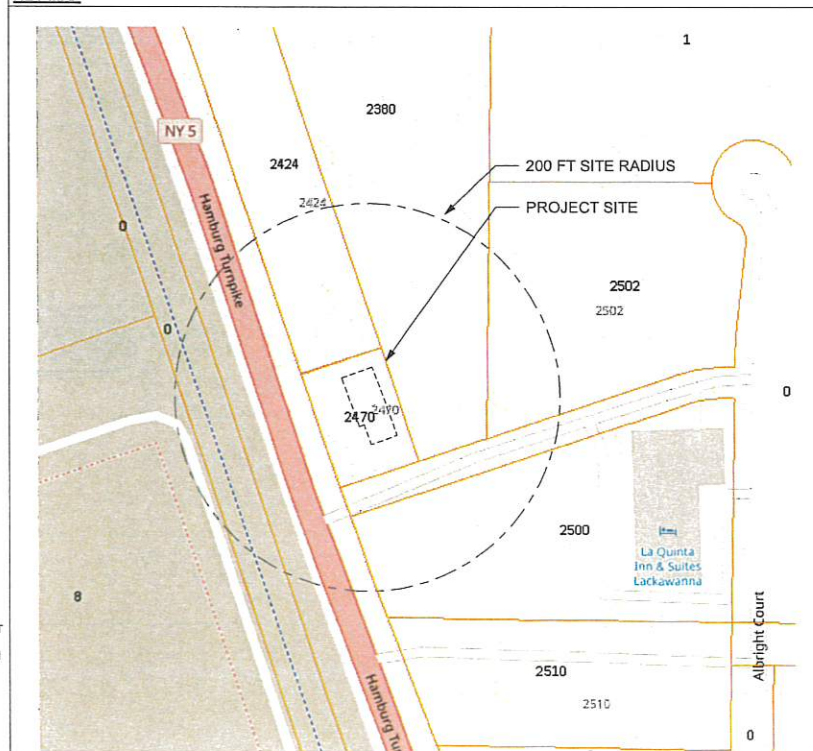
PARKING REQUIREMENTS

RETAIL STORES (DETACHED) 1 PER 250 SQUARE FEET OF SALE FLOOR AREA

1283 SF / 250 = 6 PARKING SPACE REQUIRED

EXISTING 4 SPACE + ADA SPACE PROVIDING 7 NEW PARKING SPACE

KEY MAP



PROJECT NARRATIVE

THE PROJECT IS PROPOSING THE GROUND LEVEL COMMERCIAL SPACE ON HAMBURG TURNPIKE TO BE A CANNABIS ESTABLISHMENT.

THIS PROJECT CONSISTS OF A SALES FLOOR, RECEPTION AREA, VAULT, OFFICE, BREAKROOM, 1 ADA TOILET, 1 NON-ADA TOILET.

NEW FINISHES INTERIOR AND EXTERIOR. EXTERIOR WILL HAVE NEW SIGNAGE. CREATING PARKING SPACES AND PROPOSES NEW LANDSCAPING. NO CHANGES TO EXISTING UTILITIES.

DRAWING LIST

T-001 COVER SHEET

A-001 EXISTING & PROPOSED SITE PLAN

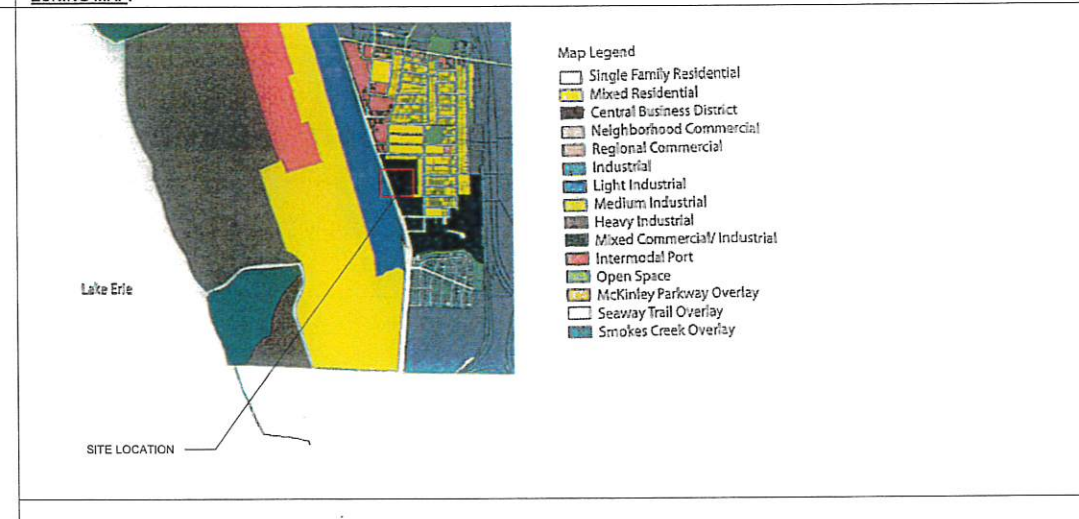
A-100 DEMOLITION & PROPOSED FLOOR PLANS

A-101 PROPOSED ELEVATIONS

KEY MAP (MAJOR NEARBY HIGHWAYS)



ZONING MAP:



SITE PLAN SIGNATURE BLOCK

APPROVED BY THE BOARD OF ADJUSTMENT OF THE CITY OF LACKAWANNA AT A MEETING HELD ON THE _____ DAY OF _____, 20____

PLANNING BOARD CHAIRPERSON _____ BOARD SECRETARY _____

CITY CLERK _____ CITY ENGINEER _____

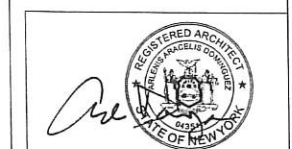
RESOLUTION NUMBER _____ DATE _____

KEY PLAN:

NOT VALID FOR CONSTRUCTION UNLESS SIGNED AND SEALED BY ARCHITECT

ARCHITECT OF RECORD:
ARLENIS DOMINGUEZ
NY LIC. NUMBER: 043511

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DATE: 01/24/2025
DRN: JS
CHK: AD
DESCRIPTION: PB SET

| REV | DATE | DRN | CHK | DESCRIPTION |
|-----|------|-----|-----|-------------|
| | | | | |
| | | | | |
| | | | | |

PROJ. NO.: 1337
SCALE: 1/8" = 1'-0"

