

State Environmental Quality Review

Draft Generic Environmental Impact Statement

For the

Victor Comprehensive Plan

Town of Victor, Ontario County, New York

Lead Agency: Town of Victor Town Board
85 East Main Street
Victor, New York 14564
Contact: Katie Evans, Town of Victor Director of Development
Phone: 585-742-5040

Project Sponsor: Town of Victor
85 East Main Street
Victor, New York 14564

Prepared By: LaBella Associates, D.P.C.
Town of Victor Town Engineer
300 State Street, Suite 201
Rochester, New York 14614
Contact: Mark W. Tayrien, JD, AICP
Phone: 585-454-6110

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**DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT
(DGEIS)**

Victor Comprehensive Plan

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COMMONLY USED ACRONYMS AND ABBREVIATIONS

AADT – Annual Average Daily Traffic

ADA – Americans With Disabilities Act

ALIS – Accident Location Information System

AML – Agriculture and Markets Law

dBA – A-weighted decibels

BOCES - Wayne-Finger Lakes Board of Cooperative Educational Services

CATS – County Area Transit System

CBD - Central Business District

CCMR - Cornell Center for Material Research

CEER - Center for Environmental and Energy Research at Alfred University

CFA - Consolidated Funding Application process

CR – County Road

DEC – New York State Department of Environmental Conservation

DDI – Diverging Diamond Interchange

DNL – Day-Night Sound Level

DOL - New York State Department of Labor

DPW – Department of Public Works

DOT – New York State Department of Transportation

EB – Eastbound

ED – Economic Development and Economic Development Department

ESDC – Empire State Development Corporation

FLCC – Finger Lakes Community College

FLRDC – Finger Lakes Regional Development Corporation

GBD - Gateway Business District

COMMONLY USED ACRONYMS AND ABBREVIATIONS (continued)

GTC – Genesee Transportation Council

IDA – Industrial Development Agency

ITE – Institute of Traffic Engineers

ITS – Intelligent Transportation Systems

LDC – Local Development Corporation

LEED – Leadership in Energy & Environmental Design

LEED NC – LEED for New Construction

LEED ND – LEED for Neighborhood Development

LESA - Land Evaluation and Site Assessment

LID – Low Impact Development

LDC – Local Development Corporation

LDD – Victor Limited Development District

MCWA – Monroe County Water Authority

MD – Multiple Dwelling

MDD – Multiple-Dwelling District (a Victor Planned Zoning District)

MEMS – Micro-Electro-Mechanical Systems / Infotonics Technology Center

MHI - Median Household Income

MSA – Metropolitan Statistical Area

NB – Northbound

NCRS – Natural Resources Conservation Service

NRI – Natural Resource Inventory

NYS – New York State

NYS DEC or NYSDEC– New York State Department of Environmental Conservation

NYS DOL or NYSDOL – New York State Department of Labor

NYS DOT or NYSDOT– New York State Department of Transportation

COMMONLY USED ACRONYMS AND ABBREVIATIONS (continued)

NYSERDA – New York State Energy Research and Development Authority

NYSTA – New York State Thruway Authority

OCEDC - Ontario County Economic Development Corporation

OCIDA - Ontario County Industrial Development Agency

OCOED - Ontario County Office of Economic Development

PDD – Planned Development District (a Victor Planned Zoning District)

PDR – Purchase of Development Rights

REDC - Regional Economic Development Councils

RGRTA – Rochester-Genesee Regional Transportation Authority

RTOC – Rochester Traffic Operations Center

RTS – Regional Transit Service

SB – Southbound

S-C – Senior Citizen Housing District (a Victor Planned Zoning District)

SEQR – State Environmental Quality Review

SEQRA – State Environmental Quality Review Act

SWCD – Soil and Water Conservation District

TIP – Transportation Improvement Plan

TDM – Travel Demand Management

TDR – Transfer of Development Rights

TSM – Travel Systems Management

UPWP – Unified Planning Work Program

USDA – United States Department of Agriculture

V/C – Volume to Capacity Ratio

VLDC - Victor Local Development Corporation

WB - Westbound

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INTRODUCTION

The Action

The action that is the focus of this State Environmental Quality Review (hereinafter, “SEQR”) Environmental Impact Statement (hereinafter, “EIS”) is three-fold: 1) the Town of Victor’s proposed adoption of an update to the Town of Victor Comprehensive Plan (hereinafter, “the Comprehensive Plan”); 2) the Town’s proposed adoption of the Victor Agricultural & Farmland Protection Plan (hereinafter, “the Agricultural Plan”) which is presented within the Comprehensive Plan document (the Comprehensive Plan and Agricultural Plan together, hereinafter “the Plans”); and, 3) the Town’s proposed undertaking of a subset of the implementation activities called for in the Plans, namely all those accorded the highest priority and consequently recommended for implementation in Phase 1 (hereinafter, “Phase 1”).¹

Regulatory Background

Planning, Policy Making and Adoption of Rules, Regulations and Procedures. Although the action summarized above does not include, as referenced in the SEQR Regulations² (hereinafter, “the Regulations”) any “projects or physical activities, such as construction or other activities that might affect the environment by changing the use, appearance or condition of any natural resource or structure”³, adoption of the Plans does represent “planning and policy making activities that may affect the environment and commit the agency to a definite course of future decisions” and the Phase 1 implementation activities would include the adoption of “rules,

¹ Chapter 9 of the proposed Comprehensive Plan allocates each of the proposed strategies or implementation activities recommended throughout the Plans to one of four different phases. Strategies or implementation activities assigned to Phase 1 are accorded the highest priority and recommended in the Plans to be undertaken first, followed by those in phases 2, 3 and 4. This review includes implementation activities assigned to Phase 1, but not those assigned to subsequent phases. This exclusion is discussed below on page 4 of this document.

