State Environmental Quality Review Act
Final Scoping Document

Name of Action:	Elmwood Crossing
Project Sponsor:	Elmwood Crossing, LLC
Location:	187 & 219 Bryant Street, 125 Hodge Avenue, 451 & 489 Elmwood Avenue, 180, 184 & 188 West Utica Street, Buffalo, New York, Erie County.
Positive Declaration Issued:	June 18, 2018
Draft Scope Public Comment:	December 27, 2018
Comments Accepted Through:	January 25, 2019
Final Scope Accepted:	1-28-19
Contact:	Nadine Marrero, Director of Planning and Zoning City of Buffalo Office of Strategic Planning 901 City Hall Buffalo, New York 14202 Phone: (716) 851-5029

Description of Action: Pursuant to Article 8 of the New York Environmental Conservation Law and the implementing regulations at 6 N.Y.C.R.R. Part 617 (State Environmental Quality Review Act or "SEQRA"), the City of Buffalo Planning Board, as Lead Agency, determined that the proposed Elmwood Crossing project may have a significant impact on the environment and issued a positive declaration on June 18, 2018. A Draft Scoping Document was issued for public comment on December 27, 2018, with comments accepted through January 25, 2019. This Scoping Document, prepared in accordance with the requirements of 617.8 of SEQRA, sets forth the content of the Draft Environmental Impact Statement (DEIS) that the project sponsor, Elmwood Crossing, LLC of Buffalo, New York, shall prepare for the proposed Elmwood Crossing project. The Scoping Document provides a general description of the proposed action, discussion of the potential significant adverse environmental impacts that have been identified through the scoping process and that must be addressed by the applicant in the DEIS, the extent of information needed to adequately address each impact, initial identification of mitigation measures, reasonable alternatives to be considered, identification of information to be included in the appendix of the DEIS, and issues and concerns raised during the scoping process that are determined to be not relevant or not environmentally significant. Comments received on the Draft Scope were reviewed and are included in Attachment A of this Final Scoping Document. No additional changes to the scope were warranted as a result of the submitted comments.

Proposed Action: The Elmwood Crossing mixed-use redevelopment project will be located on various parcels on the east side of Elmwood Avenue, in the City of Buffalo, New York (the "Project"). The Elmwood Crossing site encompasses parcels between Utica Street and Bryant Street with the southern portion of the development located at the former site of the Women and Children's Hospital of Buffalo (the "Site"). The Project consists of the redevelopment of parcels comprising the Project Area as a mixed-use project consisting of commercial, including retail, office, health/wellness, grocery store, and a daycare; hospitality, consisting of a hotel and related spaces; and residential uses, including apartments, townhomes and condominium units (See Project Map). The Project includes the rehabilitation and adaptive reuse of the former Woman and Children's Hospital of Buffalo, and construction of new buildings. It is anticipated that the mixed-use redevelopment project will reuse more than 90% of the existing building spaces on the

former Women and Children's Hospital of Buffalo campus. Site and infrastructure improvements are also included in The Project.

I. Potentially Significant Adverse Impacts

Impacts on Land

1. The Project will be constructed over an extended period of time and construction-- related impacts will therefore occur over an extended period of time
2. Changes in future phases could create impacts

Impacts on Surface Water

1. Impacts to existing drainage systems and downstream infrastructure and the unique nature of the site will potentially create drainage impacts. Also issues related to erosion and sediment control could be a problem, if not properly addressed
2. The Project will be discharging into a combined sewer system and flows from storm water and wastewater may negatively impact these systems

Impacts on Transportation

1. The Project will potentially create peak hour trips of over 100 cars per hour that may impact the existing road systems
2. The Project will require adequate parking to serve the demand associated with the new development

Impacts on Human Health

1. The site will be subject to environmental remediation and the improper development of the site may create public health issues, if not properly addressed

Impacts on Land Use

Infrastructure

1. The development may cause impacts to the existing infrastructure in the area

Land use and community planning

1. The development may include components that could be perceived as being in contrast to surrounding land use patterns
2. The Project will need to be shown to be in accordance with recent community planning