DWG. NAME: COVER SHEET

DWG. NO.: T-001

SHEET NO. OF _____ PLOT DATE _____



RIGHT TURN ONLY SIGN



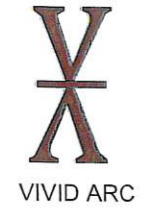
95 GALLON BIN DIMENSIONS

ZONING BULK CHART

ZONE - MCI (MIXED COMMERCIAL AND INDUSTRIAL)

| | REQUIRED | EXISTING | PROPOSED | VARIANCE |
|------------------------------------|------------------------------|-----------------------|-------------------|----------|
| Lot Dimensions | | | | |
| Minimum Lot Size | 1 acre | 13720 SF (0.315 ACRE) | E.T.R. | NO |
| Minimum Road Frontage | 50 feet | 140 FT | E.T.R. | NO |
| Floor Area | | | | |
| Minimum | 10,000 square feet | 3349 SF | E.T.R. | NO |
| Maximum Building Height | 3 stories or 30 feet | 1 STORY | E.T.R. | NO |
| Yard Sizes | | | | |
| Minimum Front Yard | 20 feet | 50 FT | E.T.R. | NO |
| Minimum Side Yard | 20 feet | 20FT; 32FT | E.T.R. | NO |
| Minimum Rear Yard | 20 feet | 8.61' | E.T.R. | E.N.C. |
| Maximum Lot Coverage | 80% | 65% | E.T.R. | NO |
| Minimum Landscaping Coverage | 20% | 35% | 33% | NO |
| Min. Residential Buffer Dimensions | 30 feet wide and 8 feet high | EXCEEDS MIN. REQ. | EXCEEDS MIN. REQ. | NO |

E.T.R. - EXISTING TO REMAIN
E.N.C. - EXISTING NON-CONFORMING



VIVID ARC

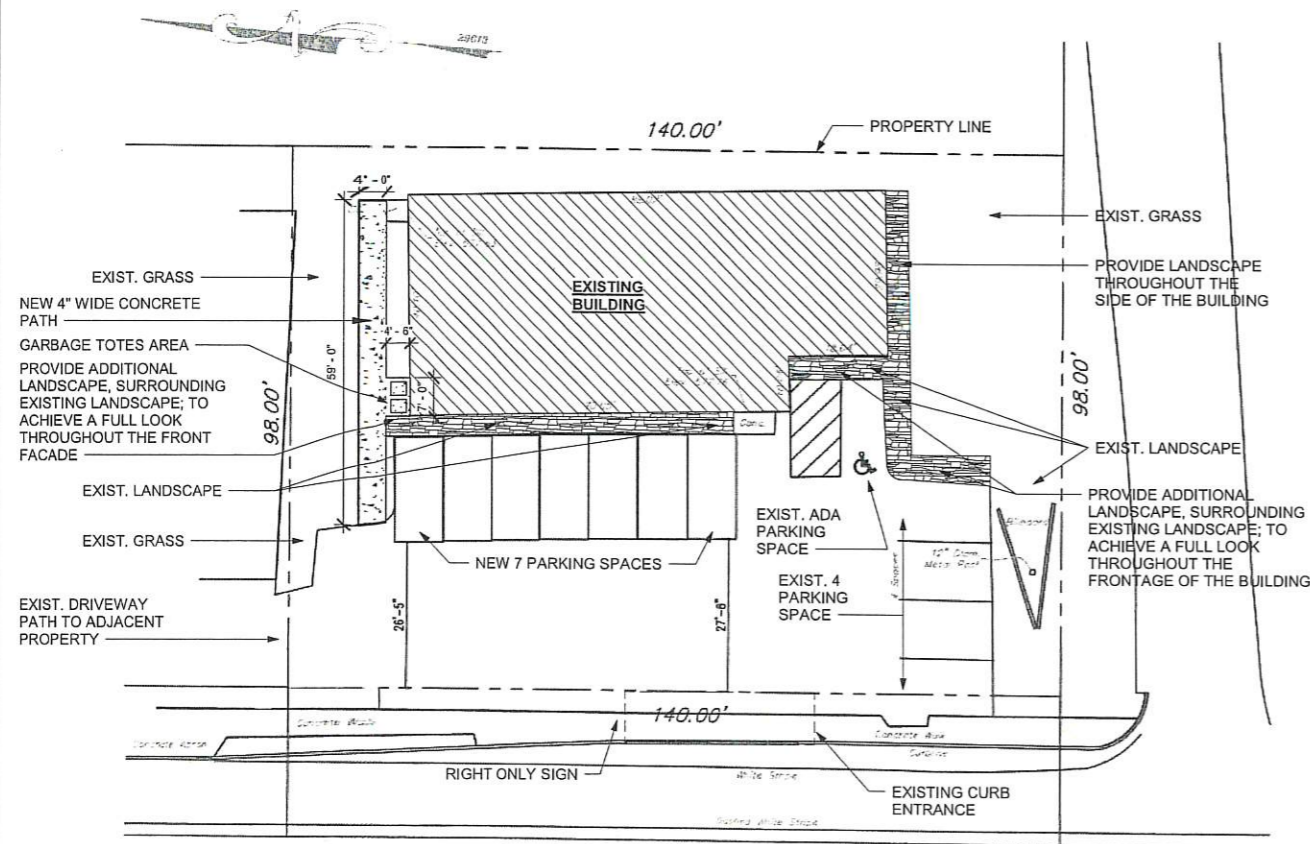
TELEPHONE NUMBER: 551.206.6198
E-MAIL ADDRESS: arlenis@vivid-arc.com
WEBSITE: vivid-arc.com