² The State Environmental Quality Review (SEQR) Regulations promulgated by the New York State Department of Environmental Conservation (6 NYCRR Part 617 State Environmental Quality Review).

³ Section 617.2(b) of the Regulations.

regulations and procedures, including local laws, codes, ordinances, executive orders and resolutions that may affect the environment”.⁴

SEQR Classification, Lead Agency and Coordination. The Regulations classify the adoption of a municipality’s land use plan such as this as a Type I action⁵, requiring preparation of a Full Environmental Assessment Form (hereinafter, “EAF”)⁶, establishment of a SEQR Lead Agency and a coordinated review. In this instance, the Town of Victor Town Board is the only agency undertaking adoption of the Plans and Phase 1 implementation activities.⁷ The Regulations provide that when only a single agency is involved, that agency will be the Lead Agency.⁸ Similarly, the requirements to conduct a coordinated review only apply when more than one agency is involved.⁹ Accordingly, this DGEIS has been prepared with the understanding that the Town of Victor Town Board is established as Lead Agency pursuant to the Regulations and that the requirements for a coordinated review are inapplicable.

Generic EIS. This statement has been prepared in the form of a Generic Environmental Impact Statement (hereinafter, “Generic EIS” or “GEIS”) pursuant to Section 617.10 of the Regulations. The purpose of a GEIS is to deal in a broad or conceptual way with a number of related or similar actions, or with a single extended action, where there is such uncertainty about specific impacts that a conventional EIS would be impractical. In this instance, it is the included Phase 1

⁴ *Ibid.*

⁵ Section 617.4(b)(1) of the Regulations.

⁶ A completed Full EAF is appended to this document in Appendix 1.

⁷ Although Village of Victor representatives participated in development of the Plans and references to activities to potentially be undertaken by the Village Board of Trustees remain in the Plans, the Village has twice affirmed that while it is supportive of the Plans, that it will not consider formal adoption of the Plans or the undertaking of any of the strategies recommended for implementation. Although adoption of the Plans and implementation activities will also require preceding referrals to the Ontario County Planning Board, the County Planning Board’s response is advisory and does not represent a direct undertaking, funding or approval that would require the County Planning Board to first comply with SEQR.

⁸ Section 617.6(b)(1) of the Regulations.

⁹ Section 617(b)(3) of the Regulations.

implementation activities that are considered related actions or, alternatively, to be part of a single extended action.¹⁰

The Regulations specifically authorize preparation of an EIS in the form of a “generic” document¹¹ and give four specific examples¹² in which a generic EIS may be used to assess environmental impacts:

- “a number of separate actions in a given geographic area which, if considered singly, may have minor impacts, but if considered together may have significant impacts”; or
- “a sequence of actions, contemplated by a single agency or individual”; or
- “separate actions having generic or common impacts”; or
- “an entire program or plan having wide application or restricting the range of future alternative policies or projects, including new or significant changes to existing land use plans, development plans, zoning regulations . . .”.

Regarding the content and specificity of generic EISs, the Regulations (Section 617.10) also provide that generic EISs “may be broader, and more general than site or project specific EISs and should discuss the logic and rationale for the choices advanced” and that they “may be based on conceptual information in some cases”.

The most important procedural distinction between a conventional and a generic EIS is the potential for a GEIS to be followed by one or more supplemental EISs. The need for further review of a subsequently proposed action following the conclusion of a generic review is determined by compliance with the conditions and thresholds found in the generic EIS or findings statement. Where a subsequent proposed action will be carried out in conformance with the conditions and thresholds established in the generic EIS or its findings statement, no further SEQR compliance is required. Alternatively, where a subsequent proposed action is later found to have not been adequately addressed in the generic EIS, the SEQR regulations set forth two possibilities:

¹⁰ An alternative approach, which would likely not have required preparation of a *Generic* EIS, would have been to develop a statement that addressed only adoption of the Plans and left the environmental review of all implementation activities, including Phase 1, to be completed separately in the future.

¹¹ Section 617.2 of the Regulations.

¹² Section 617.10 of the Regulations.

- A negative declaration must be prepared if the subsequent action will not result in any significant environmental impacts; or,
- A supplement to the final generic EIS must be prepared if the subsequent action may have one or more significant adverse environmental impacts.

Draft Generic EIS. As described in the Regulations, an EIS is intended to provide a means for agencies, sponsors and the public to systematically consider significant adverse environmental impacts, alternatives and mitigation. The Regulations state that an EIS also facilitates the weighing of social, economic and environmental factors early in the planning and decision-making process. Development of an EIS begins with preparation of a draft EIS (DEIS) by the project sponsor or lead agency that is then circulated for review and comment. Accordingly, this document is presented as a *draft* GEIS (“DGEIS”), published in compliance with the requirement that impact statements first be made available in draft form for public review and comment prior to finalization. This DGEIS is intended to provide a means for the Victor Town Board, agencies, and the public to systematically consider the significant adverse environmental impacts, alternatives and mitigation measures associated with the adoption of the Plans and with the Phase 1 implementation activities in a manner that complies with the foregoing and other SEQR requirements.