Community services

1. The Project may create a demand for community services (fire, emergency services, police) that cannot be met

Consistency with Community Character/Aesthetics

1. The proposed uses may be perceived as being inconsistent with existing character of the neighborhood
2. The development will introduce new structures and site design within a well-established neighborhood which requires evaluation

Impact on Historic Resources

1. The Site is located within Elmwood Historic District East (15NR0008) and potential impacts to this resource should be evaluated
2. Potential impacts to archeological resources should be evaluated

II. Extent and Quality of Information Needed

A. Documentation on Non-Significant Potential Impacts

1. Documentation of floodplains, wetlands and other ecological resources in the area
2. Location of public parks and recreation facilities
3. Energy usage and energy code issues
4. Lighting information illustrating no impacts

B. Potentially Significant Impacts

Impacts on Lands

Construction related impacts

1. Location of sensitive receptors / surrounding land uses
2. Description of Construction related impacts

Impacts on Surface Waters

1. Documentation of existing drainage/ combined sewer systems.
2. Drainage study to City and State (and remediation plan) standards documenting potential flows into the City's systems
3. Documentation from discussions/meetings with regulatory agencies

Impacts to Transportation

1. Completion of TIS including the following activities:

(1) Incorporate a site plan showing existing and proposed access points in relation to the area's transportation facilities, internal street system and parking layouts. Adjacent commercial driveways will be identified on both sides of the street.

(2) Prepare a description of the existing transportation system within the Project area including roadway widths, shoulders, speed limits, estimated actual speeds, horizontal and vertical characteristics, sight distance limitations (if any), etc.

(3) A schedule of implementation (Project phasing), a detailed description of the development (number, size, type and usage of structures, etc.) and any other information deemed pertinent to the analysis.

(4) Supplement existing traffic counts available through GBNRTC with turning movement counts to properly analyze both AM and PM peak hour traffic.

(5) Figures or tables will be prepared presenting trips generated by the Project, current trip distribution volumes, Projected trip distributions, background (i.e. non-Project related) traffic growth and combined (i.e. background plus development) traffic volumes, as well as an explanation of the rationale used in developing them. Forecast traffic volumes to build year (build year to be provided by client before future analysis is conducted).

(6) Level of Service (LOS) and Queue analysis at all intersection locations for existing, background without development, and background with development conditions for the end of each Project phase. These analyses will use actual lane designations to represent the existing and proposed conditions. Approach Peak hour Factors will be used for intersection analyses. LOS analyses for the study network will be performed using SYNCHRO modeling software. LOS analyses for the intersections will be performed using VISSIM modeling software.

(7) A copy of Level of Service computer analysis sheets and raw count data for all analyses as an appendix to the study. The raw data for intersections will include Peak Hour Factors, Heavy Vehicle percentages and Right on Red volumes for each approach of all intersections analyzed. A Peak hour factor of 0.9 will be assumed for new approaches, unless data to support another value is submitted.

(8) A crash summary/analysis will be prepared utilizing the latest three-year accident history for State and/or local accident records. If three years of accidents are unavailable and/or highway geometrics have changed within the latest available three years, a minimum of one year of accident history will be used for an accident analysis. The analysis will include comparison to average accident rate for similar intersection and road segment types.

(9) Identify impacts and mitigation measures, if any, to mitigate the impacts of the proposed development. Complete a revised build conditions analysis with proposed mitigation and summarize LOS and Queue results.

(10) A description of existing and proposed pedestrian and bicycle access for the proposed development. Consideration should be given to sidewalk installation, designated path/lanes from the roadway to the development, and bicycle parking facilities.

(11) A discussion/analysis of Transit/Transportation Demand Management (TDM) solutions will be provided.

