

**APPENDIX B:
COMMENTS RECEIVED ON DGEIS**

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 9
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August 1, 2019

Mr. Jason Paananen, AICP
Director of Environmental Affairs
City of Buffalo Office of Strategic Planning
Room 901 City Hall
65 Niagara Square
Buffalo, New York 14202

Dear Mr. Paananen:

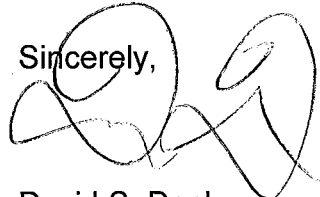
**Women's and Children's Hospital of Buffalo
Draft Generic Environmental Impact Statement
Mixed-Use Development Project
Women & Children's Hospital Reuse
City of Buffalo, Erie County**

This office has reviewed the Draft Generic Environmental Impact Statement (DGEIS) for the proposed Women's and Children's Hospital reuse project.

This DGEIS was well done and appears to adequately cover possible environmental issues or impacts that were identified in our SEQR Lead Agency response letter dated March 21, 2018.

Thank you for the opportunity to review this proposal. If you have any questions, please don't hesitate to contact Ms. Lynne Judd or me at 716/851-7165.

Sincerely,



David S. Denk
Regional Permit Administrator

MFP



Department of
Environmental
Conservation



CITY OF BUFFALO
City Planning Board



BYRON W. BROWN
Mayor

BRENDAN MEHAFFY, ESQ.
Executive Director

August 6, 2019

Elmwood Crossing, LLC
295 Main Street, Suite 210
Buffalo, New York 14203

Re: Elmwood Crossing DGEIS, Buffalo, NY

After review of the Draft Environmental Impact Statement (DEIS) prepared for 1111 Elmwood Avenue, the Planning Board offers the following comments and questions regarding the proposed action.

General Comments

1. Consider including "Executive Summary" in DGEIS.
2. Documents in Appendix E are labelled as Appendix L on page headers. Revise accordingly.
3. Include location map of exterior concepts in Appendix K.

Section 1.0 Comments

1. Revise Section 1.0 to reflect Project Description, Project Neighborhood, Purpose & Need, Project History, SEQRA and incorporate Section 2.0 Community Vision and Context into Project Neighborhood section.
2. Section 1.1 "Project Description" (Page 1) needs further information including project addresses, total square footage and units of proposed project uses.
3. Include "Project History" as new subsection with subheading starting at second paragraph on Page 1.
4. Include section on "Purpose and Need" for the project.
5. Section 1.1 (Page 2), remove last paragraph as not relevant to the project.
6. Section 1.1 (Page 3), first paragraph, first sentence. Add "*The two companies formed a joint entity, Elmwood Crossing LLC, the "Applicant" or "Project Sponsor" for this development.*" before the

first sentence. Replace “*The joined talents of Sinatra & Company and Ellicott Development Company*” with “*Project Sponsor*”.

7. Section 1.1 (Page 3), second paragraph, first sentence change to “*The Project Sponsor (or Applicant) announced the Project’s purpose is to:*” or replace with robust Purpose & Need section.
8. Section 1.1 (Page 3), remove “*The overall project plan has remained in line with earliest conceptions, where the project is primarily residential in nature, with amenities that will benefit the community at-large*”.
9. Section 1.2 (Page 6) first sentence references Section 1.2.3. Should this be changed to Section 1.4.3? Also, the last sentence references Section 1.1 when it appears it should be Section 1.4. Please correct as necessary.
10. Section 1.4.1 (Page 7) first sentence, remove “*the New York State Department of Environmental Conservation*” and replace with “*SEQRA*”.
11. Section 1.4.3 (Page 9), “Step 1” first paragraph has incorrect spelling of “Application” in sentence referencing Appendix G. Remove last sentence and subsequent Exhibits.
12. Section 1.4.3 (Page 9), “Step 2” should include what Type I Thresholds were met for this classification.
13. Section 1.4.3 (Page 10), “Step 4” last paragraph remove “*Draft Generic Environmental Impact Statement*”.
14. Section 1.4.4 (Page 12) should include reference to 451 Elmwood Avenue negative declaration and Part 3 FEAF when citing segmentation.
15. Section 1.4.4 (Page 12), third to last sentence needs to be rephrased.
16. Section 1.4.5 (Page 14), second to last paragraph remove “*Draft Generic Environmental Impact Statement*”.
17. Section 1.5 (Page 15) format Table 1.5 header.
18. Section 1.6 (Page 15) revise construction start date.