Exclusion of Phase 2, 3 and 4 Implementation Activities. The implementation activities considered in this review include only the nineteen strategies prioritized for implementation in Phase 1. Implementation of the remaining fifty-four strategies prioritized for implementation in Phases 2, 3 and 4 will require separate review under SEQR at some time in the future. Pursuant to the Regulations¹³, segmented reviews such as this are justified in the following circumstances: when information on future project phases is too speculative; when future phases may not occur; or, when future phases are functionally independent of current phases. In this instance, the implementation activities called for in the strategies prioritized for action in Phases 2, 3 and 4 satisfy all three criteria. Information regarding these future implementation activities as well as the context within which they would be undertaken remains speculative. It is also true that, while the Plan recommends their implementation, whether or not they will, in fact, be implemented “as is” in future phases, or even whether they will be implemented at all remains somewhat uncertain. Finally, although strategies such as those called for in the plan

¹³ Section 617.3(g) of the Regulations.

always exhibit some degree of interdependence in that they are intended to help realize the same vision, the criteria relied upon to prioritize assign strategies to Phases 1, 2, 3 or 4 attempted to account for interdependencies such that all those that depend heavily upon one another have been assigned to a common phase. The strategies assigned to Phases 2, 3 and 4 do not, therefore, have a heavy functional dependence upon Plan adoption and Phase 1 implementation activities.

EAF, Determination of Significance and Potential Adverse Impacts of Significance. On June 22, 2015 the Lead Agency made a determination of significance relative to whether the Action included the potential for one or more significant adverse impacts to the environment. In Part 3 of the EAF underlying this determination, the Lead Agency, following a review of the goals¹⁴ identified in the Plans, noted¹⁵ that:

Given, the strong environmental focus of the foregoing goals and that the underlying intent of the plans and the included proposed strategies are to benefit, rather than adversely impact, the environment it is not surprising that no adverse impacts of any magnitude are anticipated for most of the resources enumerated in the EAF Part 2. In fact, for many only positive impacts are anticipated to result from plan adoption and implementation . . . Many of the anticipated positive impacts result from the strong anti-sprawl, smart growth, natural resource conservation, green infrastructure conservation, agricultural protection, open space and rural character preservation initiatives included in the plans.

In general, of all the resource areas enumerated in Part 2 of the EAF, an initial screening identified only four where adoption of the plans and/or implementation of Phase 1 prioritized strategies might conceivably have an adverse impact:

- 11. Impact on Open Space and Recreation;
- 13. Impact on Transportation;
- 17. Consistency with Community Plans; and,
- 18. Consistency with Community Character.

¹⁴ See the listing of goals presented below in Section 3 of this document, entitled “Need and Benefit”.

¹⁵ See Appendix 1, EAF Part 3 Attachment, Page 6.

The Lead Agency's EAF Part 3 included a listing of each of the eighteen resource areas included in the EAF Part 3 along with the proposed strategies that might have a positive environmental impact as well as those that might lead to an adverse impact.¹⁶

The Lead Agency's EAF Part 3 went on to evaluate each of the potential adverse impacts identified in EAF Part 2¹⁷ and found that only three were of sufficient magnitude and significance as to require preparation of an EIS¹⁸:

- Open Space and Recreation – This impact concerns the potential for the proposed substitution of a “subjective”, discretionary open space set-aside requirements in place of the uniform, mandatory requirements now applicable to all development projects¹⁹ to result in a reduction in the amount of open space set-aside should the Planning Board not use their discretion wisely. It should be noted that the proposed Plans do identify this risk and also indicate the need for balance and caution in implementing this particular recommended strategy.
- Transportation – This impact concerns the potential for the multiple, strong, anti-sprawl, smart growth, open space and rural character preservation initiatives²⁰ included in the Plans to exacerbate the present situation in which traffic within the Route 96 corridor is frequently congested, particularly through the Village.

¹⁶ See Appendix 1, EAF Part 3 Attachment, Pages 9 through 29.

¹⁷ See Appendix 1, EAF Part 2.

¹⁸ See Appendix 1, EAF Part 3 Attachment, Pages 6 through 9.

¹⁹ Chapter 4, Strategy 3, a Phase 1 priority strategy, calls for the following: *Replace present requirements for set-aside of a fixed percentage of open space with requirements providing the discretion to require open space appropriate to the site and the setting. Amend the zoning code to better define open space and include specific language describing desirable open space characteristics.*

²⁰ A full listing of plan initiatives believed to have some potential to impact traffic negatively is provided in Appendix 1, EAF Part 3 Attachment on Pages 23 through 25 under the heading “**13. Transportation**”. Among those are found the following three Phase 1 Priority strategies. **Chapter 4, Strategy 6:** *Adopt a program allowing for effective movement of development rights from areas where open space would be preferred to those where additional density would be appropriate. Require approvals increasing a parcel's maximum development density to be accompanied by an offsetting transaction reducing density within another area of town where open space would be preferred.* **Chapter 5, Strategy 10:** *Allow for a greater density and diversity of housing around the village and in specific hamlet areas.* **Chapter 8, Strategy 2:** *Authorization of Mixed Use Development and Neighborhood Scale Commercial Development.*

- Consistency with Community Character – This impact concerns the potential for the anti-sprawl, smart growth, open space and rural character preservation initiatives²¹ included in the Plans to impact the character of existing, established neighborhoods. The EAF summarized the basic concern as follows: The initiatives anticipate relocating development that would otherwise take place in the outer, more rural regions of the town and concentrating it instead within, or at least nearer to, the Route 96 corridor and adjacent established neighborhoods. The plan also includes numerous references to accompanying density increases, either as part of an incentive zoning program that would relocate development units or outright, as part of initiatives to foster more mixed-use development and increased density within hamlet areas. Will these initiatives lead to approval of infill development near existing residences that will fundamentally change the character of an established neighborhood? Even where there is no infill within an existing neighborhood, how will the initiatives change the nature of what might be approved for development on vacant land near such a neighborhood and how will that affect the character of the neighborhood? In response to these questions, the plan includes a number of criteria to guide decision-making relative to the movement of development units, the award or approval of density-increases, and the potential for infill development. While the plans attempt to provide safeguards and as much guidance as possible, it is also true that some questions will remain unanswered until implementation is underway.

