Draft Environmental Impact Statement

For the New York State Environmental Quality Review of a:

Proposed Mixed-use Condominium / Retail Development by Affinity Elmwood Gateway Properties LLC

To be known as

"1111 Elmwood"

To be located at

1091-1121 Elmwood Avenue and 605-607 Forest Avenue

City of Buffalo, Erie County, New York

Prepared for:
City of Buffalo
Planning Board
901 City Hall
Buffalo, NY 14202
Submitted To: Nadine Marrero

Project Sponsor:
Affinity Elmwood Gateway Properties LLC
105 Affinity Lane
Buffalo, NY 14215

Prepared by:
C&S Engineers, Inc.
141 Elm Street Suite 100
Buffalo, NY 14203

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Table of Contents

List of Tables

List of Figures (Following Text)

Appendices

Appendix A	Full Environmental Assessment Form
Appendix B	Community Outreach Document(s)
Appendix C	Non-Mixed Use Residential Uses Along Elmwood Avenue
Appendix D	November 16, 2015 letter from Affinity Elmwood Gateway Properties LLC to SHPO
Appendix E	Visual Assessment Photos
Appendix F	Site Photos
Appendix G	Illustrative Scale/Massing Photos
Appendix H	Pictorial Survey of Multi-Family Dwellings and Densities on Elmwood Avenue between Forest Ave. & North Street
Appendix I	Phase II Environmental Investigation Report
Appendix J	Traffic Impact Study
Appendix K	Shadow Impacts
Appendix L	Elmwood Village Population Trend Data

List of Abbreviations

BCP	Brownfield Cleanup Program
DEIS	Draft Environmental Impact Statement
LOS	Level of Service
NRHP	National Register of Historic Places
NYSDEC	New York State Department of Environmental Conservation
Project	Elmwood Affinity Gateway Properties
RFP	Request for Proposals
SEQRA	State Environmental Quality Review Act
SHPO	State Historic Preservation Organization
sq ft	Square Feet
TIS	Traffic Impact Study

Executive Summary

Project Description

Affinity Elmwood Gateway Properties LLC (Affinity") proposes to construct an approximately 166,000 (gross) square foot mixed-use building (encompassing approximately 54,000 square feet of concealed parking, up to 7,500 square feet of commercial space, approximately 70,000 square feet of residential space, and the balance consisting of common areas) on 12 parcels located at and near the corner of Elmwood and Forest Avenues (1091-1121 Elmwood Avenue and 605-607 Forest Avenue) in the City of Buffalo, New York (the "Site"). The five story building will contain up to 50 condominium units and three (3) retail spaces of up to 2,500-square feet each on the first floor (the "Project").

The Project will be constructed of brick, precast concrete, and other high quality materials, and will be highly articulated to give the appearance of multiple structures, and feature numerous architectural details appropriate for the neighborhood (the commercial structures across Elmwood which form a relatively uninterrupted bank of brick and other buildings). The building design is expected to increase the walkability of this area and to enhance interaction between Project residents and the surrounding neighborhood. In addition, the fourth and fifth story of the Project will be stepped back such that it will "read" as a three-story building. The Project will have two ingress and egress points; one located on Forest Avenue and one on Elmwood Avenue. The Project will also include no fewer than 140 below grade and first floor hidden parking spaces that will be more than sufficient to meet the requirements of Chapter 155 of the Charter and Code of the City of Buffalo ("Zoning Code").

The Project will require the demolition of the 14 existing structures at the Site, consisting of eight residential properties, two accessory structures, and four mixed-use structures with first floor retail.

Summary of Potential Impacts

Land Use and Zoning Impacts

The Project land uses are consistent with the current zoning classifications of the Site and, with the exception of area variances described below in Section 1.4 of this DEIS, with applicable design and dimensional standards in the existing Zoning Code. Likewise, the Project is designed to further the goals of sustainability and smart growth as stated in Queen City in the 21st Century, Buffalo's Comprehensive Plan, as adopted by the City of Buffalo Common Council on February 7, 2006 (the "City Comp Plan"), and is comparable in design, scale and density with numerous mixed use developments throughout the

Elmwood Village Designs Standards District ("EVDS"). Although the City of Buffalo's proposed form-based, city-wide Unified Development Ordinance (the "Green Code") has not been officially approved or adopted, the proposed Project is also intended to meet the spirit and intent of that document, and meets most proposed Green Code dimensional requirements.

Sewage and Stormwater Impacts

The city's public sewage collection and waste water treatment is more than adequate to meet the anticipated sewage disposal needs of the Project. Nonetheless, the Project will contain ample greenspace and storm water retention elements which will serve to reduce the impervious surfaces at the Site and lessen stormwater discharges to the City's combined sewer system.

Historic, Archaeological and Cultural Resources Impacts

The Project will require the demolition of the 14 existing structures at the Site, consisting of eight residential properties, two accessory structures, and four mixed-use structures with first floor retail. The Project lies within a district recently listed on the National Register of Historic Places as the "Elmwood Village Historic District (East)." Although 12 buildings on the Site are listed as "contributing" to the historic district, none are reported to be associated with a significant historical or cultural event, architect or person or possess unique or innovative architectural features or elements. In fact, some have been affected by the removal of porches and other building alterations. Likewise, the Project is not expected to have an adverse impact on the adjacent Elmwood Village Historic District (West) across the street on Elmwood Avenue, nor on the state and federal-listed H.H. Richardson Complex to the northwest of the Site, and the Project is expected to enhance the appearance of the existing deteriorating buildings at the corner of Elmwood and Forest Avenues.

Visual and Aesthetic Resources Impacts

For the reasons outlined above, the Project is expected to improve the visual environment along Elmwood and Forest Avenue when compared to the existing structures at and near the corner of those streets. The tiered and articulated building design respects and is sensitive to the predominant scale of the buildings in the EVDS District. As detailed in this DEIS, there are several locations within the Elmwood Village and City of Buffalo that showcase the harmonious mix of building masses.

Topography, Geology and Soil Impacts

The construction and buildout of the Site is consistent with the pre-existing urban setting, therefore, no significant impact to the topography, geology and soil is expected.

Noise Impacts

Temporary noise increases are expected to result from construction operations. This noise increase will occur during regular daytime working hours on Monday through Friday, from 7:00 AM to 7:00 PM. Construction activity noises are expected to result from delivery of materials, installation of materials, and operation of heavy machinery and equipment. Construction will not have a significant long-term noise impact.

Socioeconomic (Including Environmental Justice) Impacts

The Project is not located in an Environmental Justice Area. The Project is geared toward residents of all ages and it is not anticipated to have any impact on the socioeconomic status of the area. The Project will not significantly alter racial characteristics.

Parking and Transportation Impacts

The Traffic Impact Study ("TIS") included as **Appendix J** indicates that the Project is estimated to generate 30 AM peak hour trips and 115 PM peak hour trips (the TIS was conducted before the Project was reduced in size from 57 down to a maximum 50 condominium units and is therefore conservative in this respect). Comparison of various traffic scenarios indicates no changes in LOS for any approaches to any study intersections during the AM peak hour. During the PM peak hour, minimal increase occurs at threshold from a LOS B to LOS C, which is considered acceptable. Similar to the AM peak hour, the proposed access points will experience LOS B. These trips will be divided among the two access points on Elmwood & Forest. The TIS reveals that no significant adverse impacts on local roadways are anticipated with minor signal changes along Elmwood Avenue.

The proposed minimum of 140 total parking spaces will exceed the requirement under Code §511-96(A) of 1 per dwelling. The Project's combined total of approximately 100 residential parking spaces will be roughly twice the current City requirement. Although the Zoning Code sets no minimum parking requirements for retail in the EB district, the Project will include approximately 40 retail parking spaces.

Air Quality Impacts

Since construction of the Project will generate a minimal increase in generated trips during the peak AM and PM hour in a highly developed urban environment, the Project will not create a substantial impact on air quality. Parking areas at the Site will be subsurface and/or enclosed and include ventilation systems that will intake ambient air through louvers and direct emissions away from nearby structures and residences at Project roof level. The Project will substantially increase the amount of greenspace and vegetation on Site, which will play a positive role in atmospheric purification and reduction in air pollutants in an urban environment.

Shadow Impacts

Worst-case shadow impact simulations for the Project do not reveal any significant adverse shadow impacts to surrounding properties.

Public Services Impacts

The Site is within the Buffalo Public School District and service districts of the City of Buffalo Fire and Police Departments; no adverse impacts are anticipated from the Project. Based on the projected residential density the Project will not have a significant increase in the demand in use of local parks.

Construction Impacts

Project construction is estimated to last approximately 14-16 months following demolition. Large volumes of construction related vehicles are expected Monday through Friday during this time period. This traffic will include construction workers to and from the Site for labor and delivery of materials.

Solid Waste Impacts

The Project construction process is expected to generate approximately 72 tons of solid waste, which will be recycled or disposed of at licensed landfills as appropriate. With respect to the soil to be excavated from the site, the Phase II Environmental Investigation Report prepared by Turnkey Environmental, LLC included in **Appendix I** indicates that semi-volatile organic compounds, arsenic and lead were detected at the site in certain locations in excess of New York State Restricted-Residential Use Soil Cleanup Objectives, *See* Appendix I, Table 1. This contaminated soil will be removed and disposed of at an approved off-site facility.

Following construction, the Site will generate about 4 tons of waste per month. The Project will provide for appropriate recycling and waste disposal locations concealed inside in the building.

Criteria, Thresholds and Mitigation

To ensure the impacts are appropriately reduced, the following criteria, thresholds and mitigation have been established. These requirements will ensure the projects are developed in a way to most effectively and practicably reduce the impacts on the environment.

Land Use and Zoning Mitigation

As noted above, Affinity's Project design is intended to be consistent with both the City of Buffalo's existing Zoning Code as well as its yet-to-be adopted Green Code. The Project will require approvals from

- The City of Buffalo Planning Board for City-Wide Site Plan review by under Article XXVIII of the Zoning Code
- The City of Buffalo Zoning Board of Appeals for area variances with respect to density, ground floor height and building-to-site relationship;
- The City of Buffalo Common Council for a Restricted Use Permit (required for demolition of any structures in the Elmwood Business District); and for Rezoning of 605 and 607 Forest Avenue from R3 to EB (R3 allows proposed uses but parcels comprising the Site need to be conformed pursuant to City of Buffalo policy) ; and
- The City of Buffalo Department of Permit & Inspection Services for building demolition

Sewage and Stormwater Mitigation

Before commencing construction activity, Affinity will be required to comply with applicable requirements of the State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002).

Utilities and Energy Use Mitigation

The Project Sponsor will work with appropriate utilities and City of Buffalo public works officials to ensure sufficient capacity to serve the Project.

Historic, Archaeological and Cultural Resources Mitigation

The project will be referred to the City of Buffalo Preservation Board and, as appropriate, the New York State Historic Preservation Office, prior to Project approval.

If any unanticipated archeological resources are identified during the demolition or construction on the Site, work in that area will be suspended until a qualified professional can assess the discovery and steps to protect resources prior to construction continuing at that location.

Visual and Aesthetic Resources Mitigation

The proposed Project will be subject to the use, dimensional and other requirements of the City's City-Wide Site Plan review by under Article XXVIII of the Zoning Code including, among other things, compliance with applicable EVDS District standards in Zoning Code §511-155 prior to approval.

Topography, Geology and Soil Mitigation

No adverse impacts were identified; therefore no mitigations or thresholds are required.

Noise Mitigation

Exterior construction will occur only between 7:00 AM and 7:00 PM, and any deviations will be communicated to neighborhood residents in advance. No adverse impacts from operation of the Project were identified; therefore, no mitigations or thresholds were identified.

Socioeconomic (Including Environmental Justice)

No adverse impacts were identified; therefore, no mitigations or thresholds were identified.

Parking and Transportation Mitigation

Signal operations along Elmwood Avenue should optimized with 100 second cycle lengths versus the current 80 second cycle lengths. If the final Site Plan exceeds thresholds analyzed in the TIS, an assessment of the additional incremental impact of the exceedances is required.

Air Quality Mitigation

If the building heating and/or cooling units require air permitting, it will be obtained from the NYSDEC as required. No other impacts were identified and therefore, no additional mitigations or thresholds are required.

Shadow Mitigation

No adverse impacts were identified; therefore, no mitigations or thresholds are required.

Public Services Mitigation

No adverse impacts were identified; therefore, no mitigations or thresholds are required.

Construction Mitigation

To minimize adverse impacts from Site clearance and construction to the extent practicable, the following mitigation measures will be implemented during demolition and construction.