Impact on Human Health

1. Environmental remediation documentation will be provided
2. Plan demonstrating compliance with NYSDEC environmental remediation requirements
3. Discussion of site restrictions and any conditions of the remediation plan

Impacts on Land Use

1. Infrastructure systems in the area with capacities of systems
2. Demands being generated by proposed Project
3. Results of discussions with regulatory agencies
4. Discussion of existing zoning requirements and proposed green code requirements. Zoning analysis of plan to illustrate conformance/non-conformance with these two zoning regulations
5. Community planning documentation and discussion of the Project related to those plans
6. Description of existing land use patterns in the area
7. Description of service providers for this area of the City.
8. Potential demands for those services and their ability to provide these services

Consistency with Community Character/Aesthetics

1. Identification and analysis of proposed and surrounding uses.
2. Visualization of proposed Project and how it fits into the area.

Impacts on Historic Resources

1. Analysis of existing resources and identification
2. Visualization of design concepts as incorporated into Project
3. Reports or studies regarding potential archeological resources on-site

III. Mitigation Measures

Due to the nature of the Project, mitigation will be provided for those impacts that will occur no matter how the Project is constructed over the Project lifetime. Mitigations will also be presented for those scenarios where the Project exceeds specified thresholds. Potential mitigations include:

1. Limitations on the magnitude of the Project
2. Mixes of the uses on the site, and limits on the uses
3. Construction hours of operation, and construction vehicle routes
4. Additional drainage mitigations (quality/quality reductions). Location of discharge points.
5. Transportation improvements
6. Improvements to infrastructure systems
7. Layout modifications, restrictions on building types in certain areas.

8. Aesthetic improvements; landscaping, screening, buffering, building types, etc.

IV. Alternatives to be Considered

1. No action alternative
2. Alternatives considered over the planning of site. How preferred alternative was chosen
3. Future alternatives that could result, and limitations on those future alternatives