²¹ A full listing of plan initiatives believed to have some potential to impact community character negatively is provided Appendix 1, EAF Part 3 Attachment on Pages 28 through 29 under the heading “**18. Community Character**”. These correspond very closely to the initiatives identified as also having the potential to impact traffic. Among those are found the following three Phase 1 Priority strategies. **Chapter 4, Strategy 6:** *Adopt a program allowing for effective movement of development rights from areas where open space would be preferred to those where additional density would be appropriate. Require approvals increasing a parcel’s maximum development density to be accompanied by an offsetting transaction reducing density within another area of town where open space would be preferred.* **Chapter 5, Strategy 10:** *Allow for a greater density and diversity of housing around the village and in specific hamlet areas.* **Chapter 8, Strategy 2:** *Authorization of Mixed Use Development and Neighborhood Scale Commercial Development.*

This Document.

This document represents a Draft Generic Environmental Impact Statement prepared on behalf of the Town of Victor Town Board, as SEQR Lead Agency, pursuant to the Environmental Conservation Law of New York and in compliance with the implementing State Environmental Quality Review regulations adopted and codified in 6NYCRR Part 617. In summary, this Environmental Impact Statement concerns: 1) the Town of Victor's proposed adoption of an update to the Town of Victor Comprehensive Plan; 2) the Town's proposed adoption of the Victor Agricultural & Farmland Protection Plan which is presented within the Comprehensive Plan; and, 3) the Town's proposed undertaking of a implementation activities called for in the Plan that the Plans recommended for implementation in Phase 1. The purpose of this Environmental Impact Statement is to provide a means for the Town of Victor Town Board, agencies and the public to systematically consider the significant adverse environmental impacts, alternatives and mitigation measures associated with the proposed adoption of these plans and undertaking of Phase 1 implementation activities. The purpose of first distributing this Environmental Impact Statement in draft form is to provide opportunity for public review and comment prior to completion of the Final Environmental Impact Statement.

Content and Organization of this Document.

Section 1.0 which immediately follows these introductory paragraphs provides an Executive Summary of the DEIS. Section 2.0 then provides a detailed description of the project. Section 3.0 reviews the project's purpose, need and benefits. The next following two sections describe the environmental settings (Section 4.0) and the potential impacts and mitigating measures (Section 5.0). The organizational framework of the two sections mirror one another. In other words, just as Subsection 4.1 describes the existing conditions and setting relevant to Open Space, it is the corresponding Subsection 5.1 that describes any associated impacts or mitigation related to Open Space. Sections 6.0 through 11.0 review a number of general topics, including impacts that are unavoidable, the irreversible commitment of resources, cumulative impacts, growth inducement and others. Section 12.0, the final section, presents a description and evaluation of alternatives to the proposed action. Section 12.0 is followed by an appendix which includes several relevant documents presenting additional detailed information.

1. EXECUTIVE SUMMARY

The Comprehensive Plan proposed for adoption is presented in a document entitled “Draft Comprehensive Plan, Town of Victor, January 22, 2015”. The Plan addresses the following general topics:

- Community Profile and Vision (Chapter 1);
- Natural and Cultural Resources (Chapter 2);
- Agriculture Protection (Chapter 3);
- Growth Management and Community Character (Chapter 4);
- Community Development (Chapter 5);
- Economic Development (Chapter 6);
- Transportation (Chapter 7);
- Future Land Use (Chapter 8); and,
- Implementation Plan (Chapter 9).

The Agricultural & Farmland Protection Plan proposed for adoption is presented primarily in Chapter 3 of the Draft Comprehensive Plan, but also includes related content presented in the Chapters 2, 4, 5, 6 and 8 of the Comprehensive Plan.

The Plans include a vision statement from which are developed a number of goals. From these goals the Plans identify seventy-three strategies recommended for implementation in Chapters 2 through 8 of the Plans. Nineteen of these strategies are recommended for implementation in Phase 1. The remaining fifty-four are recommended for adoption in subsequent phases.

As indicated in the Introduction, the action that is the focus of this SEQR DGEIS includes: 1) the Town of Victor’s proposed adoption of an update to the Town of Victor Comprehensive Plan; 2) the Town’s proposed adoption of the Victor Agricultural & Farmland Protection Plan which is presented within the Comprehensive Plan document; and, 3) the Town’s proposed undertaking of a subset of the implementation activities called for in the Plans, namely all those accorded the highest priority and consequently recommended for implementation in Phase 1.

Descriptions of the vision statement, goals and strategies can all be found in Section 2 of this document. As this is a generic environmental review, Section 2 also describes the thresholds and conditions applicable to the review of the strategies recommended for adoption in Phase 1.