Demolition (approximately 2 months)

- Asbestos Surveys have been completed and abatement will occur in accordance with NYSDOL requirements as applicable
- Appropriate demolition permits will be obtained from the City of Buffalo
- Dust control measures will be implemented during construction
- Demolition will occur only during daytime hours
- The Project Sponsor will keep in contact with local community groups to provide them with demolition and construction updates

Construction (approximately 14-16 months)

- A traffic and vehicle access plan will be prepared and used for worker and delivery access to the Site
- Exterior construction will occur only between 7:00 AM and 7:00 PM, and any deviations will be communicated to neighborhood residents in advance
- Erosion and sedimentation control methods will be employed to ensure that sediment does not leave the Site
- The Project Sponsor will continue contact with local groups throughout the construction process

Solid Waste Mitigation

To mitigate potential impacts from the disposal of nearly 72 tons of debris during construction and approximately one ton of waste per month during operation, recycling will be used to the extent practicable to minimize the amount of debris and waste going to licensed landfills. The Project

construction process is expected to generate approximately 72 tons of solid waste, which will be recycled or disposed of at licensed landfills as appropriate. In addition, as noted above, soil containing semi-volatile organic compounds, arsenic and lead detected at the site in certain locations in excess of New York State Restricted-Residential Use Soil Cleanup Objectives will be removed from the Site and disposed of at an approved off-site facility, possibly pursuant to the New York State Brownfield Cleanup Program (BCP).

1.0 Introduction

This Draft Environmental Impact Statement ("DEIS") is intended to analyze the impacts from a proposal by Affinity to demolish 14 existing structures at 1091-1121 Elmwood Avenue and at 605-607 Forest Avenue as shown in **Figure 1-1 – Project Location** (the "Site"), and to construct a new five story, approximately 166,000 (gross) square foot mixed use building at the Site (the "Project"). The building will contain up to 50 condominium units, plus three (3) retail spaces of up to 2,500-square feet each on the first floor. The upper two stories of the building will be stepped back, and the building will be tiered, highly articulated and constructed with quality materials to respect the historic fabric of the neighborhood and adjoining commercial and residential land uses. The Project will also include no fewer than 140 below grade and first floor hidden parking spaces to meet the needs of residential and commercial users.

The Site is located at the northern-most boundary of the Elmwood Village Design Standards District and in close proximity to a number of important health, education and cultural institutions to the north and northwest including, among other things, the H.H. Richardson Complex, the Buffalo Psychiatric Center, the Burchfield Penney Art Center, the State University College of New York at Buffalo and the Albright Knox Art Gallery. As such, the Site is located in a unique and important area of transition between the Elmwood Village and numerous local cultural, educational, health and other institutions.

Through analyzing feedback from the community and discussions with local residents, City officials and other interested parties over the past several years, Affinity has become very familiar with and sensitive to neighborhood preferences, concerns and objectives for new development at this location and within the Elmwood Village. At the same time, Affinity has considered both the City of Buffalo's existing zoning code as well as its ongoing efforts to transition to a form-based, city-wide Unified Development Ordinance intended to foster urban revitalization in a manner that is both flexible and respects current land uses and the historic and cultural fabric of the City (the current proposed "Green Code").

Affinity has endeavored to create a Project that adds vibrancy to the neighborhood in a manner that harmonizes the interests of the neighborhood and larger community with the purpose and intent of the current and proposed City of Buffalo zoning ordinances to the extent practicable.

1.1 SEQRA Process and Chronology

The State Environmental Quality Review Act (Article 8 of the N.Y. Environmental Conservation Law, Part 617 of the N.Y. Code of Rules and Regulations) ("SEQRA") requires state or local governments to assess the potential environmental impacts of their actions during the planning, review, and decision-

making process for those actions. The public (City, County or State) approvals and permits required for the individual Project constitute the "Action" subject to SEQRA. The intent of SEQRA is to ensure that governmental decision-making is a balance of social, economic, and environmental factors to be considered and weighed in reaching decisions on proposed activities or actions. Therefore, agencies must determine whether a proposed action may have a significant effect on the on the environment and if so, prepare, or request that an environmental impact statement (EIS) be prepared.

The Project constitutes a "Type I" action under SEQRA because it is located both within and substantially contiguous to a district that is listed on the National Register of Historic Places (Elmwood Avenue Historic District West and East). The Project is also located in close proximity to the H.H. Richardson complex to the northwest of the Site, a National Historic Landmark. As required for Type I actions under SEQRA, C & S Engineers, Inc. prepared a Full Environmental Assessment Form (FEAF) for the Project, a copy of which is included as **Appendix A – Full Environmental Assessment Form.** The FEAF does not identify any potentially significant environmental impacts associated with the Project that would mandate the preparation of an EIS under SEQRA. Nonetheless, in an abundance of caution and respect for its neighbors and the community, Affinity has elected to voluntarily submit this DEIS to reinforce its examination of potential environmental impacts associated with the Project.

Since the City-Wide Site Plan review process encompasses the broadest range of issues concerning the Project, it is anticipated that the City of Buffalo Planning Board ("Planning Board") will resolve to act as SEQRA Lead Agency following circulation of Affinity's various applications and DEIS (see below list of required permits and approvals in Section 1.5) among the City of Buffalo Common Council and Zoning Board of Appeals as SEQRA Involved Agencies, as well as various other Interested Agencies. It is further anticipated that the Planning Board will issue a SEQRA Positive Declaration, indicating that a DEIS, Final EIS and SEQRA Findings will be issued and a related SEQRA public hearing will be conducted before any final decisions on the Project approvals are issued.

1.2 Purpose and Need for the Project

After decades of disinvestment and population decline in the City of Buffalo, the City has seen increasing investment over the last decade which coincides with a nationwide trend toward urban living and appreciation for walkable, urban communities. The recent revitalization of the City has spurred development intended to serve the interest of millennials, empty-nesters, retirees and others wishing to live and remain within the City.

The Elmwood Village neighborhood, in which the Project lies, has significantly benefited from this "back to the city" trend. This area is increasingly desirable due to its intact urban fabric, recognizable vibrant commercial district and proximity to high-quality public space. Additionally, the Elmwood Village is a thriving neighborhood due to its eclectic and evolving mix of architectural styles and building scales, dense urban fabric and highly walkable streets. The diversity and distinctiveness seen within the Elmwood Village neighborhood is a defining trait of the neighborhood that is continually celebrated and encouraged.

Like many other cities across the United States, the City of Buffalo has a relatively low supply of housing for newcomers who wish to remain in the City. Redevelopment of derelict properties and/or underutilized lots into new living spaces in a manner that is context-sensitive will contribute toward meeting this demand. The Project aims to transform the Site into one more consistent with prevailing Elmwood Village design standards and smart growth initiatives, and is intended to present a high-quality model for such development. The Project is expected not only to meet the demand for additional housing choices in the Elmwood Village, but to enhance the neighborhood vibrancy to support local merchants and restaurant owners who are increasingly dependent on robust foot traffic to combat internet competition. The Project will also play an important role in revitalizing an area of transition between the Elmwood Business District and the university and world-class cultural corridor extending to the north.

1.3 Project Description and Components

Properties

The Project Site is composed of a total of 12 parcels: 9 individual parcels along Elmwood Avenue, two parcels along Forest Avenue and one parcel tucked behind 1113 Elmwood & 605 Forest. The Project Site is approximately 1.10 acres and contains 14 buildings; consisting of eight residential units, two accessory structures, and four mixed-use structures with retail on the first floor level.

The Project requires the demolition of the aging structures at the Site, which are of typical Victorian-style as seen throughout the City of Buffalo. None of these structures have any reported historical or architectural significance.

The Project design will include architectural elements inspired by iconic structures in and near the Elmwood Village and vibrant neighborhoods in other cities, and is intended to respect and, in fact, improve the architectural fabric of the neighborhood.

Proposed Structure and Infrastructure

The Project will encompass up to 50 condominiums with three (3) retail spaces of up to 2,500 square feet each on the ground floor. The Project is planned as a five-story facility totaling approximately 166,000 (gross) square foot (encompassing approximately 54,000 square feet of concealed parking, up to 7,500 square feet of commercial space, approximately 70,000 square feet of residential space, and the balance consisting of common areas). The Project will also contain ample green space and buffering designed for sensitivity to neighboring land uses with approximately 25,000 square feet of green outdoor space at both grade level and certain roof levels.

The Project will have two ingress and egress points; one located on Forest Avenue and one on Elmwood Avenue. **Figure 1-2 – Site Plan** displays the proposed site plan for the Site. As discussed more fully below, the Project will also include no fewer than 140 below grade and first floor hidden parking spaces sufficient to meet City of Buffalo zoning code requirements and the needs of residential and commercial users.

The Project will contain a variety of 1, 2 and 3-bedroom condominiums on all five floors. Five walk-up condominiums will be visible on the ground floor level from Elmwood Avenue, as well as two walk-up condominiums on Forest Avenue.

Outdoor terraces will be available to most of the units and will be located and designed to respect the privacy of each condominium as well as neighboring residential properties on Granger Place to the east of the Project. The Project will contain ample greenspace and storm water retention elements including, among other things, an in-ground stormwater system within a green berm along the eastern portion of the Site and a total of approximately 25,000 square feet of green outdoor space at both grade level and certain roof levels. Terraces and backyards at both grade and roof levels will leverage rain harvesting and rain garden strategies to maintain a natural environment in its urban setting and lessen impact to existing infrastructure and adjoining land uses. Rainwater from these and other elements will be diverted to a cistern system within the berm which will store building runoff for recycled on-site use. It is estimated that the Project as proposed will have approximately 50 % less impervious area than current conditions at the Site. The proposed landscaping plan is shown in **Figure 1-3 – Landscaping Plan**.

Architectural Design

The Project design is heavily inspired by the architectural design and styles of iconic buildings seen throughout the City of Buffalo. The building will be constructed of brick, precast concrete, and other high

quality materials. The Project design is intended to respect the existing Elmwood Village Design Standards and complement the architectural fabric of the neighborhood. The architectural design, layout and building materials of the Project are also intended to address concerns raised by certain neighbors in discussions with Affinity and in community outreach meetings conducted by Affinity over the past several months. See **Appendix B – Community Outreach Presentations.**

The fourth and fifth story of the facility will be stepped back to ensure continued sunlight to the street as well as accommodate the building scale of the surrounding area and add to the visual appeal and architecture of the neighborhood. The roofline is a mansard roof design with dormers, which is a common style seen throughout the area as well as Boston, Brooklyn and other areas. An intended consequence of this design element is that from the street level perspective, the building will "read" as a three-story building. The building will also be tiered down to respect both the adjoining residential property on Forest Avenue and the adjoining Panos Restaurant on Elmwood Avenue. Exterior building elevations from the north, west and east of the Project are shown in **Figure 1-4 –Exterior Elevations**.

The first floor retail portion of the Project begins at the corner intersection and extends south on Elmwood for approximately half of the building frontage. In addition, the Project will include "brownstone style walkup" two-story units along Elmwood Avenue and Forest Avenue which will flank the retail space and additional condominium units featuring masonry archways with recessed terraces extending from the corner of Elmwood and Forest. The walk-up condominium facades will be constructed of natural and durable material such as brick and precast concrete and will be built at widths of $\leq$ 25 feet in accordance with the surrounding neighborhood and the EVDS District standards.

Since the proposed building will be built up to the front lot lines on Elmwood and Forest Avenue, both these frontages will be considered the primary façade of the building. The Project uses hard separation between the first floor and upper floors by use of brick and precast concrete on lower stories and hardie cement clapboard on upper stories. The contrast of material types creates a strongly articulated difference between the lower and upper facades. In accordance with EVDS standards, the façade of the building will also be highly articulated and feature colonnades, arches, bays, a transparent glass atrium, balconies, cornices, brackets, diverse window patterns and other architectural details. Outdoor terraces will be available to many of the units and will be located and designed to respect the privacy of neighboring residential properties. The building will be visually bisected on Elmwood Avenues by glass enclosed, fully transparent atrium which will permit lines of sight through the building to give the appearance of multiple buildings and further minimize building scale. These features serve to visually break up the façade of the building and give the appearance of multiple structures, which will promote walkability

though this area and add architectural interest for, and opportunities for interaction between, pedestrians and building occupants alike. Building renderings as shown in **Figures 1-5, 1-5A, 1-5B, and 1-5C** articulate proposed Project design.

Parking

The Project will include no fewer than a total of 140 off-street parking spaces, to be contained within two levels beneath the proposed building. The lower level (accessible from Forest Avenue) will be wholly below ground and contain approximately 90 spaces (the "Lower Parking Area"). The second level (accessible from Elmwood Avenue) will be hidden behind a vegetated berm along its eastern boundary and contain approximately 50 parking spaces (the "Upper Parking Area"). The Lower Parking Area will contain approximately 50 spaces available for condominium owners and 40 parking spaces available for retail customers. The Lower Parking Area is displayed in **Figure 1-6** along with the Upper Parking Area shown in **Figure 1-6A**.