LACKAWANNA TREE MARKET NY
LLC

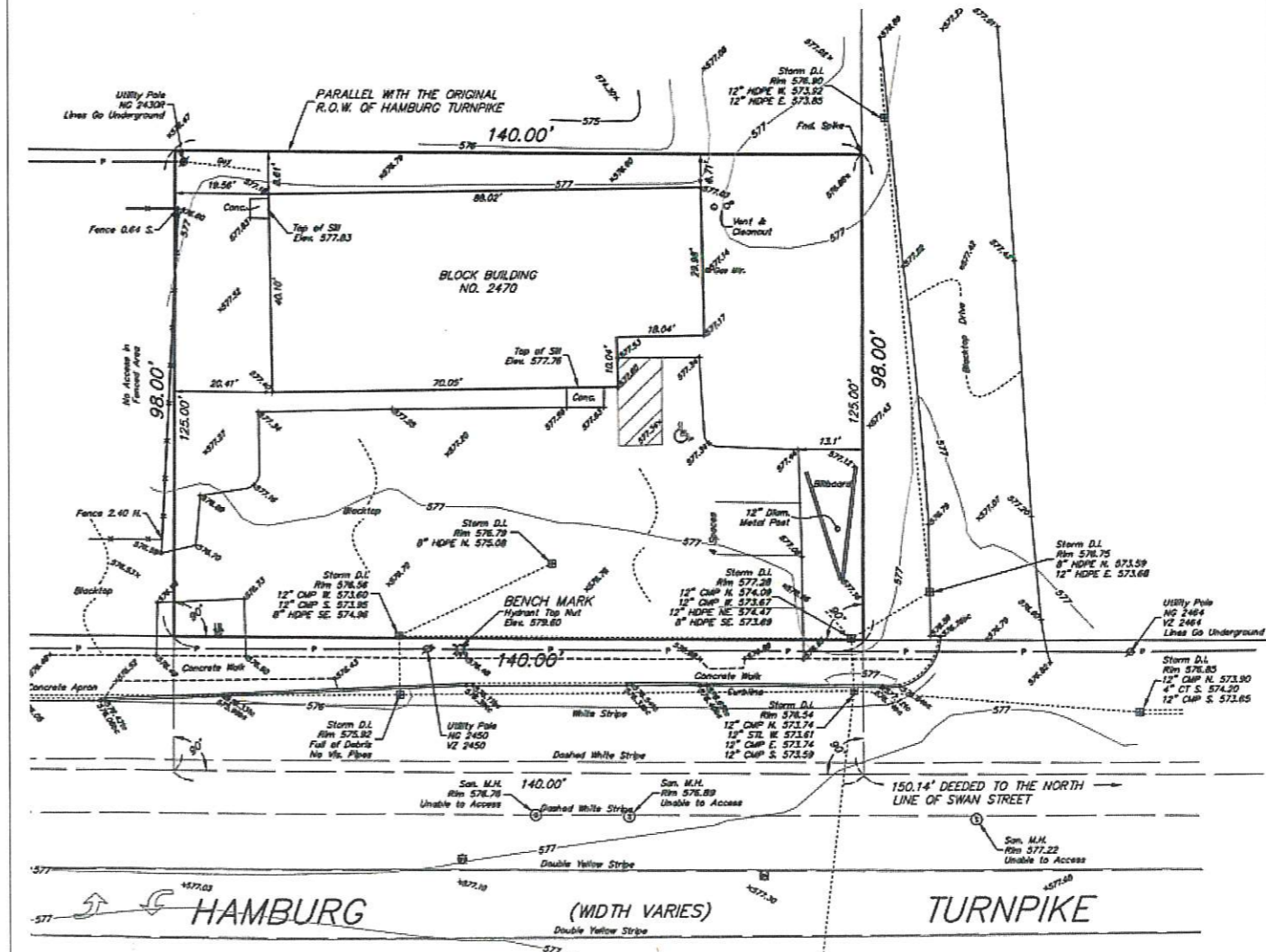
2470 HAMBURG TURNPIKE, CITY OF LACKAWANNA, NY 14218

FTS DEVELOPMENT LLC - PRESIDENT JAMES A GRYS & DIANA SHANE

- EXISTING LANDSCAPING TO BE ENHANCED
- NEW CONCRETE WALKWAYS
- EXISTING BUILDING



2 PROPOSED SITE PLAN
1/16" = 1'-0"



1 EXISTING SITE PLAN
1/16" = 1'-0"

KEY PLAN:



NOT VALID FOR CONSTRUCTION UNLESS SIGNED AND SEALED BY ARCHITECT
ARCHITECT OF RECORD:
ARLENIS DOMINGUEZ
NY LIC. NUMBER: 043511

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| DATE | DRN | CHK | DESCRIPTION |
|------------|-----|-----|-------------|
| 02/20/2025 | JS | AD | PB SET |