In general, a review of the underlying goals and strategies identified in the plans will confirm that they have been developed with an intent to benefit, rather than adversely impact, the environment.

Section 3 describes the value placed by Victor residents on the community's beauty, natural resources, agricultural heritage, rural character, small town atmosphere, friendly neighbors, community parks and trails, and school system as well as the increasing residential and commercial development pressures that sometimes threaten these assets. The section also describes how rapid development threatens Victor's infrastructure, including the Transportation system, and how traffic congestion within the Route 96 corridor has become a "quality-of-life" issue for residents. The benefits sought to be realized by adoption of the Plans and the recommended Phase 1 implementation activities are realization of the vision statement described in Section 2 as well as accomplishment of the multiple goals identified throughout the Plans. These, as well as the subsidiary strategies recommended for implementation, are all described in Section 2. Most relate to efforts to preserve natural resources, agriculture, community character, open space, rural character and other important aspects of the community in the face of development pressures. Others focus on consequences driven by rapid growth and development, such as traffic congestion.

Section 4 summarizes the environmental setting, particularly three aspects of the setting determined in the SEQR EAF to be subject to potential adverse impacts: open space, community (more specifically, neighborhood) character, and transportation (more specifically, traffic congestion within the Route 96 corridor).

Section 5 reviews the three impact areas already identified in the Introduction:

1. The risk that substituting a discretionary requirement in which the Planning Board determines the need for and extent of open space set-asides when reviewing development proposals to replace the uniform mandatory system of requirements now in place will lead to future set-asides that are reduced in both quantity and quality;
2. The risk that anti-sprawl and open space preservation initiatives that would seek to redistribute future development so that more takes place within the core areas near the Route 96 corridor and less takes place within the more open, more rural, outer reaches of the community will exacerbate the traffic congestion already such a concern within the Route 96 corridor; and,

3. The risk that these same anti-sprawl and open space preservation initiatives that would seek to redistribute future development so that more takes place within the core areas near the Route 96 corridor and less takes place within the more rural, outer reaches of the community will lead to approval of infill and higher density development either within, or near, existing established neighborhoods in a manner that will diminish the character of those neighborhoods.

Section 5 concludes that the first and third risks identified above are unavoidable, but very small and call mostly for caution and for the development of adequate guidelines to be relied upon both in determining open space set-aside requirements and in approving future development within the core areas of the community. With respect to the second potential impact identified above, the section concludes that, while the potential increase in congestion is difficult to quantify, that it is also unavoidable if the other benefits sought by the Plans are to be realized. Section 6 formally identifies each of these as unavoidable impacts.

Sections 7 through 11 address other potential impacts. Section 7 states that the action would not involve any irreversible or irretrievable commitment of resources. Section 8 indicates that the action does not involve any cumulative impacts. Section 9 concludes that, while the Plans and strategies may seek to manage growth, the action would not have any growth *inducing* impacts. Section 10 states that while the Plans and strategies might support reduced energy consumption and improved energy efficiency, the action would not increase energy utilization. Section 11 clarifies that the action would have no adverse solid waste impacts.

Regarding alternatives, Section 12 indicates that, with respect to each of the three potential impacts identified, no reasonable alternatives were identified that would avoid or reduce the potential adverse impact nor were any measures to modify the proposed action identified that would further mitigate or reduce the impact. As indicated in Section 12, the recommended strategies are believed to be the minimum necessary to accomplish the intended goals and no alternatives were identified that would accomplish the same goals without bringing comparable potential for identical or similar, incidental and unintended impacts. The section concludes that the only alternatives available to avoid or reduce these potential impacts would be deleting the involved strategies from the Plan and foregoing their implementation – basically, a variant of the No Action alternative.

Section 13 includes three figures referenced elsewhere in the DGEIS.

2. DESCRIPTION OF THE PROPOSED ACTION

2.1 The Plans

The Comprehensive Plan proposed for adoption is presented in a document entitled “Draft Comprehensive Plan, Town of Victor, January 22, 2015”. The Plan addresses the following general topics:

- Community Profile and Vision (Chapter 1);
- Natural and Cultural Resources (Chapter 2);
- Agriculture Protection (Chapter 3);
- Growth Management and Community Character (Chapter 4);
- Community Development (Chapter 5);
- Economic Development (Chapter 6);
- Transportation (Chapter 7);
- Future Land Use (Chapter 8); and,
- Implementation Plan (Chapter 9).

The Agricultural & Farmland Protection Plan (hereinafter, “the Agricultural Plan”) proposed for adoption is presented primarily in Chapter 3 of the Draft Comprehensive Plan, entitled “Agricultural Protection”, but also includes related content presented in the following chapters of the Comprehensive Plan: Chapter 2 (“Natural Resources”), Chapter 4 (“Growth Management and Community Character”, Chapter 5 (“Community Development”), Chapter 6 (“Economic Development”), and Chapter 8 (“Future Land Use Plan”).

The heart of the Comprehensive Plan and the Agricultural Plan consist in their vision statement, identification of goals, and description of strategies, seventy-three in total, that are recommended for implementation in Chapters 2 through 8 of the Plans. The overall Vision Statement and as well as the thirty-five goals identified in the Plans are presented below in the following section entitled “Need and Benefit”.²² In general, a review of the underlying goals identified in the Plans confirms that both plans as well as the strategies recommended for implementation were developed with an intent to benefit, rather than adversely impact, the environment.

²² See Section 3, entitled “Need and Benefit”, on page 26.