The minimum 140 parking spaces will exceed the requirement under Code § 511-96(A) of 1 per dwelling. The Project's combined total of 100 residential parking spaces will be at least twice the current City requirement. City Zoning Code § 511-96(B)("buildings other than dwellings") sets no minimum parking requirements for retail in the EB district. However, the Project will include approximately 40 retail parking spaces.

1.4 Summary of Permits and Approvals

As noted above, Affinity has sought to design the Project to meet the purpose and intent of the City of Buffalo zoning ordinances to the extent practicable. As reflected in the list of necessary approvals below, the Project is consistent with current permissible uses and deviates from only a few dimensional standards in the current zoning code:

- **City of Buffalo Planning Board City-Wide Site Plan Approval**
- **City of Buffalo Zoning Board of Appeals Area Variances**

  Density Area Variance

  EB District §511-56E(1)(a) allows 1 dwelling unit per 1,250 square feet of lot area. The lot area of the Site (including the two R-3 parcels after rezone equals 47,463.14 square feet (47,463.14 ÷ 1,250 = 37.97 unit max). Therefore, the Project requires a density variance for 12 additional units or approximately 31.6% density variance. This is comparable to density variances recently granted for similar projects in the Elmwood Village, and would not be required under the Green

Code as currently proposed. As discussed more fully below in Section 2.4, the proposed density also compares favorably to many other multiple family buildings on Elmwood Avenue and the EVDS District, is consistent with the City's neighborhood revitalization goals and strategies, and facilitates Affinity's ability to provide on-site parking and use of very high quality building materials. Accordingly, the Project is expected to satisfy the area variance approval criteria under N.Y.S. Gen. City Law § 81-b(4).

Ground Floor Height Area Variance

§511-155(F)(b) states that the floor-to-floor height of the ground-floor story shall be between 15 and 18 feet tall or approximately 50% greater than the upper story floor-to-floor height(s). The proposed ground height of the Project is approximately 16 feet for the retail level but the proposed ground height of the first floor walk-up condominiums is less than 15 feet. Because the intent of the Project design is to maintain floor-to-floor building elevations with respect to direct adjacencies and provide desired contextual proportions (as referenced in the EVDS), the Project is expected to satisfy the area variance approval criteria under N.Y.S. Gen. City Law § 81-b(4).

Building–to-Site Relationships Area Variance

§511-155(E)(1) provides that buildings shall be built to the front lot line with an exception for setbacks of up to 10 feet from the lot line allowed to accommodate pedestrian-friendly uses such as outdoor eating spaces, small public plazas or sitting areas that welcome pedestrians, but that do not impede pedestrian traffic. Affinity's proposed walk-ups are not built to the lot line but have front yards that would deviate from this requirement, but pedestrian friendly uses will be maintained on the sidewalk. Further, the overall Project design and landscape plan meet the "pedestrian friendly" intent of the Code, mitigate the concern among some residents about loss of current greenspace and contribute toward stormwater management at the Site. Accordingly, the Project is expected to satisfy the area variance approval criteria under N.Y.S. Gen. City Law § 81-b(4).

- **City of Buffalo Common Council Approvals**

  Restricted Use Permit for demolition in the EB district

  Planning Board approval for Affinity's proposed site plan / reuse plan is required under Zoning Code §§ § 511-138 and 511-155. With such approval, the Project is expected to be fully compatible with the surrounding property and overall development of the community

within the meaning of the Common Council approval criteria under Zoning Code § 511-55(D).

Rezone the R3 parcels (605 -607 Forest Avenue) to EB

Such rezoning is not required under the City Zoning Code for proposed Project design or use, but under City of Buffalo policy for combination of the tax parcels comprising the Site. Such rezoning is consistent with the purpose and intent of the City Comp Plan, as discussed more fully below in Section 2.1.

- **Demolition and Building Permits**

  Affinity will comply with all applicable Department of Permit and Inspection Services requirements including, but not limited to asbestos surveys and abatement and City Preservation Board referral.

Affinity will also follow applicable City of Buffalo procedures to combine the tax parcels comprising the Site. In addition, before commencing construction activity involving soil disturbance of one or more acres, Affinity will submit a Notice of Intent for coverage under the State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002) and comply with the conditions thereof.

2.0 Environmental Setting, Impact Analysis and Mitigation Measures

2.1 Land Use and Zoning

Current Status

Land Use

Existing land use surrounding the Project Site is a densely developed mix of institutional, commercial, residential uses, supported by high-quality public spaces and significant historical resources. The following is a description of the land use immediately surrounding the Site from each cardinal direction:

North - Across Forest Avenue is a Mobile Gasoline Station and a privately-owned residential dwelling.

East - Privately-owned residential dwellings.

South - Pano's Restaurant and associated surface parking lot (approximately 40 spaces).

West - Across Elmwood Avenue are Louie's Texas Red Hots, Cole's, Mister Goodbar, India Gate Restaurant, Hong Kong Kitchen, Calio's and Subway Restaurant, as well as two privately owned dwellings (across from 1901 Elmwood Avenue and Panos Restaurant).

Notable land uses within a half mile radius of the Site include the Buffalo Psychiatric Center, the H.H. Richardson Complex, the Burchfield Penney Art Center, the State University College of New York at Buffalo and the Albright Knox Art Gallery. Surrounding land use is displayed in **Figure 2-1 – Land Use**.

Consistency with City of Buffalo Comprehensive Plan

The Queen City in the 21st Century, Buffalo's Comprehensive Plan, as adopted by the City of Buffalo Common Council on February 7, 2006 (the "City Comp Plan") represents an unequivocal commitment to the use of smart growth principles as tools to revitalize the City and stabilize the region. As stated in the Comp Plan Executive Summary, "[t]he more quantifiable goal of the Comprehensive Plan is to reverse Buffalo's long-term decline in population, employment and the quality of the physical environment through coordinated and strategic investments in economic development, neighborhood revitalization, and the infrastructure of the city, through the implementation of smart growth principles. Comp Plan, p. 1.

See also Comp Plan, p. 5 ("This vision for Buffalo translates into a single goal, which is no less than to transform Buffalo as the urban center of the Buffalo Niagara region through application of smart growth principles, targeted investments, and managed physical change to restore the economic well-being, environmental health and sustainability of the city and promote an increase in its population").

To further the City's goal of sustainable future development, a guiding principle of the Comp Plan is that "physical development should follow the patterns of smart growth that can help conserve our resources and make lively cities." Comp Plan, p. 1. The City's key policies for guiding future investments therefore include the need to rebuild the City's neighborhoods "using demolition, rehabilitation and new construction to manage the housing stock to meet needs of a population expected to shrink further but then grow again." *Id.* At the same time, the Comp Plan recognizes the need to identify, protect and restore Buffalo's historic architecture, and to adopt urban and regional design guidelines to make sure that newly built elements of the city are as good as the old.

The concept of sustainability is woven throughout the fabric of the Comp Plan and should be a fundamental guiding principle, applied systemically, as Buffalo carries the plan forward to implementation. Comp Plan § 2.1.1 (p. 60). Likewise, Buffalo's development strategy is designed to meet the needs of the present without compromising the ability of future generations to meet their needs" and favors the management of land use for a more efficient urban form. *Id.* To limit urban sprawl and make better communities, the Comp Plan calls for the City to adopt several basic principles for smart growth:

1. **Mix land uses**
2. **Take advantage of compact building design**
3. **Create a range of housing opportunities and choices**
4. **Create walkable neighborhoods**
5. **Foster distinctive, attractive communities with a strong sense of place**
6. Preserve open space, farmland, natural beauty, and critical environmental areas
7. **Strengthen and direct development towards existing communities**
8. Provide a variety of transportation choices
9. Make development decisions predictable, fair and cost-effective
10. Encourage community and stakeholder collaboration in development decisions

Comp Plan § 2.1.2 (p. 61)(emphasis supplied). The broad regional and urban design principles in the Comp Plan largely stem from the work of the Congress for the New Urbanism (CNU), an international organization of urban designers, architects, landscape architects, planners and developers that has codified principles for the design of regions, cities and neighborhoods. For example, the Comp Plan recognizes that "Buffalo will become a vital urban center in the region if it invests in the core elements of this plan, also consistent with the creation of vital urban centers as a part of the Erie Niagara Planning Framework developed jointly by Erie and Niagara Counties." Comp Plan § 2.4.7 (p. 95). To this end, the Comp Plan promotes increased development density in order to improve both the economic and ecological health of our City:

> Infill development within existing urban areas conserves environmental resources, economic investment, and social fabric, while reclaiming marginal and abandoned areas. Metropolitan regions should develop strategies to encourage such infill development over peripheral expansion. Buffalo will define its edges through clear and well interpreted gateways and a denser development pattern than its suburban neighbors established through zoning.

Id. In this regard, the Comp Plan notes that "Buffalo supports the revitalization of neighborhood commercial areas such as … Elmwood Avenue. *Id* at p. 96.

More recently, the City's October 2015 Land Use Plan recognizes that a key goal of the City's planning efforts is to "create the conditions for Buffalo to grow again, making the city attractive to newcomers by meeting the aspirations of those who live here now, sharing the benefits of city life equitably, with this generation and those to come." *Id*., p. 2. The Land Use Plan further acknowledges that to strengthen its neighborhoods, "[s]upporting and maintaining strong neighborhoods is the key to attracting and retaining residents, bolstering the city's tax base, and reducing the region's carbon footprint." *Id*., p. 26. Similarly, the Land Use Plan recognizes that "[t]o remain competitive, neighborhoods must offer housing choices that target multiple market segments. By offering a mix, each neighborhood could potentially meet an individual's housing needs over a lifetime—or, for that matter, the needs of many generations over time. This adds to community character, and encourages social and economic diversity." *Id.*, p. 28. Toward this end, the Land Use Plan embodies land use policies which include, in pertinent part, the need to "[r]emove barriers to affordable housing, such as off-street parking requirements, restrictions on multifamily and accessory dwelling units, and inappropriate density limitations." Further, the Land Use Plan emphasizes that "[m]ixed-use neighborhoods, where daily needs can be met close to home, are highly valued by residents across the city," and that density is a key ingredient of a successful neighborhood:

> Neighborhood centers have a greater chance for success when they are based on sound urban design principles and surrounded by compact residential areas with a mix of housing options. Density must be high enough to support a full range of retail, services, and public transit; and design must ensure that buildings and public spaces work together to appeal to pedestrians. The design of context-sensitive infill development is particularly important to revitalizing these areas, since vital neighborhood centers lead to increases in both property values and quality of life.

Id., p. 30. As noted above, the Comp Plan also points to the October 2006 Erie Niagara Framework for Regional Growth, which embodies the following principle for sustainable neighborhoods:

> To serve the increasingly diverse needs of the region's households, Erie and Niagara Counties promote efforts to improve the livability of the region's urban neighborhoods and create more compact, walkable communities in developing areas. Through carefully planned reinvestment, infill development, and new compact development, the region can accommodate anticipated growth on a smaller "footprint," slow the pace of rural land conversion, ease pressure on the road network, lessen demand for new public infrastructure and facilities, and reduce long-term infrastructure operation and maintenance costs.

Id., p. 31. As reflected above, both the City's Comp Plan and Land Use Plan embody "smart growth principles" which favor compact, infill development and enhanced density in urban neighborhoods.

Current Zoning

There are two zoning designations at the Project Site, shown on **Figure 2-2 – Zoning**:

- 1091-1121 Elmwood Avenue – Elmwood Avenue Business District ("EB") / Elmwood Village Designs Standards District Overlay ("EVDS")
- 605-607 Forest Avenue – R3 Dwelling District ("R3")

East of the Project Site the zoning is classified as R3. To the south and west zoning is EB, and to the north zoning is both EB and R1. In general, the areas along Elmwood Avenue are zoned for moderately intensive uses (commercial, retail, service, professional office, residential use), while the surrounding area is generally zoned for multi-family residential use.

Permitted Uses

Table 1: City of Buffalo Zoning Code – Permitted Uses

Parcels	Zoning District(s)	Permitted Uses
1091-1121 Elmwood Avenue	Elmwood Business District (EB) and EVDS District	511-56(C)(1) & 511-155(F)(1)(e): Allowed uses include any combination of retail, office and residential uses
605-607 Forest Avenue	R3 Dwelling District ("R3") and EVDS District	511-16: Allowed uses include, among others, multi-family dwellings

The proposed Project is consistent with the above permitted uses. However, Affinity will be seeking to rezone the 605-607 Forest Avenue parcels from R3 to EB to conform to City of Buffalo policy for tax parcel combinations (despite the fact that such rezoning is not required by the City Zoning Code or state law).