| REV | DATE | DRN | CHK | DESCRIPTION |
|-----|------|-----|-----|-------------|
| | | | | |

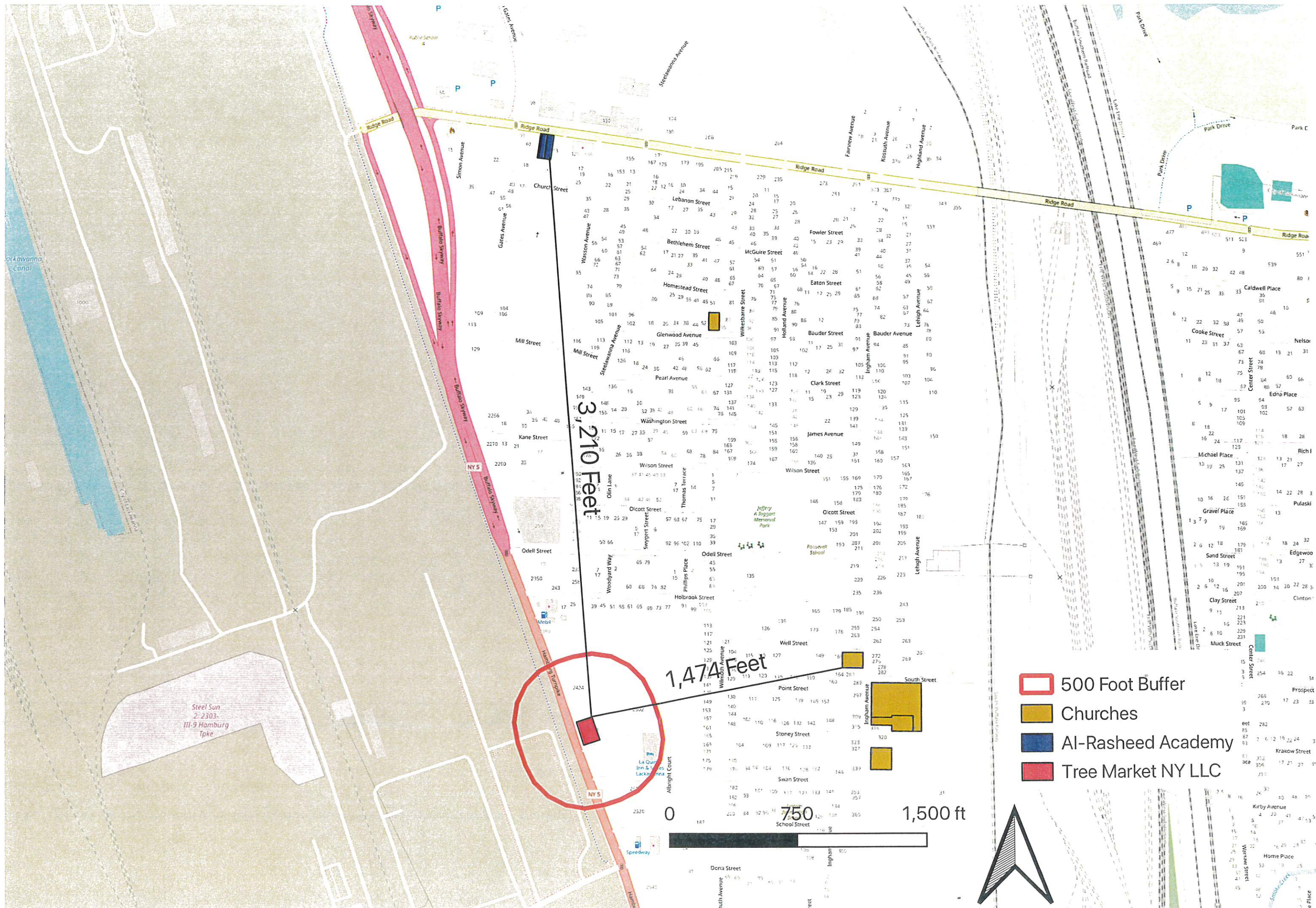
PROJ. NO.: 1337
SCALE: As indicated

DWG. NAME: EXISTING & PROPOSED SITE PLAN

DWG. NO.: A-001

SHEET NO. OF PLOT DATE

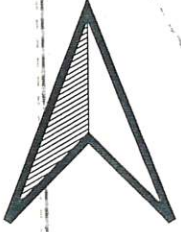
NOTE:
PREPARED BY TRUE NORTH
LAND SURVEYING, PLLC
DATE: 01/13/2025



3,210 Feet

1,474 Feet

- 500 Foot Buffer
- Churches
- Al-Rasheed Academy
- Tree Market NY LLC



Steel Sun
2: 2303-
III-9 Hamburg
Tpke

Lackawanna Canal

Public School 4
Public School 5
Public School 6
Public School 7
Public School 8
Public School 9
Public School 10
Public School 11
Public School 12
Public School 13
Public School 14
Public School 15
Public School 16
Public School 17
Public School 18
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Public School 92
Public School 93
Public School 94
Public School 95
Public School 96
Public School 97
Public School 98
Public School 99
Public School 100

CHARLES CLARK

Director of Development, Marketing
& Public Information



City Hall – Room 309
Lackawanna, NY 14218
Office: 716-827-6475
Mobile: 716-948-6475
Email: chuck.clark@lackny.com

To: Planning & Development Board Members
From: Charles Clark, Director
Date: February 20, 2025
Re: Waiver of the Rules to Correct Clerical Error - 300 Commerce Drive / UFP Real Estate
SEQR Negative Declaration Paperwork

At the January 29th meeting of the Planning & Development Board, a negative declaration (neg. dec.) was issued for the SEQR component of the 300 Commerce Drive / UFP Real Estate site plan review.

The neg. dec. was correctly issued based on information contained in the long form SEQR Part I submitted by UFP. However, Development mistakenly presented Chairperson Smith with the short form Part II & III for signature when the corresponding long form Part II and III was required.

Development did not become aware of this oversight until a recent discussion with counsel for the ECIDA which occurred after the February meeting agenda was published. The ECIDA needs a correctly executed SEQR as part of UFP's financial incentive application, which is scheduled to be reviewed by the agency in early March.

Therefore, at this board's February 26th meeting, I will be requesting your approval to waive the rules and consider correcting this clerical error.

To facilitate this effort, accompanying this memo is the long form SEQR Part I previously reviewed in January along with the correct long form Part II and III prepared on the city's behalf by C&S Engineers. With your approval, Chairperson Smith would be authorized to sign the revised / corrected document.

My apologies for this error and any inconvenience caused. I look forward to your cooperation in resolving this matter during the February 26th meeting.

A handwritten signature in cursive script that reads "Charles Clark". The signature is written in black ink and is positioned at the bottom left of the page.

*Full Environmental Assessment Form
Part 1 - Project and Setting*

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

| | | |
|--|--------------|-------------------------------------|
| Name of Action or Project: UFP Real Estate, LLC | | |
| Project Location (describe, and attach a general location map): 300 Commerce Drive, Lackawanna, NY 14218 | | |
| Brief Description of Proposed Action (include purpose or need): Redevelopment of 300 Commerce Drive including an approximately 18,860 SF addition to the existing structure, reconfiguration and paving of driveways/parking lots, relocation of the existing stormwater pond, new stormwater management facilities, re-routing of existing utilities to enable the proposed addition, new concrete pavement storage yard, and three new rail spurs onto the site from the adjacent Genesee and Wyoming Railroad. | | |
| Name of Applicant/Sponsor: UFP Real Estate (Brian Lenneman) | | Telephone: (616) 333-6102 |
| | | E-Mail: blenneman@ufpl.com |
| Address: 2801 East Beltline Avenue NE | | |
| City/PO: Grand Rapids | State: MI | Zip Code: 49525 |
| Project Contact (if not same as sponsor; give name and title/role): Richard Bultenhuls | | Telephone: (616) 836-2185 |
| | | E-Mail: richard.bultenhuls@ufpl.com |
| Address: 2801 East Beltline Avenue NE | | |
| City/PO: Grand Rapids | State: MI | Zip Code: 49525 |
| Property Owner (if not same as sponsor): Lackawanna Realty, LLC | | Telephone: (716) 667-1234 |
| | | E-Mail: plkrog2@kroggrp.com |
| Address: 4 Centre Drive | | |
| City/PO: Orchard Park | State: NY | Zip Code: 14127 |

B. Government Approvals

| B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.) | | |
|--|---|---|
| Government Entity | If Yes: Identify Agency and Approval(s) Required | Application Date (Actual or projected) |
| a. City Counsel, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees | | |
| b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission | City of Lackawanna Planning Board | January 2025 |
| c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals | | |
| d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Erie County Planning Board / <i>ECIDA</i> <i>CDC 2-20-25</i> | January 2025 |
| f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | NYSDEC | January 2025 |
| h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| i. Coastal Resources. | | |
| i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? | | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| iii. Is the project site within a Coastal Erosion Hazard Area? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

C. Planning and Zoning

| | |
|--|---|
| C.1. Planning and zoning actions. | |
| Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| <ul style="list-style-type: none"> If Yes, complete sections C, F and G. If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 | |
| C.2. Adopted land use plans. | |
| a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| If Yes, identify the plan(s): Remedation Sites: 915267, NYS Heritage Areas: West Erie Canal Corridor | |
| _____ | |
| _____ | |
| c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| If Yes, identify the plan(s): | |
| _____ | |
| _____ | |
| _____ | |

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No

If Yes, what is the zoning classification(s) including any applicable overlay district?