2.2 Phase 1 Implementation Activities

The implementation activities considered in this environmental review include only the nineteen strategies prioritized for implementation in Phase 1²³, namely:

- Chapter 2, Strategy 2. Amend site plan, subdivision and planned zoning district review standards and criteria to strengthen review and mitigation related to green infrastructure.
- Chapter 2, Strategy 3. Establish a formal Green Infrastructure Planning and Review Process.
- Chapter 2, Strategy 4. Lead by Example: Train municipal staff in environmental stewardship, conservation, and care for sensitive resources.
- Chapter 2, Strategy 9. Develop an inventory of cultural resources to identify priority historical, architectural, archaeological and other cultural resources for preservation; Incorporate code provisions ensuring that development proposals affecting these resources are required to be compatible with preservation of their quality and integrity.
- Chapter 3, Strategy 4. Enhance Planning Board review of impacts to farms in general.
- Chapter 3, Strategy 8. Adopt a policy of purchasing development rights (PDR) on priority parcels.
- Chapter 4, Strategy 1. Create a water and sewer infrastructure plan before approving extension of those services through other parts of the town. Include conservation measures intended to reduce the impact of development on new and existing infrastructure. Develop policies and plans for maintenance of stormwater infrastructure, including detention ponds.
- Chapter 4, Strategy 2. Institute a growth management program.
- Chapter 4, Strategy 3. Replace present requirements for set-aside of a fixed percentage of open space with requirements providing the discretion to require open space appropriate to the site and the setting. Amend the zoning code to better define open space and include specific language describing desirable open space characteristics.
- Chapter 4, Strategy 6. Adopt a program allowing for effective movement of development rights from areas where open space would be preferred to those where additional density would be appropriate. Require approvals increasing a parcel's maximum

²³ Implementation of the remaining fifty-four strategies prioritized for implementation in Phases 2, 3 and 4 will require separate review under SEQR.

development density to be accompanied by an offsetting transaction reducing density within another area of town where open space would be preferred.

- Chapter 5, Strategy 2. Create a pedestrian/bike plan for the town and village to link subdivisions, particularly cul-de-sacs, as well as connect people to activity centers and recreational ways.
- Chapter 5, Strategy 10. Allow for a greater density and diversity of housing around the village and in specific hamlet areas.
- Chapter 5, Strategy 17. Develop and Maintain Community Development Plans.
- Chapter 6, Strategy 7: Streamline re/development application process.
- Chapter 7, Strategy 6. Implement the recommendations of the Victor Traffic Task Force and identify alternative funding streams required for implementation of prioritized projects.
- Chapter 7, Strategy 11. Support Victor Hiking Trails, Inc, the Walkable Communities Committee, and the Genesee Transportation Council in their efforts to develop plans and to implement projects that will interconnect existing sidewalks and trails to provide a more complete and integrated sidewalk and trail transportation network.
- Chapter 8, Strategy 1. Implementation of the Future Land Use Plan.
- Chapter 8, Strategy 2. Authorization of Mixed Use Development and Neighborhood Scale Commercial Development.
- Chapter 8, Strategy 3. Amendment of the current process for approval of Multiple Dwelling residential developments.

2.3 Complete Listing of All Goals and Strategies Proposed in the Plans

A complete listing of all of the goals and related strategies identified in the Plans (including those strategies proposed for implementation in Phases 2, 3 and 4), follows:

Natural and Cultural Resource Goals and Strategies

Foster a regional, landscape-scale approach to the protection and conservation of natural resources and Agricultural Rural Land. (Natural & Cultural Resources Goal A).

Respect and protect the natural topography. (Natural & Cultural Resources Goal B).

Preserve or restore hubs and links across the landscape that anchor and connect green infrastructure networks and provide an origin or destination for wildlife and ecological processes moving to or through the network. (Natural Resources Goal C).

Integrate a green infrastructure conservation and planning approach into Victor's long term planning and development review process. (Natural & Cultural Resources Goal D).

- Ch. 2 Strategy 1: Add sustainable design and siting standards to the zoning, subdivision and planned zoning district rules
- Ch. 2 Strategy 2. Amend site plan, subdivision and planned zoning district review standards and criteria to strengthen review and mitigation related to green infrastructure.
- Ch. 2 Strategy 3. Establish a formal Green Infrastructure Planning and Review Process
- Ch. 2 Strategy 4. Lead by Example: Train municipal staff in environmental stewardship, conservation, and care for sensitive resources.

Provide an interconnected network of green space that conserves natural ecosystem values and functions and provides associated benefits to human populations. (Natural & Cultural Resources Goal E).

- Ch. 2 Strategy 5. Provide incentives in the form of density bonuses to protect and enhance green infrastructure.

Protect water quality of surface and groundwater: Protect/enhance streams and stream corridors, wetlands, floodplains, aquifers; and, Prevent erosion and sedimentation. (Natural & Cultural Resources Goal F).

- Ch. 2 Strategy 6. Establish stream corridor standards to protect green infrastructure links within the community.

Protect ecosystem functioning and biodiversity: Protect, enhance and restore plant and animal habitats, including woodlands and forests; Protect riparian and aquatic ecosystems, native vegetation; and, Protect/enhance critical natural areas. (Natural & Cultural Resources Goal G).