Bulk Requirements

With the exception of the three area variances identified in Section 1.4 above, the Project complies with the bulk requirements of the City of Buffalo Zoning Code:

Table 2: City of Buffalo Zoning Code Bulk Requirements

Limit	EB / EVDS District Overlay
Height	511-155(F)(1)(a): respect the predominant height of buildings within the area; buildings shall be between two and five stories
Front yard Setback:	511-56(E)(b)(3)(b): None for commercial buildings
Rear yard Setback	511-56(E)(b)(5)(b): None for commercial buildings
Side yard Setback	511-56(E)(b)(4)(b): None for commercial buildings
Commercial Space	511-56(E)(9) & 511-155(F)(1)(d): A single-business outlet is allowed to have a maximum floor area of 2,500 square feet per floor and a maximum of 5,000 square feet in a single building

Proposed Green Code

As noted above, the City of Buffalo is currently undertaking a City-wide revision of its land use plan and zoning code, referred to as the Unified Development Ordinance or "Green Code." The SEQRA review process for the Green Code is underway, and the effective date of the Green Code is presently unknown.

SEQRA requires, among other things, a consideration of whether a proposed action will create a material conflict with a community's current plans or goals as officially approved or adopted. 6 N.Y.C.R.R. § 617.7(c)(iv). Although the proposed City of Buffalo Green Code has not been officially approved or adopted, the proposed Project is also intended to meet the spirit and intent of that document, and meets most proposed Green Code dimensional requirements.

The Green Code is generally a form-based code with bulk requirements set by building type rather than by zone, and uses specified by zone. Although zoning classifications are not finalized, the Elmwood Avenue parcels at the Site would fall within a new proposed N-2C District "Mixed-Use Center," which allows both multiple unit dwellings (with no density restrictions) and retail uses, among other things.

The purpose of the N-2C District is to create "mixed-use, walkable centers of Buffalo's most compact neighborhoods" Proposed Green Code § See GC § 3.1.4(A) (p. 3-6). Building types permitted in the N-2C District include, among other things, "Commercial Block Buildings." A "commercial block" building is described as follows:

> A commercial block is a multi-story building designed to facilitate a vertical mix of uses, with pedestrian-friendly ground floor retail and service uses and upper floor residential, hospitality, or office uses. A commercial block makes up the primary component of a neighborhood main street or downtown main street, thereby being integral to creating a walkable, mixed-use environment. Proposed Green Code §3.2.5 (A)(p. 3-29).

The Affinity Project will contain a vertical mix of uses, with pedestrian-friendly ground floor retail and service uses and upper floor residential, and will be designed to create a walkable, mixed-use environment. Although the Project does incorporate some first floor residential in the form of first floor "brownstone-style" walk-ups, this is consistent with both the current land uses at the Site. As noted above, the Project Site consists of eight residential units, two accessory structures, and four mixed-use structures.

Significantly, the first floor residential component of the Project is also consistent with the current uses and character of buildings on the block of Elmwood Avenue containing the Site, where there is a

predominance of first floor residential structures (intermixed with commercial and mixed use structures). In fact, as reflected in the map included as **Appendix C** (Non-Mixed Use Residential Uses Along Elmwood Avenue), residential-only uses on Elmwood Avenue predominate throughout the Elmwood Village Design Standards District from Forest Avenue all the way to Allen Street. The only blocks that have no such residential-only buildings are those between Potomac and West Delavan Avenues (bisected by Bidwell Parkway) and those between Anderson and Bryant. It should also be noted that the map in **Appendix C** excludes a number of structures that are predominately residential in use and design, including some mixed-use buildings that contain first floor or walk up residential (those tend to be first floor or garden level shopfronts that do not use the entire first floor) as well as houses that are at least partially converted to office space.

Accordingly, the proposed N2-C zoning classification under the proposed Green Code arguably is inappropriate for the block of Elmwood containing the Project Site (or at least the east side of it), and the proposed zoning classification arguably should be N-2E (Neighborhood Edge). Elsewhere along Elmwood (and throughout the City), the proposed Green Code clearly has strived to respect and codify existing neighborhood character, and similar stretches of Elmwood with a predominance of residential structures are slated to be N-2E (Neighborhood Edge) (such as the area between Ferry and Lexington and Bryant and Summer. An "E" zone is described in the DGEIS for the proposed Green Code as denoting an "[e]dge where mixed commercial and residential uses are both appropriate" (p. 8), and N-2E allows Stacked Units (proposed Green Code §3.1.5 (p. 3-7)), which clearly contemplates ground floor residential, as well as commercial. Proposed Green Code §3.2.11 (p. 3-53) (a "general multi-story building that can facilitate a variety of uses, typically connected by one or more shared entries"). Moreover, Stacked Units on Elmwood would be permitted up to 6 stories. Proposed Green Code §3.2.11(E) (p. 3-55 n.2).

The following proposed standards would apply in the proposed N-2C District:

Table 3: PROPOSED Green Code ("GC") Requirements For Commercial Block Buildings in N-2C District

Bulk Requirement	Proposed GC Standard
Lot area (min)	GC § 3.2.5.C(A) - 1000 SF
Lot coverage (max)	GC § 3.2.5.C(C) - 90%
Lot Width (Max)	GC § 3.2.5.C(B) - 120'
Front yard (min/max)	GC § 3.2.5.D(A) - 0'/0'
Build to %, front façade (min)	GC § 3.2.5.D(B) - 85%
Corner side yard (min)	GC § 3.2.5.D(C) - 0'
Build to percentage corner façade (min)	GC § 3.2.5.C(D) - 85%
Interior side yard	GC § 3.2.5.D(E) - 0'/30'
Rear yard (min)	GC § 3.2.5.D(F) - 10% of lot depth since would abut N-2R
Height (max)	GC § 3.2.5.E(A), n.2 - 5 stories; must step back the fifth story from front and corner side at least one foot for each foot in height above the 4th story.
Commercial Space	GC § 3.2.1.F(2) - 10,000 SF
Ground floor transparency (min) (front)	GC § 3.2.5.F(A) - 70%
Pedestrian access	GC § 3.2.5.F(G)&(H), n.1 - entrance along front façade every 30'
Miscellaneous	GC § 3.2.5.C.A - Vertical articulation required every 35'; Horizontal articulation between 1st and 2nd floors required.

Impacts

City Comprehensive Plan

As detailed above, both the City's Comp Plan and Land Use Plan embody "smart growth principles" which favor compact, infill development and enhanced density in urban neighborhoods. The Project as designed will add vibrancy to the corner of Elmwood and Forest Avenues and will be consistent with the key goals and principles of the City's urban planning initiatives. Further, as detailed herein, the Project design is intended to comply with both the City's existing and proposed zoning requirements to the extent practicable, which zoning requirements are guided by these urban planning principles.

Current City of Buffalo Zoning Code

The project complies with all applicable use and dimensional restrictions in the zoning code except for those specified in Section 1.4 above. The three required area variances for the Projected summarized in Section 1.4 above are reasonable and appropriate in light of the purpose and intent of the relevant zoning code standards and approval criteria under N.Y.S. Gen. City Law § 81-b(4), as well as the City of Buffalo ZBA's recent approval of similar variances for 905 Elmwood Avenue and other projects in the neighborhood.

Proposed Green Code

The design of Affinity's proposed Project would meet all of the above requirements except (a) the front yard requirement, as the brownstone-style walk-ups will require a building-to-site relationship variance and described above in Section 1.4; and (b) the proposed maximum 120' lot width.

Significantly, the current City Zoning Code contains no maximum lot width for the EB or EVDS Districts. Likewise, there are no minimum side yards in the proposed Green Code for the proposed N-2C District. Therefore, nothing in the Green Code would prevent the construction of multiple buildings on multiple lots ≤ 120', placed shoulder-to shoulder, that would collectively exceed 120'. Nonetheless, Affinity's proposed Project would meet the purpose and intend of the proposed Green Code maximum lot size requirement because the building will be broken up into sections that give the appearance of multiple structures

Table 4: PROPOSED Green Code ("GC") Requirements

Building Feature	Width
Parking Entrance Structure on Elmwood (Adjoining Panos)	30 ft
Residential Segment Facing Elmwood	120 ft
Center Glass Atrium on Elmwood	20 ft
Commercial / Residential Segment on Elmwood	150 ft

To further soften and downscale the building appearance, the façade of the building will be highly articulated and feature colonnades, arches, bays, a transparent glass atrium, balconies, cornices, brackets, diverse window patterns and other architectural details. Outdoor terraces will be available to all of the units and will be located and designed to respect the privacy of neighboring residential properties. These features not only serve to visually break up the façade of the building, they will add architectural interest for, and opportunities for interaction between, pedestrians and building occupants.

Mitigation Measures and Thresholds

Aside from the carefully considered building design described above, no mitigations or thresholds are required. However, while the Project is consistent with surrounding land uses and densities, Site Plans must be reviewed and approved for the building and permits must be granted before construction can begin. Any other applicable reviews and approvals will likewise be required prior to construction.

2.2 Utilities and Energy Use

Current Status

The utilities that currently serve the Site include water, sewer, electric, gas and fiber optic.

Water

The existing water system ties into the City of Buffalo municipal water supply and distribution system operated by the Buffalo Water Board. City daily consumption average approximately 74 million gallons each day.[i] Currently, the Site contains 27 units with water usage equaling approximately 400 gallons of water per day. As of today, the Site contributes to 0.0005% of the total City of Buffalo water consumption.

Sewer

The Site is within the Scajaquada District of the Buffalo Sewer Authority's collection system. The City of Buffalo has "combined" sewers, meaning that the infrastructure conveys storm water and sanitary sewage into the same piping network to the City's wastewater treatment plant located on Bird Island; the second largest wastewater treatment plant in New York State.[ii] Bird Island Wastewater Treatment Plant treats an annual average flow of approximately 130 million gallons per day with a total capacity of 180 million gallons per day. [iii] This capacity is sufficient to serve a total population of 650,000 people, which is more than twice the current population in the entire City of Buffalo.

Along Forest Avenue, the Site is connected to both a storm overflow sewer and a combined sewer. The sanitary sewer system along Forest Avenue contains a 48" diameter pipe running in the east-west direction. Additionally, a 12" diameter pipe runs in the north-west direction along Elmwood Avenue.

Most of the Project Site is currently covered with impervious surfaces (buildings, asphalt and concrete), with very little detention of stormwater or green space to help absorb rain fall. As a result, most of the Site's current stormwater is discharged into the combined stormwater and sanitary sewer system.

Electric and Natural Gas

Electrical service is provided to the Site by National Grid. Electric lines are located on the rear of the existing structures and run into multiple underground lines on the eastern portion of the Site. Natural gas is provided by National Fuel Gas Company.

Impacts

Total water demand for the Site is expected to increase to approximately 11,700 gallons of water per day. The Project would equal 0.02% of the total water consumption in the City. Despite an increase compared to current demand, water infrastructure near the Site is sufficient to maintain this increase. According to the City of Buffalo Comprehensive Plan, water capacity of infrastructure within the City is adequate to satisfy foreseeable future demands [of water]. [iv]

The Project will increase the amount of greenspace at the Project Site as well as incorporate outdoor greenspace into the final design. The Project will contain ample greenspace and storm water retention elements including, among other things, an in-ground stormwater system within a green berm along the eastern portion of the Site and a total of approximately 25,000 square feet of green outdoor space at both grade level and certain roof levels. Terraces and backyards at both grade and roof levels will leverage rain harvesting and rain garden strategies to maintain a natural environment in its urban setting and lessen impact to existing infrastructure and adjoining land uses. Rainwater from these and other elements will be diverted to a cistern system within the berm which will store building runoff for recycled on-site use. It is estimated that the Project as proposed will have approximately 50% less impervious area than current conditions at the Site. Stormwater discharged to City infrastructure from the Site therefore will be dramatically reduced. On-site detention and recycling of storm water for irrigation of the Site's greenspaces will be a positive impact of the Project; less water will enter the combined sewer system during storms and will help reduce combined sewer overflows.

No other impacts on utilities were identified from Site redevelopment. Affinity will comply with applicable requirements for utility connections. As the Project moves toward final design for each structure, additional coordination will occur with the utility companies to ensure adequacy of service, but no overall shortfall is expected given the density of uses at and surrounding the Project Site.

Mitigation Measures and Thresholds

The Project Sponsor will work with appropriate utilities to ensure sufficient capacity to serve the Project.

No other impacts were identified; therefore, no additional mitigations are required.

If the final Site Plan exceeds the thresholds analyzed here, an assessment of the incremental impact from the additional demand may be required.