Industrial

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No

If Yes,

i. What is the proposed new zoning for the site?

C.4. Existing community services.

a. In what school district is the project site located? Lackawanna Central School District

b. What police or other public protection forces serve the project site?

City of Lackawanna Police Department, NYS Troopers

c. Which fire protection and emergency medical services serve the project site?

City of Lackawanna Fire Division

d. What parks serve the project site?

South Park, Taggart Park, Buffalo Lakeside Commerce Park, Okell Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Industrial

b. a. Total acreage of the site of the proposed action? 36.4 acres

b. Total acreage to be physically disturbed? 6.9 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 31.2 acres

c. Is the proposed action an expansion of an existing project or use? Yes No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % 11.5 Units: Building Gross SF

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: 12 months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

| | <u>One Family</u> | <u>Two Family</u> | <u>Three Family</u> | <u>Multiple Family (four or more)</u> |
|-----------------------------|-------------------|-------------------|---------------------|---------------------------------------|
| Initial Phase | _____ | _____ | _____ | _____ |
| At completion of all phases | _____ | _____ | _____ | _____ |

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures 1

ii. Dimensions (in feet) of largest proposed structure: 31.5' height; 190 width; and 150 length

iii. Approximate extent of building space to be heated or cooled: 18,860 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: Stormwater management

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____

Stormwater runoff

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: 2.2 million gallons; surface area: 1.7 acres

v. Dimensions of the proposed dam or impounding structure: 4 height; 180 length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): Earth fill

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) Yes No
 If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments?

Yes No

If Yes, describe:

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?

Yes No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
 - expected acreage of aquatic vegetation remaining after project completion: _____
 - purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
 - proposed method of plant removal: _____
 - if chemical/herbicide treatment will be used, specify product(s): _____
- v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water?

Yes No

If Yes:

i. Total anticipated water usage/demand per day: 21,600 (process) 1,000 (domestic) gallons/day

ii. Will the proposed action obtain water from an existing public water supply?

Yes No

If Yes:

- Name of district or service area: City of Lackawanna Service Area
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project?

Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes?

Yes No

If Yes:

i. Total anticipated liquid waste generation per day: 22,600 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

Sanitary domestic and process wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities?

Yes No

If Yes:

- Name of wastewater treatment plant to be used: Erle County Division of Sewerage Management
- Name of district: City of Lackawanna
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

- Do existing sewer lines serve the project site? Yes No
- Will a line extension within an existing district be necessary to serve the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or 5.2 acres (impervious surface)

_____ Square feet or 31.2 acres (parcel size)

ii. Describe types of new point sources. Building downspouts and parking lot/roadway/storage yard discharges from stormwater runoff

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

Onsite stormwater management facilities

- If to surface waters, identify receiving water bodies or wetlands: _____

- Will stormwater runoff flow to adjacent properties? Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

Semi trucks for distribution, propane forklifts

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
- _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
56,940 mw/hrs per year

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
Grid/local utility - National Grid

iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

i. During Construction: (If necessary)

- Monday - Friday: 7am - 3:30pm & 3pm - 11:30pm
- Saturday: 7am - 3:30pm (if necessary)
- Sunday: 7am - 3:30pm (if necessary)
- Holidays: 7am - 3:30pm (if necessary)

ii. During Operations:

- Monday - Friday: _____ 12am - 12am
- Saturday: _____ 12am - 12am
- Sunday: _____ 12am - 12am
- Holidays: _____ 12am - 12am

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No

If yes:

i. Provide details including sources, time of day and duration:

Typical noises from construction vehicles during construction hours

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
Describe: _____

n. Will the proposed action have outdoor lighting? Yes No
If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

Yes, LED site light with building and Pole mounted fixtures. Pole fixture heights between 25'-35', AIM toward the site. Dark Sky compliant with sharp cutoff at property line, Nearest pole to structure approximately 50'

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

Temporary odors and dust from construction operations. None during post-construction operations.

Distances to nearest structure not owned by the project sponsor = 636 FT (nearest Industrial use) & 1,070 FT (nearest non-Industrial use)

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No
If Yes:

i. Product(s) to be stored a) polymer pellets; b) inert inorganic fillers; c) processing aids; d) stabilizers; e) colorants; f) lubricating oils.

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: a&b) Eight raw material silos (up to 300,000 lb each); c,d&e) Received in gaylord boxes or bulk be 2000 lb/container). Stored inside bldg. up to 200,000 lbs; f) Received in 55 gal. drums. Over 185 gal. of oil may be on hand stored within plant w/ secondary containme

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

• Construction: _____ tons per _____ (unit of time)

• Operation: 60 CY and less than 8 tons per _____ week (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

• Construction: _____

• Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

• Construction: _____

• Operation: 2 roll off trash containers

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____
Used oil (hydraulic, motor, and various other types consistent with machinery)

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____
Machinery requires various types of oil. Used oil is collected in drums and submitted for waste collection through appropriate hazardous waste facility. Generation is estimated to be, at most, one one 55-gallon drum. Actual numbers are expected to be less.

iii. Specify amount to be handled or generated <0.25 tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____
Either through Veolia North America in Kenmore, NY or through US Ecology in Buffalo, NY. Location will be determined once production commences.