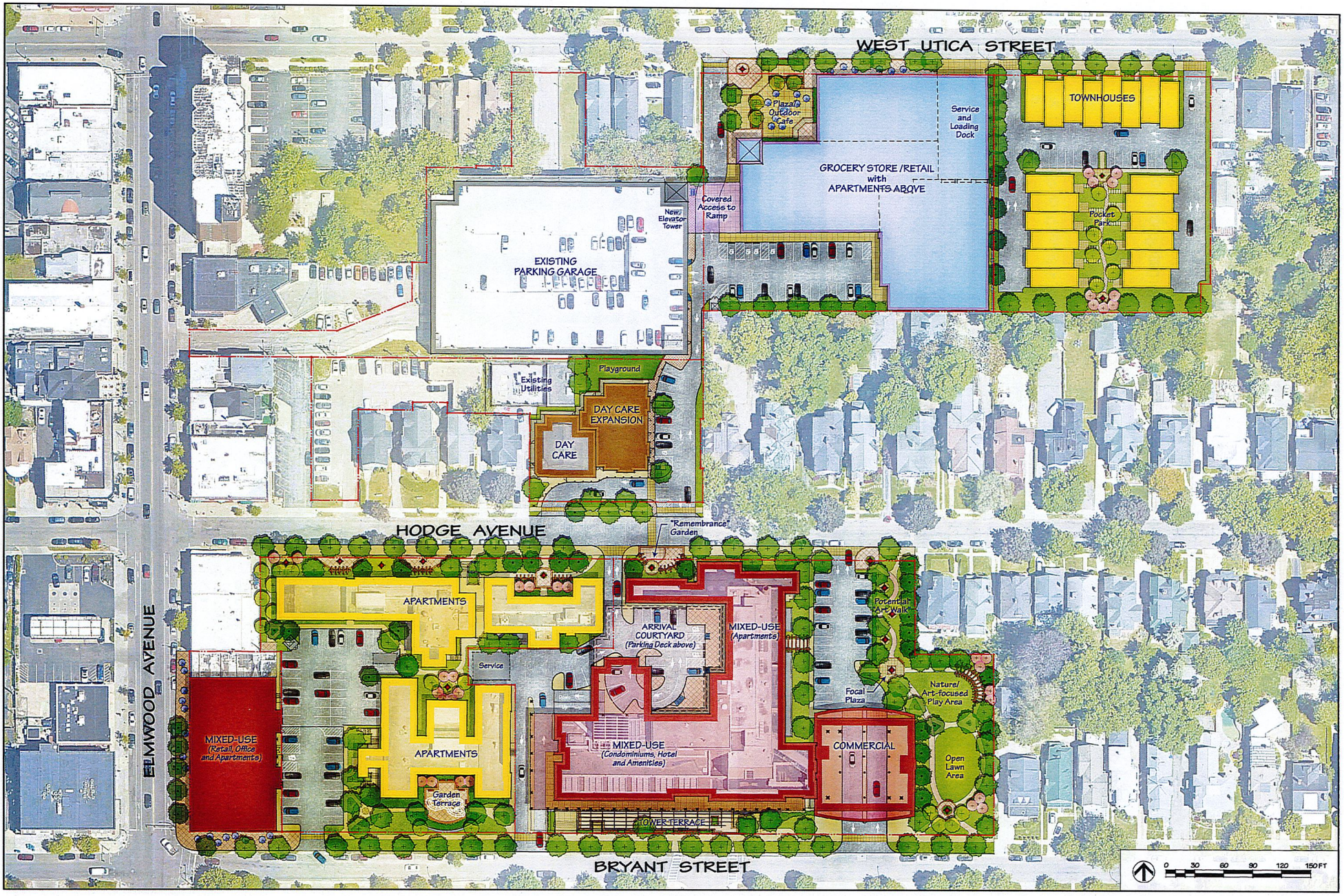
V. Establishment of thresholds

VI. Information to be provided in the Appendix on the DGEIS

1. Concept Plan
2. Cultural Resource Screening
3. Traffic Impact Study
4. Drainage calculations
5. Other studies and reports
6. Zoning Analysis and City zoning requirements (existing and proposed)
7. Public Information meeting results
8. Documentation and correspondence

VII. Prominent Issues Raised during Scoping that will not be addressed

Not Applicable



ELLICOTT DEVELOPMENT

SINATRA & COMPANY REAL ESTATE

ELMWOOD CROSSING

wendel

Attachment A – Public Comments

Paananen,Jason A

From: Robert Pedersen <robertpedersen@roadrunner.com>
Sent: Wednesday, January 02, 2019 10:26 AM
To: Paananen,Jason A
Subject: Elmwood Crossing - EIS - Draft Scope

Follow Up Flag: Follow up
Flag Status: Flagged

Elmwood Crossing - Draft Scope for EIS

I advocate for the inclusion of the near neighborhood of Atlantic/Anderson/Lexington in evaluating transportation aspects of this project in the TIS.
We know from long experience with Kaleida/WCHOB that these streets are subject to high impact from activity on W Utica between Delaware and Elmwood, part of the Elmwood Crossing redevelopment project.

Robert Pedersen
President, Atlantic-W Utica Block Club
16 Atlantic Ave
Buffalo, NY 14222
robertpedersen@roadrunner.com

Paananen,Jason A

From: Gabriel Schmidbauer <gabrielxs@gmail.com>
Sent: Tuesday, January 22, 2019 10:56 PM
To: Paananen,Jason A
Subject: Public Comment on Children's Hospital site

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Jason,

Below are my comments in relation to the Environmental Review of the Children's Hospital Site.

Please include a publicly accessible playspace and park within the Elmwood Village. The Elmwood Village is a large play desert that needs new greenspaces and playspaces.
A one of a kind signature playspace is what the neighborhood needs most.

Numerous studies show the positive economic and health benefits of public greenspaces.

Regards,

Gabriel

Paananen,Jason A

From:	Linda Gellman <lge628@aol.com>
Sent:	Tuesday, January 22, 2019 3:57 PM
To:	Paananen,Jason A
Cc:	gretchencercone@gmail.com
Subject:	SEQR Elmwood Crossing
Attachments:	Elmwood CrossingSEQR.docx
Follow Up Flag:	Follow up
Flag Status:	Flagged

Hello Jason Paananen:

Thank you for this opportunity to air my concerns about the impact Elmwood Crossing will have on our neighborhood. Attached are my thoughts and concerns.