2.3 Historic, Archaeological and Cultural Resources

Current Status

In 2012, the Elmwood Village Historic District (West) was listed on the New York State and National Register of Historic Places (NHRP). The Elmwood Village Historic District (East), in which the Project lies, was listed on the NY State and National Register of Historic Places in 2016. The delineations of these districts are shown in **Figure 2.3 – Elmwood Village Historic Districts**. Generally, these districts encompass Richmond Avenue to the west, Forest Avenue and the southern border of Delaware Park to the north, rear property lines along Delaware Avenue to the east and Summer Street to the south. The delineations of these districts are shown in **Figure 2.4 –Historic Resources Near Site**.

No buildings on the Site are designated as historic landmarks by the City of Buffalo Preservation Board.

Twelve of the total 14 buildings located on the Site are listed as "contributing" to the National Register of Historic Places of the Elmwood Village Historic District (East). This includes all buildings except two detached garages located on the Site. Additionally, 1095-1109 Elmwood Avenue, 1113-1121 Elmwood Avenue and 605-607 Forest Avenue have been designated on the National Register of Historic Places. Note that 1111 Elmwood Avenue is not included within this designation.

Prior to the above mentioned listing, Affinity (property owner of 1095-1109, 1111-1121 Elmwood Avenue and 605-607 Forest Avenue) filed a letter to the New York State Historic Preservation Office on November 16, 2015 objecting to the listing of their properties on the National Register. **See Appendix D**.

Sites listed on the NRHP near the Site include:

- Buffalo State Hospital (90PR04436)
- Forest Lawn Cemetery (90NR03149)
- Delaware Park – Front Park System (90NR01217)

Buffalo State Hospital, otherwise known as Buffalo State Asylum and H.H. Richardson, is located to the northwest of the Site. The complex is situated on 203 acres of mostly undeveloped land and was designated as a National Historic Landmark in 1986; however, this only encompasses the western portion of the site from Rees Street to Richmond Avenue.[v] The portions of the site from Richmond Avenue to Elmwood Avenue are outside of the NHL boundary.

Forest Lawn Cemetery lies approximately 0.50 miles to the east of the Site, situated at the intersection of Delaware Avenue and West Delavan Avenue. The cemetery was established in 1849 by Charles E. Clarke and contains 269 acres of land. [vi]

The Delaware Park - Front Park System was established between 1868 and 1876, which established a relationship with both Forest Lawn Cemetery and the Buffalo State Asylum. Designed by Frederick Law Olmstead and Calvert Vaux, the Delaware Park System includes an urban park with ribbon-like branches and parkways including Lincoln, Chapin and Bidwell Parkway, which are located to the east of the Site.[vii]

The Site is also in close proximity, however, not within an area designated as being potentially archaeologically sensitive, as many areas in the City are.

To determine which historic resources have a view of the Project Site, photographs were taken from the three identified National Register sites. They are included in **Appendix E – Visual Assessment Photos**. None of the registered historic sites currently have views of the Site or the existing structures. The only location that contains view of the Site is the portion of the H.H. Richardson Complex that lies outside of the National Historic Landmark boundary at the northwest corner of Forest and Elmwood Avenue.

Impacts

Of the 14 structures located on Site, 12 are listed as "contributing buildings" to the Elmwood Village Historic District (East). The Elmwood Historic District (East) Nomination Document for the National Register of Historic Places indicates that 96% of the resources within the district "contribute to the character and significance of the district" since they "retain their historic features including form and massing, sheathing and siding materials, details such as molding, trim and carved bargeboards, wood windows, stained glass windows and other features"; others of which are non-contributing due to architectural alterations, alterations to defining character and/or structural additions to the building. [viii]

Twelve buildings on the Site are listed as contributing to the historic district; however, no specific reasoning and justification is provided other than indication of building construction between 1900 and

1918. While the buildings were constructed during this time, they are devoid of distinctive architectural character as some have been altered with the removal of porches and/or painted over with vibrant colors.

The City of Buffalo Preservation Board is responsible for designation of specific properties as historic landmarks by providing recommendation to the City of Buffalo Common Council. Criteria for landmark designation is provided in the City Code §337-15 Criteria for Designation. Much of this criteria is based on association with a particular historical event or figure which has influenced the development of the City (of Buffalo), state or nation, as well as architectural significant features. Based on the criteria given for historic landmark designation, it can be determined that the structures on Site do not possess significant or distinguishable architectural features, nor do they possess remarkable craftsmanship deemed worthy of preserving.

Existing views of the Site from the H.H. Richardson Complex are partially obstructed by the 1960's-era, eight-story Strozzi building on the Buffalo Psychiatric Center campus, as well as trees and other vegetation. Consequently, the Site is visible only from the northwest corner of Elmwood and Forest Avenue. Likewise, views of the Site from Delaware Park and Forest Lawn Cemetery are obstructed and of sufficient distance; therefore, there is no adverse visual impact to these historic sites. In any event, the Project is expected to enhance the appearance of the existing deteriorating buildings at the corner of Elmwood and Forest Avenues, and therefore result in a beneficial impact to the surrounding land uses and character of the area.

Encountering subsurface archaeological resources is extremely unlikely; the Site was previously disturbed during construction of the existing structures.

Mitigation Measures and Thresholds

Submission of Project plans to the City of Buffalo Preservation Board and the State Historic Preservation Office will occur prior to Site Plan approvals.

If any unanticipated archeological resources are identified during the demolition or construction on the Site, work in that area will be suspended until a qualified professional can assess the discovery and steps to protect resources prior to construction continuing at that location.

No other adverse impacts to historic resources were identified, and therefore no mitigations or thresholds were identified.

2.4 Visual and Aesthetic Resources / Neighborhood Character

Current Status

The Project lies on the northeast corner of the EVDS District, and is subject to the applicable design standards District in Zoning Code §511-155. The building scale within the Elmwood Village and the surrounding area is an extremely diverse mixture of building heights and scales. Building scale within the Elmwood Village District consists of low-rise (1-4 stories) and mid-rise building (5-10 stories). Often these scales sit adjacent to one another creating a unique landscape and visual appeal of the neighborhood. The Project will be located across the street from commercial structures (e.g. Coles, Mr. Goodbar, India Gate and others) which form a relatively uninterrupted bank of brick and other buildings.

The EVDS District standards, adopted in 2001, were developed in conjunction with input received from the Elmwood Village Association, a non-profit entity representing both residents and business owners, as well as individual comments from members of the local community. Key objectives of the EVDS District standards are to "maintain and enhance the pedestrian environment" as well as create a streetscape experience that protects the architectural character of the neighborhood.[ix] Central elements of the desired pedestrian environment include buildings oriented toward the pedestrian, off-street parking located behind buildings or screened from pedestrian view, compact development that creates density, and utilization of mixed-use buildings.

The Site currently contains 14 existing structures, consisting of eight residential properties, two accessory structures, and four mixed-use structures with first floor retail. Setbacks of these buildings range from 38 to 50 feet from Elmwood Avenue. The two residential structures along Forest Avenue are set back approximately 30 feet from the street. These current setbacks do not conform to the EVDS District standards. Additionally, the Site contains only four street trees along the 320 foot frontage along Elmwood Avenue, as compared to the western portion of the street that contains a street tree approximately every ten feet.

The structures that front Elmwood Avenue are 2 ½ story homes spaced approximately 5-8 feet apart from one another as shown on Table 2 below. Eight of the structures along Elmwood Avenue and Forest Avenue contain first and second story porches in front.

Appendix F - Site Photos contains photos in Exhibits displaying the current structures and existing conditions of the Site, including the increase in elevation from the street leading to the structures on Site. There is a dramatic increase in elevation showcasing the fact that the current 2 ½-story structures are

situated higher than the surrounding properties. This leads to the perception of the structure height being taller than they are.

Table 5: Visual Characteristics of Buildings On-Site

Address	Building Width (ft)	Stories	Setback from Edge of Pavement (ft)	Entrance Type	Material Type	Color
Existing Buildings						
1091 Elmwood Avenue	25	2 ½	38	Front	Wood siding	Blue/White
1095 Elmwood Avenue	30	2 ½	38	Front	Wood siding	Beige
1101 Elmwood Avenue	25	2 ½	40	Front	Asbestos/stone siding	Beige/Red
1105 Elmwood Avenue	23	2 ½	38	Front	Stone siding/vinyl	Beige
1109 Elmwood Avenue	23	2 ½	39	Front	Wood siding	Beige / Brown
1111 Elmwood Avenue	N/A	N/A	N/A	N/A	Wood siding	Dark Red
1113 Elmwood Avenue	22	2 ½	50	Front	Wood siding	White/Blue
1115 Elmwood Avenue	23	2 ½	43	Front	Wood siding	Brown
1119 Elmwood Avenue	23	2 ½	42	Front	Asbestos siding	White/Red
1121 Elmwood Avenue	22	2 ½	41	Side	Wood siding	Beige
605 Forest Avenue	22	2 ½	30	Front	Wood siding	Green
607 Forest Avenue	22	2 ½	30	Front	Wood siding	Green
Garage		1	N/A	N/A	Wood	Red
Garage		1	N/A	N/A	Wood	Beige/Green

Surrounding the Site, residential structures are generally 2 1/2 to three stories, while the institutional buildings to the northwest vary from three to eight stories along Forest Avenue. Additional adjacent building detail is presented in Table 3 below.

Table 6: Visual Characteristics of Buildings Adjacent to the Site

Address	Building Width (ft)	Stories	Setback from Edge of Pavement	Entrance Type	Material Type	Color
North Side of Forest Avenue - Elmwood Ave / Penhurst Park: Block Length 768 ft						
1131 Elmwood Avenue	60	1	91	Front	Stone	Grey
2 Penhurst Park	68	1	46	Front	Siding	White
South Side of Forest Avenue – Elmwood Ave / Penhurst Park: Block Length 768 ft						
611 Forest Avenue	30	2 ½	22	Front	Wood Siding	Brown
West Side of Granger Place - Forest / Bird Ave: Block Length 660 ft						
64 Granger Place	22	2 ½	40	Front	Wood Siding	Yellow
60 Granger Place	20	2 ½	40	Front	Wood Siding	Grey
58 Granger Place	22	2 ½	40	Front	Wood Siding	White
50 Granger Place	20	2 ½	40	Front	Wood Siding	Beige
48 Granger Place	24	2 ½	36	Front	Wood Siding	Yellow
44 Granger Place	22	2 ½	36	Front	Wood Siding	Blue
40 Granger Place	23	2 ½	36	Front	Wood Siding	Green
36 Granger Place	21	2 ½	43	Front	Wood Siding	Blue
34 Granger Place	22	2 ½	46	Front	Wood Siding	Yellow
32 Granger Place	30	2 ½	32	Front	Wood Siding	Brick
West Side of Elmwood Ave - Forest / Bird Ave: Block Length 645 ft						
1122 Elmwood Avenue	37	2 ½	20	Front	Wood Siding	Orange /White /Red
1116 Elmwood Avenue	61	2	21	Front	Brick/Plaster	Brick/ Teal
1108 Elmwood Avenue	62	2	20	Front	Brick	Black
1104 Elmwood Avenue	27	2	21	Front	Stone	Beige
1096 Elmwood Avenue	25	1 (front) 2 ½ (back)	21	Front	Brick	Yellow /Red/B lack
1094 Elmwood Avenue	22	2 ½	45	Front	Wood Siding	White
1092 Elmwood Avenue	23	2 ½	42	Front	Wood Siding	Orange
1088 Elmwood Avenue	41	2	19	Front	Stone	Beige
East Side of Elmwood Ave – Forest / Bird Ave: Block Length 645 ft						
1081 Elmwood Avenue	60	2	18	Front	Brick	Tan

Appendix E - Visual Assessment Photos show photos from locations surrounding the Site that have potential views of the Site. Generally, visibility of the Site is limited to the streets and intersections with direct lines of sight.

In the Elmwood Village, there is a distinct variation of design and architectural features that contribute to the uniqueness of the area. According to the Elmwood Village Design Standards District, "new buildings and building additions…shall be between two and five stories and must be constructed and designed to support business and residential occupancies". [x] The uniqueness and differentiations between building heights and styles throughout the Elmwood Village and surrounding area is showcased in **Appendix G – Illustrative Scale / Massing Photos.** There are a multitude of examples that display dramatic height differences in the surrounding area; in this assessment, five examples of buildings with a height difference of at least two stories located on Elmwood Avenue and within the Elmwood Village District are documented.

As noted above in Section 1.4, the proposed 50 condominium units in the Project will require a modest (12 unit) variance from current Zoning Code density standards for the EB District (§511-56(E)(1)(a), which allows 1 dwelling unit per 1,250 square feet of lot area. The lot area of the Site (including the 605 and 607 Forest Avenue parcels after rezoning) will equal approximately 47,463.14 square feet, which allows 37.97 units (i.e., 47,463.14 ÷ 1,250). Significantly, however, the proposed Green Code contains no density standards that would be applicable to the Site.