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe:

Project use is Industrial. Adjacent properties include industrial, commercial, and residential uses.

b. Land uses and covertypes on the project site.

| Land use or Covertype | Current Acreage | Acreage After Project Completion | Change (Acres +/-) |
|--|-----------------|----------------------------------|--------------------|
| • Roads, buildings, and other paved or impervious surfaces | 16.5 | 17.2 | +1.7 |
| • Forested | 6.1 | 6.1 | 0 |
| • Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural) | 14.4 | 11.8 | -2.6 |
| • Agricultural (includes active orchards, field, greenhouse etc.) | 0 | 0 | 0 |
| • Surface water features (lakes, ponds, streams, rivers, etc.) | 0.4 | 1.3 | +0.9 |
| • Wetlands (freshwater or tidal) | 0 | 0 | 0 |
| • Non-vegetated (bare rock, earth or fill) | 0 | 0 | 0 |
| • Other Describe: _____ | | | |

c. Is the project site presently used by members of the community for public recreation? Yes No
 i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
 If Yes,
 i. Identify Facilities:
 Ridgeway Commons located at 254 Ridge Road - Living facility for those with intellectual disabilities.

e. Does the project site contain an existing dam? Yes No
 If Yes:
 i. Dimensions of the dam and impoundment:
 • Dam height: _____ feet
 • Dam length: _____ feet
 • Surface area: _____ acres
 • Volume impounded: _____ gallons OR acre-feet
 ii. Dam's existing hazard classification: _____
 iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
 If Yes:
 i. Has the facility been formally closed? Yes No
 • If yes, cite sources/documentation: _____
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:
 The solid waste management facility was enclosed within an existing structure on the southern half of the site and is no longer active. The facility was used for uncontaminated, unadulterated waste wood used in the manufacturing of fiberboard by CanFibre who no longer operates at this location.
 iii. Describe any development constraints due to the prior solid waste activities:
 N/A. Material was uncontaminated, unadulterated waste wood. The proposed action does not impact this building or portion of the site.

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
 If Yes:
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:
 Prior uses of land include medium-density fiberboard production, and glove production. Both of these operations produced hazardous waste. MDF operations were 2000-2012; glove production was 2020-2024

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
 If Yes:
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes - Spills Incidents database Provide DEC ID number(s): 0211307; 0205717;
 Yes - Environmental Site Remediation database Provide DEC ID number(s): 0205083; 0314190; 0400583; 0403109
 Neither database Provide DEC ID number(s): 915267
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____
 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
 If yes, provide DEC ID number(s): 915265, 915161, C915269, E915188, 915267, C9152...
 57660, 69122, 355338, 58608, 347838, 347866, 347382, 466114, 466112, 363913
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):
 All incidents in spill database from section "i" have been closed. DEC ID 915267 states that there is suspected contamination from a study performed in the vicinity of the site, but not specifically at this site (300 Commerce Drive). The DEC ID numbers provided in section "iii" have statuses ranging from closed, to suspected contamination from studies performed in the vicinity, and active.

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ 35 feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

| | |
|-------------------------|--------|
| Udorthents | 97.4 % |
| Urban Land | 2.5 % |
| Urban Land-Lima Complex | 0.1 % |

d. What is the average depth to the water table on the project site? Average: _____ 4-10 feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ 100 % of site
 Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ 100 % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No

If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site:
 Squirrels _____ Various bird species _____ Common rodents _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No
 If Yes:
 i. Species and listing (endangered or threatened): _____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No
 If Yes:
 i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? Yes No

If Yes:

i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Yes No

If Yes:

i. Identify resource: Tiff Nature Preserve, Buffalo Harbor State Park, South Park, Cazenovia Park, Great Lakes Seaway Trail

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): State and Local Parks, National Scenic Byway

iii. Distance between project and resource: _____ < 5 miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

F. Additional Information


Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.


G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name EDWARD BOITENBUS Date 1-29-25
WITH PERMISSION
 FROM JENNIFER THOMPSON
 MANAGING DIRECTOR OFP REAL ESTATE LLC
 Signature [Signature] Title CONSTRUCTION MANAGER, LLC



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENTAL, CANAL, Esri, Japan, METI, Esri, China (Hong Kong), Esri, Korea, Esri, Thailand, NGCC, IGN, OpenStreetMap contributors, and the GIS User Community, Esri, HERE, Garmin, NPS

| | |
|--|--|
| B.1.i [Coastal or Waterfront Area] | Yes |
| B.1.ii [Local Waterfront Revitalization Area] | Yes |
| C.2.b. [Special Planning District] | Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook. |
| C.2.b. [Special Planning District - Name] | Remediation Sites:915267, NYS Heritage Areas:West Erie Canal Corridor |
| E.1.h [DEC Spills or Remediation Site - Potential Contamination History] | Yes - Digital mapping data for Spills Incidents are not available for this location. Refer to EAF Workbook. |
| E.1.h.i [DEC Spills or Remediation Site - Listed] | Yes |
| E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database] | Yes |
| E.1.h.i [DEC Spills or Remediation Site - DEC ID Number] | 915267 |
| E.1.h.iii [Within 2,000' of DEC Remediation Site] | Yes |
| E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID] | 915265, 915161, C915269, E915188, 915267, C915240, 915193A, C915227, C915226, 915172, V00319, V00435, E915193, C915185, C915202, B00164, C915172, 915047 |
| E.2.g [Unique Geologic Features] | No |
| E.2.h.i [Surface Water Features] | No |
| E.2.h.ii [Surface Water Features] | No |
| E.2.h.iii [Surface Water Features] | No |
| E.2.h.v [Impaired Water Bodies] | No |
| E.2.i. [Floodway] | No |
| E.2.j. [100 Year Floodplain] | No |
| E.2.k. [500 Year Floodplain] | No |

| | |
|--|--|
| E.2.i. [Aquifers] | No |
| E.2.n. [Natural Communities] | No |
| E.2.o. [Endangered or Threatened Species] | No |
| E.2.p. [Rare Plants or Animals] | No |
| E.3.a. [Agricultural District] | No |
| E.3.c. [National Natural Landmark] | No |
| E.3.d [Critical Environmental Area] | No |
| E.3.e. [National or State Register of Historic Places or State Eligible Sites] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.3.f. [Archeological Sites] | Yes |
| E.3.i. [Designated River Corridor] | No |

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only (If applicable)

Project :
 Date :