Linda Gale Gellman
C L I C K
Artistic Visual Creations
122 Ashland Avenue
Buffalo, New York 14222
www.clickephoto.com
716-830-8800
Enjoy Life Always

State Environmental Quality Review
6 NYCRR Part 617

Draft Scoping Document 617.8
Project: Elmwood Crossing
City of Buffalo, NY
1/22/19

Linda Gellman
122 Ashland Avenue
Buffalo, NY 14222

1. Potentially Significant Adverse Impacts

"The Project will be constructed over an extended period of time..."
My concern is that the tower building will sit idle for years. Our community would benefit greatly by having the original building redeveloped FIRST rather than letting it sit there like a dinosaur for years. Construction concerns can be mitigated by starting with the existing hospital buildings first, then starting new projects

2. Impact on Surface Water

I am very concerned about the drainage impact on our antiquated sewer system. It is very important to me that RAIN GARDENS be included in the green space that is being proposed. The concerns about the issues relate to erosion and sediment control is extremely important to our community and must be addressed.

3. Impacts on Transportation

Traffic Calming and adopted Safe Streets are practices that need to be included in the creation of Elmwood Crossing. This entire project will change the fabric of our community and it must represent who we are and bring to our section of Elmwood Avenue area safe and family oriented enviroments. One of the biggest obstacles of this project is size and scale of buildings that do not match the current character of the neighborhood. Additional density in an already heavily populated area can be mitigated with the inclusion of a large public park. We need a public park in this section of town, we do not have one and this would be a perfect opportunity to serve our families and encourage families to move into the area.

4. Impacts on Human Health

Infrastructure: " The development may cause impacts to the existing infrastructure in the area."

Size and scale of buildings that do not match current character of neighborhood. Impact of retail on residential W. Utica when retail on Elmwood in this area is already suffering. Lack of attention to ensuring an economically diverse community to be consistent with what already exists on surrounding streets, needs affordability in retail and residential rent. Project will add retail space that is not needed while neglecting to add adequate services for children of all ages (i.e. a school, playground, park, etc.)
See the video: Beyond the Sandbox where a parking lot is turned into a raise sandbox/ playground in an urban city.

NYTimes had an article on : New York Tries to Think Outside the Sandbox
There is a time lapse video on the construction of this playground.
https://www.nytimes.com/2007/01/10/nyregion/10play.html
"Based on child-development theories that children need to engage in social and fantasy play rather than just build physical skills, the project was conceived and is being designed at no charge by David Rockwell, famous for creating adult play spaces like the restaurants Nobu and Café Gray and the Mohegan Sun casino and resort.
Based on child-development theories that children need to engage in social and fantasy play rather than just build physical skills, the project was conceived and is being designed at no charge by David Rockwell, famous for creating adult play spaces like the restaurants Nobu and Café Gray and the Mohegan Sun casino and resort.
Once upon a time, parents took their children to city playgrounds to push them endlessly in swings or watch them hang from monkey bars (since removed; too dangerous) or let them struggle with the rudiments of sharing shovels in a sandbox. And both parent and child felt they were doing pretty well.

The new playground, however, aims to do better: Developers of the Lower Manhattan project envision groups of children collaborating, for instance, loading containers with sand, hoisting them up with pulleys and then lowering them down to wagons waiting to be wheeled off to another part of the park."

Historically, Buffalo has been on the cutting edge of infrastructure and building design. We can do better than what is being proposed. Let's create a community project we can be proud of that serves all of our community members.

Thank you for this opportunity to share our thoughts.

Linda Gellman

Paananen,Jason A

From:	Emily Penrose <emilyjpenrose@gmail.com>
Sent:	Tuesday, January 22, 2019 11:21 PM
To:	Paananen,Jason A
Cc:	gretchencercone@gmail.com; Douglas Penrose
Subject:	Elmwood Crossing Environmental Review Draft Scope Comments
Follow Up Flag:	Follow up
Flag Status:	Flagged

Dear Mr. Paananen,

In response to the draft scope for the Elmwood Crossing environmental review, I'd like to add a major element that I think is missing from the document: whether or not the Elmwood Crossing development includes any benefits to the public, specifically in the form of much-needed green/play space for residents.