In any event, the Project density of 50 units compares favorably to the density of many other multiple family buildings on Elmwood Avenue in the EVDS District. For example, as reflected in **Appendix H**, of the 18 multifamily structures examined in Elmwood Avenue between Forest Avenue and North Street, all exceeded 1 unit per 1,250 SF of lot area. In fact, the unit density of the buildings studied ranged from 1.25 units / 1,250 SF to as high as 5.67 units / 1,250 SF (as compared to the Project's proposed unit density of 1.32 units / 1,250 SF). The Project's unit density is also consistent with the City's neighborhood revitalization goals and strategies, and facilitates Affinity's ability to provide on-site parking and use very high quality building materials.

Likewise, the proposal for three separate commercial spaces of up to 2,500 SF each on the ground floor of the Project not only is consistent with the current EB District standards at 511-56(E)(9) & 511-155(F)(1)(d), which allows a single-business outlet to have a maximum floor area of 2,500 square feet per floor and a maximum of 5,000 square feet in a single building, but also compares favorably to the scale of current businesses in the EVDS District. For example, the following commercial spaces are offered for illustrative purposes.

Table 7: Current Commercial Businesses and Square Footage in Elmwood Village

Business	Address	Approx. SF
Lexington Co-Op	807 Elmwood	8,800
Spot Coffee	765 Elmwood	6,954
Buffalo Tennis & Squash Club	314 Elmwood	12,510
Casa Di Pizza, Inc. (recently closed)	477 Elmwood	11,440
Mister Goodbar	1110 Elmwood	6,930
Cole's Restaurant	1104 Elmwood	9,708
JP Bullfeathers Restaurant	1010 Elmwood	5,001
Benjamin Art Gallery	419 Elmwood	4,092
Ujima Theater	545 Elmwood	3,960
Hodge Wine & Liquors	463 Elmwood	3,600
Thirsty Buffalo	555 Elmwood	3,400
Cecelia's Ristorante & Martini Bar	716 Elmwood	3,360
India Gate Restaurant	1118 Elmwood	3,388
Saigon Cafe	520 Elmwood	3,496
Restaurant	905 Elmwood	6,200
Thin Man Brewery	429 Elmwood	5,000

Therefore, the commercial space component of the Project is fully compatible with the neighborhood character.

Impacts

Project Design

As detailed above, with the exception of three required area variances, the Project conforms to applicable EB and EVDS District requirements. Additionally, the Project contributes to the Elmwood Village by maintaining and increasing urban density. This critical mass supports business and urban compactness the Village strives to sustain.

On the other hand, the structures currently at the Site do not conform to key EVDS District standards because they are not oriented toward the pedestrian. Buildings are set back from the street at a significant distance, which diminished the visual appeal and pedestrian experience compared to surrounding buildings south of the Site and on the west side of Elmwood Avenue that are built up to the front lot lines. The Project enhances the visual appeal of the Site since it directly abuts the front and side lot lines.

In general, the Project will improve the visual environment along Elmwood and Forest Avenue when compared to the existing structures by presenting a varied façade, substantially decreasing building setbacks, and screening automobile parking from visual sight. The Project will contribute to the critical mass need to support of residents, businesses and institutions in the Elmwood Village. These changes to the built environment would not result in adverse environmental or community impacts.

Building Height and Scale

Currently, the 2 ½ story buildings at the Site along Elmwood and Forest Avenues are perceived as though they are taller in height due to the rise in terrain elevation that exists on Site. The proposed building will be a maximum of five stories, with the fourth and fifth stories stepped back in order to reduce the appearance of the building along the Elmwood Avenue and Forest Avenue intersection. The building is sensitive to the scale of the predominant buildings in the Village, as evidenced by the exhibits in **Appendix G**. There are several locations within the Elmwood Village and City of Buffalo that showcase the harmonious mix of building masses.

Additionally, according to §511-155, "new storefronts shall respect the predominant width of storefronts which tends not to be more than 25 feet…and incorporate architectural elements, such as bays, columns and divided windows..". The Project is sensitive to this design guideline with the inclusion of brownstone-type architectural elements and the façade of the building will also be highly articulated and feature colonnades, arches, bays, a transparent glass atrium, balconies, cornices, brackets, diverse window patterns and other architectural details. These features serve to visually break up the façade of the building and give the appearance of multiple structures, and otherwise respect the building massing of Elmwood Avenue with use of varying facade materials. The Proposed design and materials is expected to improve in the visual impact of the Site, while adding much needed vibrancy to supports local restaurants and merchants in the area.

Entrances

The Elmwood Village Design Standards emphasize that appropriate and well-defined entrances to a building can encourage pedestrian activity and break-up building massing. Since the Project lies on the corner of Elmwood and Forest Avenue, it must maintain entrances on both streets, which is included in proposed design.

The Project will increase the likelihood of pedestrian activity due to both residential and commercial entrances articulated and fronted toward both streets. This creates an inviting and welcoming experience for passersby, both on foot and in automobiles.

Mitigation Measures and Thresholds.

The Project will be subject to rigorous review under the City's Site Plan approval process and the other approvals identified in Section 1.4 above to ensure that the Project is consistent with applicable Zoning Code design, dimensional and other applicable standards.

No other impacts were identified; therefore, no additional mitigations are required.

2.5 Topography, Geology and Soil

Current Status

The Project is located within the Central Lowlands region Eastern Lakes section physiographic province. The Eastern Lake section occupies an area along the shore lines of the Great Lakes from Lake Michigan east to Lake Ontario and up the St. Lawrence River to Vermont.

The regional geology consists of Lacustrine silt and clay. According to the Geological Map of New York – Niagara Sheet, the bedrock is Onondaga Limestone.

All soil on the Site is categorized as Urban Land-Collamer complex, indicating that most of the Site is covered with structures and streets; the soil has likely been disturbed and may have some unknown heterogeneous mix of soils and fill. Average depth to bedrock at the Site is approximately 10 feet. According to the Phase II Environmental Investigation Report prepared by Turnkey Environmental, LLC, no appreciable amounts of groundwater were present up to a depth of 12 fbgs (**Appendix I – Phase II Environmental Investigation Report**).

Elevations at the Site range from approximately 610 feet to 616 feet above sea level. The Site has a gradual increase in elevation from west to east, beginning at Elmwood Avenue and stretching east about 21 feet. Additionally, the Site's elevation is slightly higher than properties on the west side of Elmwood creating the illusion of taller existing structures.

Impacts

This Project is located within a dense, urban setting. This urban setting is generally an intense use of land with much of the area overlain with structures, buildings and impervious surfaces. The construction and

buildout of this site is consistent with the urban setting, therefore, no significant impact to the topography, geology and soil is expected.

Construction for the Project will require an excavation of approximately 18,000 to 20,000 cubic yards to accommodate the planned underground parking area. No blasting will be required to construct the Project.

The depth to bedrock will allow for the construction of below-grade parking with minimal impact, and the depth of the groundwater indicates that significant dewatering will not be required during excavation for any sub-grade structures or work.

Mitigation Measures and Thresholds

With respect to the soil to be excavated from the site, the Phase II Environmental Investigation Report indicates that semi-volatile organic compounds, arsenic and lead were detected at the site in certain locations in excess of New York State Restricted-Residential Use Soil Cleanup Objectives. See Appendix I, Table 1. This contaminated soil will be removed and disposed of at an approved off-site facility, possibly pursuant to the New York State brownfield cleanup program.

2.6 Noise

Current Status

Existing noise levels in the vicinity of the Site are associated with nearby land uses and development in the surrounding area. Generally this is classified as low-density urban residential, commercial and institutional land use. Existing ambient and background noise levels consist of traffic, construction and sirens from emergency services. Noise is regulated by the City of Buffalo, City Charter, Chapter 293, Noise.

Impacts

Temporary noise increases are expected to result from construction operations. This noise increase will occur during regular daytime working hours on Monday through Friday, from 7:00 AM to 7:00 PM. Construction activity noises are expected to result from delivery of materials, installation of materials, and operation of heavy machinery and equipment. Construction will not have a significant long-term noise impact.

Long term activities associated with small retail are not expected to generate significant noise impacts either on Site or in the surrounding area.

Mitigation Measures and Thresholds

No adverse impacts were identified; therefore, no mitigations or thresholds are required.

2.7 Socioeconomic (Including Environmental Justice)

Current Setting

Setting

The Site is located in Census Tract 63.02. This boundary is defined by Elmwood Avenue to the west, Scajaquada Expressway to the north, Delaware Avenue to the east and Lancaster Avenue to the south.

Data for this section is derived from the U.S. Census Bureau. The most recent decennial census occurred in 2010; however, the U.S. Census Bureau also conducts 5-year estimates. The American Community Survey (2010-2014) was used for this section.

Demographics

According to the American Community Survey (2009-2014), Census Tract 63.02 contains 2,750 residents. The median age of residents was 33.5 years, with approximately 14.5% of the population under age 18.

The tract is 97.5% White alone, compared to 49.3% for the entire City of Buffalo; 1.2% of the residents are Black alone, compared to 37.6% for the total City, and 3.7% of residents identified as Hispanic, less than the City-wide proportion of 10%.

Approximately 11.1% of the residents of Census Tract 63.02 were identified as living in poverty. This is less than the 27.6% rate determined for the City as a whole.

Additionally, there are 1,225 households within Census Tract 63.02; 573 of which are family households and 652 are non-family households. The median household income for this area, in 2014 inflation adjusted dollars, is $75,382. This is significantly higher when compared to the City of Buffalo's median household income at $31,668. The table below provides a summary of housing characteristics in Census Tract 63.02 and the City of Buffalo, NY.

Table 8: City of Buffalo Housing Characteristics

Housing Characteristics				
Housing Characteristic	**Census Tract 63.02**	**Percent of Total (%)**	**City of Buffalo, NY**	**Percent of Total (%)**
Total Housing Units	1,322	100.0	133,538	100
Total Occupied Units	1,225	92.7	111,444	83.5
Renter Occupied Units	613	46.4	65,108	34.7
Owner-Occupied Units	612	46.3	46,336	48.8
Vacant Units	97	7.3	22,094	16.6
Median Value	$259,300	N/A	$67,800	N/A

Environmental Justice

Environmental Justice is defined by the U.S. Environmental Protection Agency as the "fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

Criteria established by the New York State Department of Environmental Conservation (NYSDEC) states an area as a potential Environmental Justice area if the population meets or exceeds at least one of the following statistical thresholds:

- At least 51.1% of the population in an urban area reported themselves to be members of minority groups; or
- At least 23.59% of the population in an urban or rural area had household incomes below the federal poverty level.

Employment

Based on the American Community Survey 2010-2014, the civilian employment base of the population 16 years and over is 1,762 residents, with the largest employment sector as 'management, business, science and arts occupations' accounting for 62.6% of the jobs within Census Tract 63.02.

Impacts

Based on racial and income characteristics described above, the Project is not located in an Environmental Justice Area.

The Project is geared toward residents of all ages and it is not anticipated to have any impact of the socioeconomic status of the area. The Project will not significantly alter racial characteristics.

Mitigation Measures and Thresholds

No adverse impacts are anticipated; therefore, no mitigations or thresholds are required.

2.8 Parking and Transportation

Current Status

The Site is adjacent to two streets: Elmwood and Forest Avenues. To assess the potential impacts from the construction and operation of the Project, the following study area was analyzed in a Traffic Impact Study ("TIS") included as **Appendix J**:

- Elmwood Avenue & Rockwell Road/Albright Knox Art Gallery – signalized
- Elmwood Avenue & Forest Avenue – signalized
- Elmwood Avenue & Panos Restaurant Access
- Elmwood Avenue & Bird Avenue – signalized
- Forest Avenue & Richmond Avenue – signalized
- Forest Avenue & Granger Place/Penhurst Park
- Forest Avenue & Lincoln Parkway

As noted above, the TIS was conducted before the Project was reduced in size from a proposed 57 condominium unit mixed–use building to one that will include a maximum of only 50 condominium units and is, therefore, conservative in this respect.

There are sidewalks along all of the streets in the area and crosswalks at most of the intersections. Excluding Elmwood Avenue north of the Site, bicycles share the roads along the entire area. Parking for the Site is currently for residential tenant usage. On-street parking currently provides 13 spaces along Elmwood and Forest Avenue. Traffic scenarios include Hotel Henry traffic projections, which is currently under construction on the H.H. Richardson Complex.

Current status and impacts to the intersections were analyzed using Syncro Version 9 traffic modeling software. This program is used to determine the Level of Service (LOS) for traffic traveling through intersections.