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

| 1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i> | | | |
|---|-----------------------------|-------------------------------------|---|
| | | <input type="checkbox"/> NO | <input checked="" type="checkbox"/> YES |
| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
| a. The proposed action may involve construction on land where depth to water table is less than 3 feet. | E2d | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may involve construction on slopes of 15% or greater. | E2f | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface. | E2a | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material. | D2a | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may involve construction that continues for more than one year or in multiple phases. | D1e | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides). | D2e, D2q | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed action is, or may be, located within a Coastal Erosion hazard area. | B1i | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h. Other impacts: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

NO

YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|---|-----------------------------|-------------------------------|------------------------------------|
| a. Identify the specific land form(s) attached: _____ _____ | E2g | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____ | E3c | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Other impacts: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

NO

YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action may create a new water body. | D2b, D1h | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water. | D2b | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body. | D2a | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body. | E2h | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments. | D2a, D2h | <input type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water. | D2c | <input type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s). | D2d | <input type="checkbox"/> | <input type="checkbox"/> |
| h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies. | D2e | <input type="checkbox"/> | <input type="checkbox"/> |
| i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action. | E2h | <input type="checkbox"/> | <input type="checkbox"/> |
| j. The proposed action may involve the application of pesticides or herbicides in or around any water body. | D2q, E2h | <input type="checkbox"/> | <input type="checkbox"/> |
| k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities. | D1a, D2d | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|----------------------------------|--|--------------------------|--------------------------|
| 1. Other impacts: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |
|----------------------------------|--|--------------------------|--------------------------|

4. Impact on groundwater
 The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)
If "Yes", answer questions a - h. If "No", move on to Section 5.

NO YES

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------------|-------------------------------------|
| a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells. | D2c | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____ | D2c | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may allow or result in residential uses in areas without water and sewer services. | D1a, D2c | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may include or require wastewater discharged to groundwater. | D2d, E2l | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated. | D2c, E1f, E1g, E1h | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer. | D2p, E2l | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources. | E2h, D2q, E2l, D2c | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h. Other impacts: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

5. Impact on Flooding
 The proposed action may result in development on lands subject to flooding. (See Part 1. E.2)
If "Yes", answer questions a - g. If "No", move on to Section 6.

NO YES

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action may result in development in a designated floodway. | E2i | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in development within a 100 year floodplain. | E2j | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may result in development within a 500 year floodplain. | E2k | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may result in, or require, modification of existing drainage patterns. | D2b, D2e | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may change flood water flows that contribute to flooding. | D2b, E2i, E2j, E2k | <input type="checkbox"/> | <input type="checkbox"/> |
| f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade? | E1e | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|----------------------------------|--|--------------------------|--------------------------|
| g. Other impacts: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |
|----------------------------------|--|--------------------------|--------------------------|

6. Impacts on Air
 The proposed action may include a state regulated air emission source. NO YES
 (See Part 1. D.2.f., D.2.h, D.2.g)
 If "Yes", answer questions a - f. If "No", move on to Section 7.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|---|--|--|--|
| a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane | D2g D2g D2g D2g D2g D2h | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants. | D2g | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour. | D2f, D2g | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above. | D2g | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour. | D2s | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Other impacts: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

7. Impact on Plants and Animals
 The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) NO YES
 If "Yes", answer questions a - j. If "No", move on to Section 8.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site. | E2o | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government. | E2o | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site. | E2p | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government. | E2p | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|---|-----|--------------------------|--------------------------|
| e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect. | E3c | <input type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____ | E2n | <input type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site. | E2m | <input type="checkbox"/> | <input type="checkbox"/> |
| h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____ | E1b | <input type="checkbox"/> | <input type="checkbox"/> |
| i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides. | D2q | <input type="checkbox"/> | <input type="checkbox"/> |
| j. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|--|------------------------------------|--|---|
| 8. Impact on Agricultural Resources | | | |
| The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i> | | <input checked="" type="checkbox"/> NO | <input type="checkbox"/> YES |
| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
| a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System. | E2c, E3b | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc). | E1a, E1b | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land. | E3b | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District. | E1b, E3a | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may disrupt or prevent installation of an agricultural land management system. | E1 a, E1b | <input type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland. | C2c, C3, D2c, D2d | <input type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan. | C2c | <input type="checkbox"/> | <input type="checkbox"/> |
| h. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

9. Impact on Aesthetic Resources
 The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)
 If "Yes", answer questions a - g. If "No", go to Section 10.

NO YES

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|--|--|
| a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource. | E3h | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views. | E3h, C2b | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round | E3h | <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> |
| d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities | E3h E2q, E1c | <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> |
| e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource. | E3h | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile | D1a, E1a, D1f, D1g | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g. Other impacts: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

10. Impact on Historic and Archeological Resources
 The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)
 If "Yes", answer questions a - e. If "No", go to Section 11.

NO YES

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|---|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places. | E3e | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory. | E3f | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____ | E3g | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|--|----------------------------|--------------------------|--------------------------|
| d. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |
| e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3: | | | |
| i. The proposed action may result in the destruction or alteration of all or part of the site or property. | E3e, E3g, E3f | <input type="checkbox"/> | <input type="checkbox"/> |
| ii. The proposed action may result in the alteration of the property's setting or integrity. | E3e, E3f, E3g, E1a, E1b | <input type="checkbox"/> | <input type="checkbox"/> |
| iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting. | E3e, E3f, E3g, E3h, C2, C3 | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|--|-----------------------------------|--|------------------------------------|
| 11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) If "Yes", answer questions a - e. If "No", go to Section 12. | | | |
| | | <input checked="" type="checkbox"/> NO | <input type="checkbox"/> YES |
| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
| a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat. | D2e, E1b, E2h, E2m, E2o, E2n, E2p | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in the loss of a current or future recreational resource. | C2a, E1c, C2c, E2q | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may eliminate open space or recreational resource in an area with few such resources. | C2a, C2c, E1c, E2q | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may result in loss of an area now used informally by the community as an open space resource. | C2c, E1c | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|--|-----------------------------|--|------------------------------------|
| 12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) If "Yes", answer questions a - c. If "No", go to Section 13. | | | |
| | | <input checked="" type="checkbox"/> NO | <input type="checkbox"/> YES |
| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
| a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA. | E3d | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA. | E3d | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