- Ch. 2 Strategy 7. Encourage the protection of existing and the replanting of new trees throughout the town and village
- Ch. 2 Strategy 8. Encourage use of native plants and removal of invasive species in all landscape projects

Preserve important cultural resources and improve the basis now available for initiatives and informed decision-making relative to preservation of historic buildings, structures, objects and sites. (Natural & Cultural Resources Goal H).

- Ch. 2 Strategy 9. Develop an inventory of cultural resources to identify priority historical, architectural, archaeological and other cultural resources for preservation; Incorporate

code provisions ensuring that development proposals affecting these resources are required to be compatible with preservation of their quality and integrity.

Agricultural Protection Goals and Strategies

Protect and enhance agricultural lands and other working landscapes as vital components of our green infrastructure and community character. (Agricultural Protection Goal A).

- Ch. 3 Strategy 1. Keep Agriculture Visible to the Public.
- Ch. 3 Strategy 2. Promote educational programs about farming practices.
- Ch. 3 Strategy 3. Incorporate state requirements related to review and notification for development occurring within the certified New York State Agricultural District.
- Ch. 3 Strategy 4. Enhance Planning Board review of impacts to farms in general.
- Ch.3 Strategy 5. Promote landowner participation in NYS Agricultural Assessment programs.
- Ch. 3 Strategy 6. Establish an Agricultural Advisory Committee.
- Ch. 3 Strategy 7. Enact an updated Right to Farm Law
- Ch. 3 Strategy 8. Adopt a policy of purchasing development rights (PDR) on priority parcels.

Growth Management and Community Character Goals and Strategies

Monitor and manage growth including its impacts on key systems such as sanitary sewer and stormwater infrastructure. (Growth Management and Community Character Goal A).

- Ch. 4 Strategy 1. Create a water and sewer infrastructure plan before approving extension of those services through other parts of the town. Include conservation measures intended to reduce the impact of development on new and existing infrastructure. Develop policies and plans for maintenance of stormwater infrastructure, including detention ponds.
- Ch. 4 Strategy 2. Institute a growth management program.

Ensure that all elements of Victor's community character valued by residents are preserved. (Growth Management and Community Character B).

Adopt a conservation-based approach that addresses the ecological and social impacts of sprawl and the accelerated consumption and fragmentation of agricultural and open land. (Growth Management and Community Character C).

Foster a regional, landscape-scale approach to open space preservation that takes into account how open space on any particular parcel contributes to the open space needs of the town as a whole. (Growth Management and Community Character D).

- Ch. 4 Strategy 3. Replace present requirements for set-aside of a fixed percentage of open space with requirements providing the discretion to require open space appropriate to the site and the setting. Amend the zoning code to better define open space and include specific language describing desirable open space characteristics.
- Ch. 4 Strategy 4. Amend existing PDD regulations to include acreage, open space and siting standards.
- Ch. 4 Strategy 5. Unify the use and density zoning districts.
- Ch. 4 Strategy 6. Adopt a program allowing for effective movement of development rights from areas where open space would be preferred to those where additional density would be appropriate. Require approvals increasing a parcel's maximum development density to be accompanied by an offsetting transaction reducing density within another area of town where open space would be preferred.

Community Development Goals and Strategies

Promote pedestrian walkability, bicycling and non-automotive transportation within neighborhoods. (Community Development Goal A).

- Ch. 5 Strategy 1. Require sidewalks and bicycle/shared lanes in non-rural developments.
- Ch. 5 Strategy 2. Create a pedestrian/bike plan for the town and village to link subdivisions, particularly cul-de-sacs, as well as connect people to activity centers and recreational ways.
- Ch. 5 Strategy 3. Reduce cul-de-sacs and promote connectivity.

Promote development that has low impact on the environment and that maintains the character of the community. (Community Development Goal B).

- Ch. 5 Strategy 4. Revise subdivision regulations to require that new housing developments be designed to have low impact on the environment.
- Ch. 5 Strategy 5. Require all developments be designed using conservation subdivision principles.
- Ch. 5 Strategy 6. Develop policies and a plan to guide commercial development.

Preserve existing trees and provide for new trees in new and existing developments. Protect other natural features including habitat, waterways and topography. (Community Development Goal C).

- Ch. 5 Strategy 7. Implement building envelope rules for construction sites.

Protect the night sky and reduce light trespass. Preserve the rural quiet from unnecessary noise intrusion. (Community Development Goal D).

- Ch. 5 Strategy 8. Enact and maintain Dark Sky Standards for lighting in developments across the town.
- Ch. 5 Strategy 9. Investigate measures to reduce the impact of noise on residential areas.

Provide housing for residents of various socio-economic backgrounds and life stages. (Community Development Goal E).

- Ch. 5 Strategy 10. Allow for a greater density and diversity of housing around the village and in specific hamlet areas.
- Ch. 5 Strategy 11. Craft zoning language and incentives that increase the availability of rentals.
- Ch. 5 Strategy 12. Develop zoning that offers a significant incentive for the creation of workforce housing.
- Ch. 5 Strategy 13. Change zoning to allow accessory units.
- Ch. 5 Strategy 14. As underutilized downtown sites are developed, encourage mixed-use buildings that provide housing appropriate for intergenerational residents with a variety of income levels.

Encourage the use of rating systems that promote and encourage greener housing and development practices, such as the LEED for Neighborhood Development Rating System, Energy Star and SITES, among others. (Community Development Goal F).

- Ch. 5 Strategy 15. Devise standards for new roads to ensure they are compatible with Victor's green infrastructure as well as community character and pedestrian needs.
- Ch. 5 Strategy 16. Encourage the use of alternative energy for homes and businesses.