Elmwood Village does not have a single public playground within its boundaries, in spite of being home to over 25,000 residents. It is also the most densely populated neighborhood in the whole city of Buffalo, making its lack of a playground all the more perplexing.

Although there are several "parks" that surround Elmwood Village that are part of the Olmsted park system, in this age of automobiles, they have become medians and traffic circles along busy thoroughfares instead of genuine spaces for children to play or adults to exercise or relax. Within the Village itself, not a single public green space exists. From the Elmwood Crossing site, it is a 20-minute walk to the nearest playground or green space, representing a huge void in the heart of the neighborhood.

A recent dispute over a tiny square of paved-over public land in front of Globe Market on Elmwood Avenue boiled over this past year, something I think reflects the desperate need for public space in the neighborhood.

While I'm happy to see that the current Elmwood Crossing plans include an "Open Lawn Area," it is appears to be only about 400 square feet. It is not clear what a "Nature/Art-Focused Play Area" is, nor is it clear what a "Potential Art Walk" might entail. Why not replace one or both of these latter areas with a small playground and swing set?

Better yet, why not remove the Alfiero building, whose covered drive-through for ambulances would require massive renovations to become anything other than a hospital entrance, and which the developers plan to turn into eyesore that does not fit the residential street it is on? This would create over half an acre of land that could serve as a large park, with space for families to gather, something that would immeasurably improve our community and create a natural transition between the commercial Elmwood strip the less dense residential streets of Bryant and Hodge.

Either way, having a playground and more green space as part of this development would not only provide a desperately needed public service to the community, but it would stand to benefit developer as well. New apartments mean hundreds of new residents, many of whom will have children who could benefit from an outdoor place to play. A playground would also draw parents and grandparents from other parts of Elmwood Village to the new development, leading them to patronize the new businesses there.

Elmwood Village deserves a park and playground for its residents, and I urge the City to consider such land use in its environmental review.

Thank you for your time and consideration.

Sincerely,
Emily Penrose
Resident of Elmwood Village

Marrero,Nadine L

From: Paananen,Jason A
Sent: Friday, January 25, 2019 4:12 PM
To: Marrero,Nadine L
Subject: FW: Environmental Review - Children's Hospital Site

From: Catherine Faust, AIA
Sent: Friday, January 25, 2019 4:12:15 PM (UTC-05:00) Eastern Time (US & Canada)
To: Paananen,Jason A
Subject: Environmental Review - Children's Hospital Site

Dear Mr. Paananen,
I am writing to register my comments regarding the environmental review for the reuse of the old Children's Hospital (CHOB)site. I am glad to see the buildings reused between Hodge and Bryant but have significant concerns regarding the development of the site between Hodge Ave.and Utica Street.

Of major importance is the fact that our city's population is not growing and may soon begin a downward slide if our state's current declining population trend makes its way to WNY. Assimilating the number of residential units and retail space that this project proposes will, most likely, result in empty housing units at this site or empty units elsewhere in the city as people simply shift from another location to this one.

Additionally, retail business in the Elmwood Village is in a very precarious state right now and is in for a further decline as stores continue to close due to the huge rent increases that Sinatra Real Estate is asking on their other recently purchased properties along Elmwood Ave. Sinatra has not been able to lease the space that it currently owns on Elmwood and the partnership of Sinatra and Ellicott development will undoubtedly have difficulty renting the retail space in their new mixed use building proposed for the northeast corner of Elmwood and Bryant.

In light of the precarious state of retail on Elmwood, the proposed addition of a commercial building on West Utica St. that is over three times the size of the existing commercial building at the back of the existing parking lot is wholly inappropriate to the built context of the neighborhood and NOT in keeping with the development trajectory of the Elmwood Village. West Utica is a largely residential street with 1-1/2 to 2-1/2 story houses and would be better served, and more likely populated, with low-rise residential development rather than retail or multi-story residential units. The addition of such massive retail square footage on a side street and not on the main commercial thoroughfare makes no sense whatsoever. Dumping significantly more retail space onto the real estate market at a time when the city's population is struggling to hold even while New York State's population is in decline is a very foolish move. A neighborhood retail center with a resulting 50%+ vacancy rate will do significant damage to the desirability of the Elmwood Village over the long run.