The LOS for both signalized and unsignalized intersections are defined in terms of control delay. Control delay is a measure of the total travel time lost and includes slowing delay, stopped delay, queue move-up time, and start-up lost time. LOS thresholds are defined as average delay in seconds per vehicles over a fifteen-minute analysis period and range from LOS A to F for both signalized and unsignalized intersections. LOS A represents operating conditions of freely flowing traffic with little or no delay. An overall intersection LOS D or better is generally considered acceptable at a signalized intersection. LOS is determined for the overall intersection and for all turning movements. An overall intersection LOS E or better is generally considered acceptable at an unsignalized intersection. The following table provides a summary of the LOS thresholds as defined in the Highway Capacity Manual.

Table 9: Intersection Level of Service Criteria

Level of Service (LOS)	Signalized Intersections	Unsignalized Intersections
	Delay (sec)	Delay (sec)
A	0-10	0-10
B	> 10-20	> 10-15
C	> 20-35	> 15-25
D	> 35-55	> 25-35
E	> 55-80	> 35-50
F	over 80	over 50

To determine the most significant impacts, the analysis was completed for the peak morning and evening hours, the times of the day with the most traffic, which at these intersections was determined to be from 7:00 AM to 9:00 AM for the AM Peak and 4:00 PM to 6:00 PM for the PM Peak. These traffic movement counts were collected on Tuesday, May 3rd, 2016.

All of the analyzed intersection approaches operate at a LOS C or better during both peak periods except for the eastbound approach of Forest Avenue at Elmwood Avenue which is a LOS E during the AM peak hour and a LOS D during the PM peak hour.

All of the intersections in the study area, including turning movements, operate at an acceptable LOS.

Impacts

No-Build Scenario

The Project is expected to be completely operational in 2017. Hotel Henry is expected to be operational at approximately the same time as the Project within the H.H. Richardson Complex. Hotel Henry is expected to have 88 guest rooms with dining and meeting space. Based on information provided by the GBNRTC, a compounded growth rate of 1.25% was applied to the existing traffic volumes to derive 2017 background volumes that account for any unknown development that may occur in the area in addition to the Hotel Henry.

The background traffic was added to the estimated trips generated by Hotel Henry to develop the future no-build condition volumes. The only anticipated increase in delay that results in a change in LOS due to the future no-build condition volumes is expected to occur during the PM peak hour eastbound on Rockwell Avenue at Elmwood Avenue from a LOS A to a LOS B (0.4 seconds of delay increase) and eastbound on Forest Avenue at Elmwood Avenue from a LOS D to a LOS E (12.6 seconds of delay increase). Again, the TIS conclusions are conservative in the sense that they address a Project that would contain 57 condominium units, rather than the maximum 50 unit mixed-use Project currently proposed.

Full Build of Project

With the originally anticipated full build out of the Project including 57 condominiums (vs the current Project proposal for up 50 units) and 7,500 square feet of retail space, AM and PM peak hour trip generation is estimated as follows:

Table 10: Traffic Generation AM/PM Peak Hour

AM Peak Hour		PM Peak Hour	
Entering	**Exiting**	**Entering**	**Exiting**
6	**27**	**61**	**58**

Comparison of the scenarios indicate no changes in LOS for any approaches to any study intersections during the AM peak hour. The vehicles exiting the proposed access points on Elmwood Avenue and

Forest Avenue are expected to have a LOS B with minimal delays on Elmwood and Forest Avenues. During the PM peak hour, the delays on the eastbound approach of Forest Avenue at Elmwood Avenue continue to increase resulting in a LOS F (15.8 second increase). There is also a 0.8 second increase in delay on the northbound approach of the center of Lincoln Parkway at Forest Avenue. This increase is minimal but occurs right at the threshold from a LOS B to LOS C, which is still considered acceptable. Similar to the AM peak hour, the proposed access points will experience LOS B.

Parking

The Project will include no fewer than a total of 140 off-street parking spaces, to be contained within two levels beneath the proposed building. The lower level (accessible from Forest Avenue) will be wholly below ground and contain approximately 90 spaces (the "Lower Parking Area"). The second level accessible from Elmwood Avenue) will be hidden behind a vegetated berm along its eastern boundary and contain approximately 50 parking spaces (the "Upper Parking Area"). The Lower Parking Area will contain approximately 50 spaces available for condominium owners and 40 parking spaces available for retail customers.

The minimum 140 parking spaces will exceed the requirement under Code § 511-96(A) of 1 per dwelling. The Project's combined total of 100 residential parking spaces will be at least twice the current City requirement. City Zoning Code § 511-96(B)("buildings other than dwellings") sets no minimum parking requirements for retail in the EB district. However, the Project will include 40 retail parking spaces.

Mitigation Measures and Thresholds

In order to mitigate the minor increase in delay at the intersection of Elmwood Avenue and Forest Avenue, the signal operations along Elmwood Avenue should be optimized with 100 second cycle lengths versus the current 80 second cycle lengths. This change reduces delays on Forest Avenue at Elmwood Avenue to acceptable levels, while not significantly impacting the operations of the other signals along Elmwood Avenue.

The mitigation via signal timing adjustments would ensure that all intersections and turning movements operate at acceptable LOS at the completion of the Project.

No additional mitigations are required.

If the final Site Plan exceeds thresholds analyzed in the TIS, an assessment of the additional incremental impact of the exceedances is required.

2.9 Air Quality

Current parking facilities at the Site include surface parking driveways and paved areas located in the rear of the existing structures. Being located in an urban context, the Site naturally is surrounded by vehicular movement and parking facilities associated with numerous other land uses including, among other things, Institutional and cultural entities within close proximity to the Site such as Buffalo State College and the H.H. Richardson Complex. Since these facilities generate many visitors, approximately 19 surface parking lots exist within 0.75 miles of the Site. These parking facilities are both high capacity and high turnover rate lots.

Impacts

The Project design includes two levels of parking for condominium and retail use. The parking areas will be subsurface and/or enclosed and include ventilation systems that will intake ambient air through louvers and direct emissions away from nearby structures and residences at Project roof level. The proposed parking for the Project will be very low capacity and low turnover as compared to surrounding facilities.

According to the Traffic Impact Study discussed previously, current traffic on Elmwood Avenue and Forest Avenue operates at a LOS E in the AM peak hour and a LOS D in the PM peak hour. Generally, current conditions of the roadways adjacent to the Project indicate the stalling of cars for approximately 35 to 80 seconds. Because of this, vehicle emissions are generated and released into the air at stop lights on located on Elmwood and Forest. Since construction of the Project will generate a minimal increase in generated trips during the peak AM and PM hour, the Project will not create a substantial impact on air quality.

Heating and cooling units for the new buildings may produce some air emissions, but any impacts will be below the threshold at which an Air Permit is required from the NYSDEC. However, an Air Registration will be completed with the NYSDEC if applicable.

Two garbage receptacle areas will be located within the proposed building, screened from view. These may produce minor air emissions; however, due to their interior location, any odor above ambient levels would not travel off-Site.

As discussed previously, the Project will substantially increase the amount of greenspace and vegetation on Site with the incorporation of outdoor greenspace in the final design, which will play a positive role in atmospheric purification and reduction in air pollutants in an urban environment.

Mitigation Measures and Thresholds

If the building heating and/or cooling units require air permitting, it will be obtained from the NYSDEC as required. No other impacts were identified and therefore, no additional mitigations or thresholds are required.

2.10 Shadow Study

Current Status

The buildings on Site, as previously discussed, are setback a significant distance from both Elmwood Avenue and Forest Avenue. These buildings stretch back and sit approximately 20-25 feet from rear property lines of adjacent parcels to the east. Situated in between the buildings on the Site and the homes that front Granger Place is a dividing screen of mature trees that run in the north-south direction. These trees are significantly taller than the surrounding homes and buildings creating a barrier between the Site and the properties to the east. The context of the trees is shown in **Figure 2-5 and Figure 2-5A**.

Impacts

The Project will not result in any significant adverse shadow impacts to surrounding properties. Implementation of the Project will result in a shift in building placement closer to Elmwood and Forest Avenue. Shadow study renderings were generated to show the impact of shadows cast by the proposed building footprint on neighboring streets and properties during the most extreme seasons of the year and time of day. For this assessment, evaluation of shadow impacts were simulated for both summer and winter months during both dawn and dusk, when the sun is at its lowest point in the sky throughout the day; therefore, shadow impacts are greatest. Worst-case shadow impact simulations for summer dusk; summer morning; winter dusk; and winter morning are included in DEIS **Appendix K**. As reflected in

those simulations, shadow impacts on adjoining properties will be minimal even under those worst-case conditions. For example, in the summer dusk scenario, shadows are shown to hit the backyards of the properties to the east; however, the mature trees line the rear of these properties and have large canopies that already produce this effect.

Additionally, implementation of the Project would create a positive effect on the adjacent properties due to the shift in building placement closer to Elmwood and Forest Avenue. This alleviates some of the current crowding that the existing buildings place on the neighboring properties as well as eliminate the shadow impact on the neighboring properties adjacent to the east of the Site by reducing shadows during winter months.

Mitigation Measures and Thresholds

No adverse impacts were identified; therefore, no mitigations or thresholds are required.

2.11 Public Services

Current Status

The Project is located within the City of Buffalo. Schools are provided by the Buffalo Public School District, which has a total enrollment of approximately 32,165.[xi] The City operates the school system as a City-wide system. There are also a number of public charter schools open to City residents and several private elementary and high schools near the Site. Located within one mile of the Site there are two public schools, including Public School 17 and Lafayette High School, and three private schools, including Buffalo Seminary, Nardin Academy and Canisius High School.

The State University of New York College at Buffalo State ("Buffalo State College") lies adjacent to the north of the Richardson Olmstead Complex. Buffalo State currently hosts a student population of 10,661, 1,176 of which are graduate students. Canisius College and Medaille College are also located about 1.5 miles east of the Project.

Emergency Services are provided by the City of Buffalo Police. The Project is located in the department's "D" District, with its primary station located at 669 Hertel Avenue. Additionally, Buffalo State College University Police Department is located northwest of the Project on the Buffalo State College Campus.

Fire protection for the Project is provided by the City of Buffalo Fire Department. Fire Station Engine 19 is located at 209 Forest Avenue, which is approximately 0.7 miles west of the Project.

The Project is located near to Soldier's Circle, which is part of the NRHP-listed Olmsted Parks and Parkways System. It is also proximate to Chapin Parkway, which connects to Delaware Park (both of which are part of the Olmsted Park System), one of the largest parks in the City. The Project is also proximate to Forest Lawn Cemetery, which is not a public park but is used by the public for walking, running and quiet visitation. Additionally, the Project lies adjacent to the Richardson Olmstead Complex, also known as Buffalo State Hospital. This facility was designated as a National Historic Landmark in 1986.[xii]

Impacts

It is not likely that the Buffalo Public School District will be impacted by this Project.

The Site is within the current service districts of the City of Buffalo Fire and Police Departments, and no adverse impacts are anticipated from the Project.

Based on the projected residential density the Project will not have a significant increase in the demand in use of local parks.

Mitigation Measures and Thresholds

No adverse impacts were identified; therefore, no mitigations or thresholds are required.

2.12 Construction

Current Status

All buildings on Site will be demolished. Based on the age of construction of the structures on site, it is likely that some of the buildings contain lead and/or asbestos.

Impacts

Demolition

The Site will be cleared for the Project. Following demolition, materials from the Site will be recycled if possible, and remaining materials will be disposed of in licensed landfills.

Construction

Vehicle Access

Project construction is estimated to last approximately 18 months. Large volumes of construction related vehicles are expected Monday through Friday during this time period. This traffic will include construction workers to and from the Site for labor and delivery of materials.

Noise and Air Quality

Exterior construction will occur only between 7:00 AM and 7:00 PM to reduce potential impacts to surrounding residents. To control noise and limit air impacts, all vehicle idling will be limited to no more than five minutes, as per NYSDEC requirements.

Dust

Construction for the Project will require an excavation of approximately 18,000 to 20,000 cubic yards to accommodate the planned underground parking area. No blasting will be required to construct the Project.

Dust from demolition and excavation will be a temporary nuisance/impact that can be minimized through best management practices (such as wetting demolition or dry soil areas and using standard erosion control methods) which will be utilized during construction.

Mitigation Measures and Thresholds

To minimize adverse impacts from Site clearance and construction to the extent practicable, the following mitigation measures will be implemented during demolition and construction.