Section 2.0 Comments

Section 2.0 – Elmwood Crossing: Community Vision & Context (Page 9)

Move Section 2.0 to Section 1.0 and include the following changes noted below:

1. Section 2.0 (Page 16) provide correct neighborhood in opening paragraph.

2. Section 2.0 (Page 16) explain how the second paragraph relates to the DGEIS.
3. Section 2.0 (Page 17) provide more information on how the Project fits in with the existing neighborhood and expressed community values.
4. Section 2.0 (Page 18), text in Figure 2.0 graphic needs to be enlarged.
5. Provide brief sentence on reason Component No. 1 – 451 Elmwood Avenue is included in this environmental review (Page 18).
6. Total number of hotel units needs to be included at the end of the section (Page 20).
7. Include Subheading “*Environmental Setting, Impacts, Mitigation and Thresholds*” prior to Section 2.1.

Section 2.1 – Land Use & Zoning (Page 20)

1. First paragraph cites the buildings on the hospital campus as being used for hospital uses for 120 years. As not all the buildings that made up the hospital campus up until 2017 were used for hospital uses throughout their history, revise accordingly. Also include what uses predated parking lots on site.
2. Include more detailed information about adjoining land uses.
3. Land Use Plan website link is invalid and needs to be updated (Page 21). Include Land Use Plan of the project area as figure or within Appendix.
4. Move language starting at second paragraph of 2.1.1.1 (Pages 21-22) to new “*Impacts*” section which will need to be included in Section 2.1. Include additional information on project’s impacts on land use and zoning.
5. Section 2.1.1.2 (Page 23) needs “*Impacts*” section and expanded “*Mitigation & Thresholds*”.
6. Appendix L - Zoning Map referenced in Section 2.1.1.2 should be of the project area, not the entire Niagara District. Include updated map in Appendix L.

Section 2.2 – Utilities & Energy Use (Page 15)

1. Documentation of existing drainage/ combined sewer systems including dimensions/capacity of lines in study area. Include preliminary drainage study documenting potential flows into the City’s systems and the demand on the system the project may incur.
2. Section 2.2.2 (Page 24), second paragraph states the Project Sponsor has confirmed with the Buffalo Water Authority (BWA) that adequate water supply is available to serve the project, then refers to correspondence from the Buffalo Sewer Authority in Appendix O. Provide

documentation from the BWA that adequate supply is available to serve the project and include potential demands generated by the proposed project on water.

3. Section 2.2.2 (Page 25), fifth paragraph should include types of stormwater infrastructure that may be used on site to address run-off concerns. Also include square footage of increased greenspace (pervious surface).
4. Section 2.2.3.1 (Page 25), include actual project impacts to utilities/energy based on per use square footage.

Section 2.3 – Visual & Aesthetic Resources (Page 25)

1. Page 26 states Massing Diagrams are available in “Appendix O”. This appendix contains email correspondence from the Buffalo Sewer Authority. Revise to reference correct appendix.
2. Include map key to Figure 2.3(a) on Page 26. It appears that Table 2.3(a) was supposed to be the map key however they are not numbered in this table accordingly.
3. Table 2.3(b) on Page 31 lists “*Traditional Residential Style*” as a building material. Provide correct materials used.
4. Last paragraph on Page 31 states “*On major intersections within a range of less than 700 linear feet to the former Woman and Children’s Hospital of Buffalo campus, larger structures with use types that include mid-rise multifamily, religious and health care facilities exist.*” Provide clarification on this statement.
5. Section 2.3.1.2 (Page 32), last sentence states “See generally Appendix F”. Provide further description or rephrase sentence. The documents in Appendix F are also labelled as “Appendix M”. Revise accordingly.
6. Section 2.3.2 (Page 34) states “*Because the Project does not introduce significant visual changes, the Project’s introduced changes do not result in adverse impacts to the visual or aesthetic characteristics of the surrounding community.*” Please elaborate with further information/analysis as to why the proposed project does or does not introduce significant visual changes in the surrounding community as it relates to the proposed four-story mixed use building on West Utica Street that will replace the one-story building and parking lot. Include shadow study
7. Include “*Thresholds*” section.

Section 2.4 – Socioeconomic (Page 34)

1. Provide source of data used in Section 2.4.1 (Page 34).
2. Section 2.4.2 (page 35) states the project will result in a projected population increase of 480 persons. Provide documentation on how this projection was calculated and provide citation of

documents in Appendix that explain methodology. Section 2.7.2 (Page 37) also states that there will be an increase of 603 persons. Revise population estimate accordingly.