13. Impact on Transportation
 The proposed action may result in a change to existing transportation systems. NO YES
 (See Part 1. D.2.j)
 If "Yes", answer questions a - f. If "No", go to Section 14.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|---|-----------------------------|-------------------------------|------------------------------------|
| a. Projected traffic increase may exceed capacity of existing road network. | D2j | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in the construction of paved parking area for 500 or more vehicles. | D2j | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action will degrade existing transit access. | D2j | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action will degrade existing pedestrian or bicycle accommodations. | D2j | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may alter the present pattern of movement of people or goods. | D2j | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Other impacts: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

14. Impact on Energy
 The proposed action may cause an increase in the use of any form of energy. NO YES
 (See Part 1. D.2.k)
 If "Yes", answer questions a - e. If "No", go to Section 15.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------------|-------------------------------------|
| a. The proposed action will require a new, or an upgrade to an existing, substation. | D2k | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use. | D1f, D1q, D2k | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may utilize more than 2,500 MWhrs per year of electricity. | D2k | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed. | D1g | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. Other Impacts: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

15. Impact on Noise, Odor, and Light
 The proposed action may result in an increase in noise, odors, or outdoor lighting. NO YES
 (See Part 1. D.2.m, n., and o.)
 If "Yes", answer questions a - f. If "No", go to Section 16.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------------|------------------------------------|
| a. The proposed action may produce sound above noise levels established by local regulation. | D2m | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home. | D2m, E1d | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may result in routine odors for more than one hour per day. | D2o | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|---|----------|-------------------------------------|--------------------------|
| d. The proposed action may result in light shining onto adjoining properties. | D2n | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions. | D2n, E1a | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f. Other impacts: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

| 16. Impact on Human Health | | | |
|---|-----------------------------|-------------------------------------|-------------------------------------|
| The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) | | | |
| <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES | | | |
| <i>If "Yes", answer questions a - m. If "No", go to Section 17.</i> | | | |
| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
| a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community. | E1d | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. The site of the proposed action is currently undergoing remediation. | E1g, E1h | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action. | E1g, E1h | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction). | E1g, E1h | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health. | E1g, E1h | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health. | D2t | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed action involves construction or modification of a solid waste management facility. | D2q, E1f | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h. The proposed action may result in the unearthing of solid or hazardous waste. | D2q, E1f | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste. | D2r, D2s | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste. | E1f, E1g E1h | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures. | E1f, E1g | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| l. The proposed action may result in the release of contaminated leachate from the project site. | D2s, E1f, D2r | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| m. Other impacts: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans.
(See Part 1. C.1, C.2. and C.3.)

NO

YES

If "Yes", answer questions a - h. If "No", go to Section 18.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------------|-------------------------------|------------------------------------|
| a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s). | C2, C3, D1a E1a, E1b | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%. | C2 | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action is inconsistent with local land use plans or zoning regulations. | C2, C2, C3 | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action is inconsistent with any County plans, or other regional land use plans. | C2, C2 | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure. | C3, D1c, D1d, D1f, D1d, E1b | <input type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure. | C4, D2c, D2d D2j | <input type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action) | C2a | <input type="checkbox"/> | <input type="checkbox"/> |
| h. Other: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character.
(See Part 1. C.2, C.3, D.2, E.3)

NO

YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|--------------------------------|-------------------------------|------------------------------------|
| a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community. | E3e, E3f, E3g | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may create a demand for additional community services (e.g. schools, police and fire) | C4 | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing. | C2, C3, D1f D1g, E1a | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources. | C2, E3 | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action is inconsistent with the predominant architectural scale and character. | C2, C3 | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Proposed action is inconsistent with the character of the existing natural landscape. | C2, C3 E1a, E1b E2g, E2h | <input type="checkbox"/> | <input type="checkbox"/> |
| g. Other impacts: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Determination of Significance - Type I and Unlisted Actions

SEQR Status: Type I Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
see attached narrative

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
City of Lackawanna _____ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Redevelopment of 300 Commerce Drive

Name of Lead Agency: City of Lackawanna Planning and Development Board

Name of Responsible Officer in Lead Agency: Kimberly Smith

Title of Responsible Officer: Chairperson

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Digitally signed by Volgt Thomas

Date:

02/19/2025

For Further Information:

Contact Person:

Address:

Telephone Number:

E-mail:

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

PRINT FULL FORM

Project: Redevelopment of 300 Commerce Drive

Location: 300 Commerce Drive, Lackawanna, NY 14218

FEAF Part 3 – Additional Information

The following narrative contains additional information provided to describe the findings of the City of Lackawanna Planning and Development Board in their Negative Declaration for the proposed Project.

4. Impacts on Groundwater

f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.

The project sponsor states that all bulk materials will be stored within the existing building. The Planning and Development Board finds that the potential for the contamination of ground water from the storage of bulk materials on site is a medium-term, very important impact but unlikely to occur due to the controls in place to handle, store, and dispose of petroleum and chemical products. In the event of a spill, the operator or others are required to report the spill to NYSDEC and take appropriate actions to remediate.

14. Impact on Energy

c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.

The project sponsor states that the proposed project in its entirety will require the use of 56,940 MWhrs of electricity per year. The MWhrs exceed the thresholds set forth in Part 2; however, the consumption is not out of character with the existing land use, is consistent with the energy consumption of surrounding land uses and is within the capacity of the existing electrical infrastructure. Therefore, the Planning and Development Board finds that Impact on Energy does not rise to a level of significant impact.

16. Impact on Human Health

c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.

Several spills have been identified by the project sponsor as occurring on and adjacent to the subject site. According to the NYSDEC Environmental Remediation database, the spills occurring on the subject site are no longer active. Prior studies have confirmed that there are suspected spills on adjacent industrial parcels of which are at various stages of cleanup. Additionally, suspected contamination of adjacent sites has been identified through the Step Two Nomination Study of the Brownfield Opportunity Area process based on contamination found on similar sites. The adjacent site is classified as "Class N" which is a highly variable classification that is not based

on DEC investigation. Due to the completed cleanup of prior spills at the subject site, it is found that the Impact to Human health from these spills is minor and short-term. Therefore, it is not anticipated that there will be a significant impact on human health.

- g. The proposed action involves construction or modification of a solid waste management facility.

A portion of the subject site was previously used to handle solid waste. The portion of the site that was utilized as a solid waste management facility was enclosed within an existing building and is no longer active. The solid waste that was handled on site as identified by the project sponsor was uncontaminated, unadulterated wood products from a prior operation of the site. The proposed project does not include any disturbance in the area of former solid waste management practices and therefore it is not anticipated that there will be a significant impact on human health.