Demolition

- Asbestos will be abated and disposed of in accordance with applicable requirements
- Appropriate demolition permits will be obtained from the City of Buffalo
- Dust control measures will be implemented
- Demolition will occur only during daytime hours
- The Project Sponsor will keep in contact with local community groups to provide them with demolition and construction updates

Construction

- A traffic and vehicle access plan will be prepared and used for worker and delivery access to the Site
- Exterior construction will occur only between 7:00 AM and 7:00 PM, and any deviations will be communicated to neighborhood residents in advance
- Erosion and sedimentation control methods will be employed to ensure that sediment does not leave the Site
- The Project Sponsor will continue contact with local groups throughout the construction proces

2.13 Solid Waste

Current Status

Solid waste generated at the site is estimated based on the U.S. Environmental Protection Agency average municipal solid waste generation per person. Current occupancy of the Site includes 27 units with 35 residents; therefore, waste generation is approximately 27 tons of waste per year or 2.25 tons per month.

Impacts

During the demolition and construction of the buildings, solid waste is expected to be generated; approximately four tons per month. Across a projected 14-16 month construction time frame, solid waste generation is expected to equal approximately 72 tons total. Materials will be recycled as appropriate and only that material which cannot be recycled will be disposed of at licensed landfills.

Prior to demolition, remaining interior fixtures, including lights, will be removed and recycled as appropriate. If hazardous materials are encountered, including light ballasts, they will be disposed of in accordance with all state and federal regulations. If any unanticipated remaining waste is encountered it will be handled in accordance with all applicable regulations.

It is estimated that the Site will generate about 1 ton of waste per month. Multi-family residential properties in the City of Buffalo are required to provide recycling in a convenient location. The Project Sponsor will provide for appropriate recycling and two waste disposal locations in the building.

Mitigation Measures and Thresholds

To mitigate potential impacts from the disposal of nearly 72 tons of debris during construction and approximately one ton of waste per month during operation, recycling will be used to the extent practicable to minimize the amount of debris and waste going to licensed landfills.

3.0 Alternatives Analysis

As required by 6 N.Y.C.R.R. § 617.9, alternatives to the Project "that are feasible, considering the objectives and capabilities of the project sponsor" will be evaluated; the specific alternatives that will be analyzed are:

- No Action;
- Reuse of existing residential structures at the Site;
- Design History of Site.

No Action

The No Action Alternative is considered in order to establish a baseline that will help assess both the benefits and impacts associated with feasible alternatives. Under the No-Action Alternative, the Site's buildings would not be demolished, and would remain in their current state. No additional greenspace would be added to the Site to lessen the impact of stormwater on current infrastructure and no enhancement of a pedestrian oriented streetscape would occur.

The No Action Alternative would reinforce the reality that the current structures do not conform to the existing Elmwood Village Design Standards, due to their significant setback from the street. The No-Action Alternative would not significantly alter the visual setting of the area. Additionally, no rejuvenation of the Elmwood Village as contemplated by the City Comp Plan would occur and significant opportunities and improvements to both the block and the entire Elmwood Village would be forgone.

The buildings on-site would not be demolished, no remediation of contaminated soils would occur, no additional greenspace would be added to the Site and no additional stormwater management and detention would occur. There would still be a minor increase in the amount of traffic associated with the Site, as detailed in the No-build Scenario of the Traffic Impact Study. Again, it should be noted that the TIS evaluated a Project that would contain 57 condominium units, rather than the maximum 50 unit mixed-use Project currently proposed.

The No-Action Alternative would not encourage the attraction and retention of empty nesters, retirees, young professionals and millennials into the City and the Elmwood Village and would not result in the increase to the Elmwood Village's goal of a sustained critical mass or increased customers and local spending in retail shops on Elmwood Avenue. Additionally, the No Action Alternative would sustain static property value with no opportunity to increase the property value of the Site, surrounding properties or the Elmwood Village.

The No Action Alternative would not address parking constraints that are currently present within the Elmwood Village. If no action was taken on the Site, the addition of out-of-sight underground and first floor parking garages with spaces that exceed the current City of Buffalo code requirements would not be realized.

Since this alternative would have adverse impacts without any offsetting positive impacts, it is not the preferred alternative.

Reuse of Existing Residential Structures at the Site

A potential alternative is the reuse of the existing structures on the Site without demolitions; however, the impacts of advancing this option are generally the same as the No Action Alternative. Since the reuse of existing structures would reinforce the missed opportunities to enhance and enrich the Elmwood Village and surrounding region, this is not the preferred alternative.

Design History of Site

Proposals for redevelopment of the Site have been presented to the City of Buffalo Planning Board on previous occasions which have consisted of larger proposed structures. For example, in 2011, the Site was proposed as an eight story hotel, restaurant and commercial space, as shown in Figure 1-4 and Figure 1-4A. This proposal was contested by certain members of the public due to its massing and use of outdoor surface parking adjacent to the residences east of the Site.

Since this time, Affinity has conducted numerous public outreach events to gain community input, which was used to inform final project design. *See* **Appendix B.** From project initiation to formal proposal, the Project has been significantly scaled down in order to respect community views, incorporate project components that complement historic architecture and shift the building footprint and massing away from residences to provide enhanced viewsheds of those properties that lie adjacent to the Site.

The Project has undergone significant changes in order to respect community values and provide a development that can be enjoyed by all residents of the City of Buffalo.

4.0 Cumulative Impacts

The Project is located in a developed, attractive and highly esteemed portion of the City of Buffalo. As part of the Elmwood Village, mixed land uses are a critical component of achieving better and more attractive places to live. This Project has the ability to enhance the vitality of the area by incorporating a mixed-use facility to support an existing commercial base.

This Project adds to the vitality of the Elmwood Village by replacing structures that fail to meet Village standards with a development which will provide increased safety and focus on the pedestrian. Since the Project will add up to a total of 7,500 square feet of commercial space and 50 condominium units, a critical mass in the Village will be enhanced, which will result in increased foot traffic on Elmwood Avenue and the surrounding area.

As reflected in **Appendix L** ("Elmwood Village Population Trend Data"), the Project will result in a mere 0.3% increase in current density in the census tracts containing the Elmwood Village (i.e. , Census Tracts 63.01, 63.02, 65.01, 65.02 (later 169), 66.01, 66.02, 67.01, 67.02). For purposes of a conservative cumulative impacts scenario, construction of ten comparable 50 unit condominium projects would result in a mere 3.9% increase in current density in this geographic area. These calculations include data adapted from National Historic Geographic System (https://nhgis.org/user-resources/data-availability), which uses Decennial Census and American Community Survey 5-year Estimates (2010-2014). In either case, these minor increases in density will be well below historical density levels, and are consistent with the goals of the City Comp Plan and Green Code to reverse population decline.

Future development of the area is expected and anticipated. This includes such projects as the planned Hotel Henry located on the H.H. Richardson Complex, and other mixed-use projects on Elmwood Avenue. These projects are expected to increase the traffic and density of the neighborhood. The prepared traffic analysis, which is included in this assessment has addressed future traffic concerns. It is concluded that nearby developments, in association with the proposed Project, do not create a significant adverse impact on the neighborhood or City of Buffalo.

5.0 Unavoidable Adverse Environmental Impacts

This section identifies unavoidable adverse impacts that may occur as a result of the implementation of the proposed Project. Unavoidable adverse environmental impacts associated with the proposed Project are the effects that exist after mitigation efforts have been implemented. The potential for these impacts are localized to the vicinity of the Project Area and generally are short term effects.

Construction

Short term construction impacts such as noise levels, air quality, parking and visual impacts are limited to the Project Site. The Project Sponsor plans to demolish the existing structures on Site by traditional methods. This requires a demolition permit from the City of Buffalo, an asbestos survey, removal of all glass windows, and surveys of surrounding properties and infrastructure. Dust control will also be utilized in order to minimize the impact to the surrounding area.

Vehicles will access the Site during construction, including delivery and worker vehicles.

Demolition and Construction impacts from the Project are unavoidable; however, these impacts are short term and mitigations will reduce impacts to the extent practicable.

Infrastructure

Current planning initiatives promote the construction of compact, walkable neighborhoods in order to diverge away from what is known as “sprawl”. The Project is set in a dense area of the City of Buffalo where infrastructure currently exists and contains excess capacity for additional development. Since infrastructure already exists, this Project reinforces efficient use and improvement of the City’s infrastructure. The Project improves the City’s infrastructure by lessening the burden of stormwater on the combined sewer system layout, due to the substantial increase in greenspace and rain garden implementation.

6.0 Irreversible and Irretrievable Commitment of Resources

This section identifies the unavoidable impacts that will irreversibly curtail the range of potential uses of the environment or result in the commitment of resources that are neither renewable nor recoverable. An irreversible commitment results in environmental changes that cannot, at a future date, be altered to restore the environment to its pre-construction state. Resources include not only the commitment of labor, fiscal resources and materials, but also natural and cultural resources committed as a result of Project construction, operation and maintenance.

Construction of the Project will result in the short- and long-term commitment of natural resources, including structural steel, gravel, concrete and wood. The long-term commitment of these resources will limit their availability for other projects. However, the amount of materials required will comprise a very small percentage of the U.S. and world production of these materials. Some of the materials, including steel, may be reclaimed and recycled at the end of the Project's life. Therefore, although there will be an irretrievable commitment of some natural resources, this will not a significant impact on the availability of these materials.

The construction, operation and maintenance of the Project will require the irreversible commitment of human and fiscal resources to design, build, operate and maintain the facilities. Human resources will also be committed by governments during the planning, environmental reviews and permitting associated with the Project. The commitment of human resources will not strain local resources.

Project construction, operation and maintenance will require the irretrievable commitment of energy resources, including those derived from petroleum products. Energy will also be committed to the manufacture and transport of materials to construct the Project. Fuel will be consumed by workers commuting to the Site during construction and operation, as well as by construction equipment. Additionally, energy and fuel will be used by the Project and its occupants during the life of the Project. Although this will be an irretrievable commitment of resources it will not be a significant amount and will not impact the local energy supply.

7.0 Growth Inducing Aspects of the Proposed Project

Growth-inducing aspects are direct or indirect economic impacts from construction projects. Direct or indirect economic impacts from projects can remove growth impairments such as establishment of essential public services, new access to an area of construction or construction of additional housing in the surrounding area.

The proposed Project includes 50 condominium units. Assuming that each unit has 2.25 residents (the citywide average[xiii]), even if each resident were new to the area, this would increase the City population by only up to 112.5 people. The City of Buffalo has adequate infrastructure to support new residents without a burden to existing services. In addition, the City's Comprehensive Plan[xiv] advocates and anticipates population growth as part of the revitalization of the City of Buffalo.

The Project has the ability to increase density and foot traffic as is warranted in the Elmwood Village. The Project speaks to the recent revitalization that has been taking place within the City. Increased investment such as this will create spin-off development that will overall raise property values and increase the quality of life for the City of Buffalo residents.

Options for housing are needed in the City of Buffalo. This Project introduces a space where a variety of people are able to live, including young professionals, retirees, empty-nesters or aging residents. This mix of people contributes to the need for housing options to accommodate the recent trend of population attraction to the city core. Facilitating the "back to the city trend" by use of this Project will in turn be beneficial for the entire City due to the increased opportunity for retention of newcomers into the City.

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[i] http://www.buffalowater.org/Quality/WaterQualityReports/20152016WaterQualityReport, accessed May 31, 2016
[ii] http://bsacsoimprovements.org/about-bsa/bird-island-wastewater-treatment-plant-wwtp/, accessed June 13, 2016
[iii] http://bsacsoimprovements.org/wp-content/uploads/2014/03/BSA-LTCP-Section-8-2014.pdf, accessed June 13, 2016
[iv] https://www.ci.buffalo.ny.us/files/1_2_1/mayor/cob_comprehensive_plan/section_2459212234.html, accessed June 13, 2016
[v] http://www.richardsonolmsted.com/files/documents/planning_and_reports/ROC_Final_GEIS_Feb_2011_reduced.pdf, accessed June 14, 2016
[vi] https://www.forest-lawn.com/about/history, accessed June 14, 2016
[vii] http://www.buffaloah.com/surveys/elmwdEAST/sec1.pdf, accessed June 14, 2016
[viii] http://www.buffaloah.com/surveys/elmwdEAST/sec1.pdf, accessed June 14, 2016
[ix] Elmwood Village Design and Development Design Guidelines, accessed June 1, 2016
[x] http://ecode360.com/12323039?#12323039
[xi] http://data.nysed.gov/profile.php?instid=800000052968, accessed May 31, 2016
[xii] http://www.richardson-olmsted.com/learn/history/, accessed May 31, 2016
[xiii] http://quickfacts.census.gov/qfd/states/36/3611000.html accessed June 2, 2016
[xiv] https://www.ci.buffalo.ny.us/files/1_2_1/mayor/cob_comprehensive_plan/index.html last accessed June 13, 2016