Section 2.5 – Air Quality (Page 35)

1. The use of solar panels is briefly discussed in Section 2.5.2. This could perhaps be also included in Section 2.2 and in a section regarding climate change that is required per the 2019 SEQRA rule change.
2. Describe which LEED program certification project will achieve on Page 35.
3. Include “*Thresholds*” section.

Section 2.6 – Public Health (Page 36)

1. How will potential exposure to environmental contaminants be managed during demolition/construction?
2. Reference Part 375 Soil Clean-up Objectives in Section 2.6.3.
3. Include “*Thresholds*” section header above last sentence and include further information.

Section 2.7 – Public Services (Page 36)

1. Section 2.7.2 (Page 37) states that it will be an increase of 603 persons while Section 2.4.2 states an increase of 480 persons. Revise or state reason for difference accordingly.
2. Deferring analysis conflicts with the purpose of identifying any required mitigation and thresholds. Provide further information on what mitigation may be required and what thresholds would require further analysis.

Section 2.8 – Construction Impacts (Page 38)

1. Provide information on what dust control measures will be utilized under Section 2.8.3.1 (Page 39).
2. Provide what hours construction will occur.
3. Section 2.8.3 (Page 39), second paragraph seems out of place in regards to mitigation and thresholds discussion. Revise or provide explanation for inclusion.

Section 2.9 – Historic, Archeological & Cultural Resources (Page 40)

1. Provide images or map of contributing resources.

2. Section 2.9.2 (Page 41), first paragraph, provide what adverse impacts may occur on the interior of the buildings. Also provide or reference map of other buildings that may be impacted.
3. Section 2.9.2 (Page 42), last paragraph should reference that the site is not located in an archeological sensitive area per SHPO's CRIS.
4. Section 2.9.3 (Page 42), last paragraph should include statement that Project Sponsor will coordinate with SHPO if any archeological resources are encountered during construction.

Section 2.10 – Transportation, Parking & Access (Page 42)

1. Include statement indicating whether a growth factor was applied to future background traffic volumes to address any unknown projects occurring in the immediate project area.
2. Include “*Thresholds*” section under Section 2.10.1.3.1 (Page 47).
3. Change Section 2.10.3 to “*Pedestrian Access*”.
4. Sections 2.10.3 and 2.10.3.2 should also reference Appendix C – Greenspace and Connectivity Plan.

Section 3.0 – Sponsor Alternatives to Proposed Elmwood Crossing (Page 50)

1. Remove reference to financial resources on last sentence of Page 50.
2. Provide analysis of how alternatives would meet the Project's Purpose and Need.
3. Section 3.2 (Page 51), second paragraph states that “*A the lack of commercial use would limit the availability of shared amenities with a hotel user and may reduce the number of those amenities available to residents*”. Revise sentence as a hotel user would not be permitted under a residential only use alternative.
4. Section 3.2 (Page 51), second paragraph references an exhibit for Alternative 1 but does not indicate the location of the exhibit. Include proper reference location. Site Appendix X - Traffic Study in the third paragraph.
5. Section 3.3 (Page 51), second paragraph references an exhibit for Alternative 2 but does not indicate the location of the exhibit. Include proper reference location. Site Appendix X - Traffic Study in the third paragraph (Page 52).

Section 4.0 – Cumulative Impacts (Page 53)

1. Include explanation for not including approved project at 169 West Utica Street in analysis. This project consists of a four (4) story residential building (101,700 square feet) consisting of 54 condominiums and 108 parking spaces.

2. Discuss vitality of proposed project on surrounding neighborhood.
3. Discuss increase in population generated by the proposed project and how that achieves the goals/objectives of the Comprehensive Plan and Green Code.

Section 7.0 – Growth Inducing Impacts of the Project (Page 56)

1. States up to 300 residential units will be created while Section 2.0 (Page 20) states up to 267 residential units will be created. Revise accordingly or provide explanation of discrepancy of total units.
2. Include citation on average of 2.25 residents per unit.
3. Include information on the impacts of the proposed project on property values.

If you have any questions concerning these comments please contact me at 716-851-5029.

Sincerely,

Nadine Marrero, AICP
Director of Planning & Zoning

Cc: Amy M. Nagy, Bond, Sinatra & Company Real Estate
Andrew C. Reilly, PE, AICP, Wendel