The addition of 400%+ more retail space to the Elmwood Village will result in "zombie" (empty) storefronts as the developers and owners write off the income loss and the neighborhood suffers the consequences of an abandoned storefronts. Allowing this to occur would be an incredibly irresponsible and unwise move on the City's part; a major failure of stewardship of one of Buffalo's most valuable historic neighborhoods.

The neighborhood needs other amenities rather than more market-rate residential units and retail. It needs affordable housing to ensure that the Elmwood Village retains a semblance of diversity. It also needs a neighborhood public school

as the Elmwood Village has lost all of the original publics over the past several decades. And lastly, the Children's Hospital site must include a public park of an acre or more located on West Utica. This is wholly in keeping with the City's Unified Development Ordinance Land Use Plan of providing significant green space withing a 12-minute walk anywhere in the city. The CHOB site is in a dead zone. Green space must be provided for all residents.

Sincerely,

Catherine Faust, AIA

Marrero,Nadine L

From: Paananen,Jason A
Sent: Friday, January 25, 2019 1:16 PM
To: Marrero,Nadine L
Subject: FW: Elmwood Crossing Environmental Impact

From: joel
Sent: Friday, January 25, 2019 1:15:45 PM (UTC-05:00) Eastern Time (US & Canada)
To: Paananen,Jason A
Subject: Elmwood Crossing Environmental Impact

To: Jason Paananen

Dear Sir,
I'm not sure how the following comment relates to the Environmental Impact of the Elmwood Crossing development, but I think it does.

The Elmwood Crossing (EC) developers' proposal for retail and commercial components will adversely affect the existing retail and commercial properties on Elmwood Ave. Examples include: the for rent Casa di Pizza and Encore Lounge (both owned by Sinatra), for rent office space above Saigon Restaurant (owned by Sinatra) and elsewhere along Elmwood, the recently closed convenience store next door to House of Hummus (both owned by Sinatra), and the latter House of Hummus struggling and at risk under it's exorbitant rent of $5,400/month.
In addition to the existing supply of commercial space exceeding demand, there is also a healthy supply of apartments for rent. The EC developers propose dense, for rent housing. This will have an adverse impact on the existing inventory of apartments for rent, especially if the unneeded, excessive housing receives government subsidies.

In conclusion, the EC development should ideally complement, not adversely impact the Elmwood Avenue environment. In my opinion, a purely residential development, of primarily owner occupied residences, incorporating green space, would clearly complement the existing residential fabric of Hodge, Bryant, and Oakland. At the same time, the commercial Elmwood strip would not suffer from additional, subsidized (?) commercial competition; and would be more likely to flourish.

I hope these comments fit into the conversation of environmental impacts.

Yours truly,
Joel Lippes

Marrero,Nadine L

From: Paananen,Jason A
Sent: Friday, January 25, 2019 1:15 PM
To: Marrero,Nadine L
Subject: FW: Elmwood Crossing Community Feedback

From: Bill Smeltz
Sent: Friday, January 25, 2019 1:14:29 PM (UTC-05:00) Eastern Time (US & Canada)
To: Paananen,Jason A
Subject: Elmwood Crossing Community Feedback

Two items of concern and consideration:
1) retail development on Utica for grocery store show a zero distance rear setback distance. It looks as if the building extends to the rear property line of the Hodge properties. No space, no buffer, no consideration for the utility easement (power line distribution which I believe exists today / requires confirmation)
2) As a Public Health Concern & Mitigation Requirement - based on peer project experience from other cities and the Gates project experience the demolition or large scale reconstruction of existing institutional building has the potential for displacing hundreds or thousands of rodents and other wildlife into adjacent neighborhoods. While frequently dismissed by the developers as a minor nuisance issue the impact on the surrounding area's health has proved to be a major health and environmental issue.
Bill Smeltz
65 Hodge Ave