Provide a basis for informed decision making and investment by developing and maintaining plans related to community development. (Community Development Goal G).

- Ch. 5 Strategy 17. Develop and Maintain Community Development Plans.

Economic Development Goals and Strategies

Facilitate the retention and expansion of local businesses and industry. (Economic Development Goal A).

- Ch. 6 Strategy 1: promote partnerships with Local Economic Development and business support organizations to expand and strengthen outreach efforts to existing businesses.
- Ch. 6 Strategy 2: Develop a marketing and communications program to increase awareness of existing business retention and expansion services
- Ch. 6 Strategy 3: Market Victor for Business Attraction

Diversify the Town by attracting new businesses and industry. (Economic Development Goal B).

- Ch. 6 Strategy 4: Conduct a business incubator feasibility study.
- Ch. 6 Strategy 5: Promote existing vacancies and developable land for commercial use with a concentration on high tech and professional firms
- Ch. 6 Strategy 6: Identify and attract “target” high tech and professional businesses

Make the Development Process Business Friendly. (Economic Development Goal C).

- Ch. 6 Strategy 7: Streamline re/development application process

Expand efforts to attract and retain young professionals (ages 24-40). (Economic Development Goal D).

- Ch. 6 Strategy 8: Expand efforts to attract and retain young professionals to Victor

Continue revitalization and beautification of the Village and Hamlet Business Districts. (Economic Development Goal E).

- Ch. 6 Strategy 9: Continue district design program for the Village Business District to encourage appropriate improvements, maintenance and new development.
- Ch. 6 Strategy 10: Encourage residential units above retail in the Village Business District.
- Ch. 6 Strategy 11: Façade improvement program.
- Ch. 6 Strategy 12: Continue to prioritize pedestrians, not Parking.

Promote amenities in commercial districts. (Economic Development Goal F).

- Ch. 6 Strategy 13: Promote landscaping projects in commercial areas.
- Ch. 6 Strategy 14: Pursue public arts opportunities throughout the commercial centers

Promote tourism in Victor. (Economic Development Goal G).

- Ch. 6 Strategy 15. Promote agri-tourism, eco-tourism and niche farming opportunities as a means of enhancing the economic vitality of agriculture in Victor.
- Ch. 6 Strategy 16. Reinforce Victor as a Tourism Destination

Engage municipal employees to understand economic development. (Economic Development Goal H).

- Ch. 6 Strategy 17: Provide training on Economic Development for municipal employees and boards.

Transportation Goals and Strategies

Provide a highway and roadway network that allows for the safe and efficient movement of people and goods within and through the Town. (Transportation Goal A).

- Ch. 7 Strategy 1. Continue Preventative Maintenance Program
- Ch. 7 Strategy 2. Monitor Deficient Bridges and Intersections.
- Ch. 7 Strategy 3. Install speed limit signs along Phillips Road between NYS Route 251 and CR 42 where none now exist.
- Ch. 7 Strategy 4. Implement Transportation Systems Management Program.
- Ch. 7 Strategy 5. Consider the advisability of implementing the four (4) Alternate Scenarios for improving the deficiencies/needs identified in the transportation network.

Analyze the transportation improvements available to support the safe, reliable, timely, and efficient movement of people and goods in the Town and Village of Victor. Understand what future development will likely mean for transportation and traffic in Victor. Identify opportunities and determine what can be done to eliminate or moderate traffic and traffic congestion in Victor. (Transportation Goal B).

- Ch. 7 Strategy 6. Implement the recommendations of the Victor Traffic Task Force and identify alternative funding streams required for implementation of prioritized projects.

Ensure that future development is cohesive with the functional classification of the existing roadways adjoining the development. Cohesiveness means that the roadways are compatible with the adjacent land use and provide the proper function. (Transportation Goal C).

- Ch. 7 Strategy 7. Amend zoning regulations to ensure that permitted uses within each zoning district is cohesive with the highways and roadways that adjoin, serve and provide access to properties within each district.

Reduce usage of and reliance on private motor vehicle transportation. (Transportation Goal D).

- Ch. 7 Strategy 8. Implement Transportation Demand Management Strategies
- Ch. 7 Strategy 9. Encourage CATS to implement the recommendations in the CATS Route Analysis and Service Improvement Plan.
- Ch. 7 Strategy 10. Amend sections of the Town's land use regulations to support and facilitate improved transportation and land use connections, more sustainable forms of transportation, and more efficient use of motor-vehicle and public transit. Encourage the Village to do so as well.
- Ch. 7 Strategy 11. Support Victor Hiking Trails, Inc, the Walkable Communities Committee, and the Genesee Transportation Council in their efforts to develop plans and to implement projects that will interconnect existing sidewalks and trails to provide a more complete and integrated sidewalk and trail transportation network.

Future Land Use Goals and Strategies

Provide a blueprint of future land use patterns: a general pattern for the location, distribution and character of the future land uses within the Town of Victor. (Future Land Use Goal A).

Guide development over a long period of time: work together with other elements of the comprehensive plan to provide for the Town of Victor's long range growth and promote public health, safety and general welfare by providing efficiency and economy in the process of growth. (Future Land Use Goal B).

Propose a system of future land uses including maximum development densities; Indicate the particular types of uses the Town expects and desires to see in future development taking into account existing infrastructure as well as the agricultural protection, natural resource, cultural resource, growth management, open space, neighborhood development, economic development, transportation and other recommendations included in this Comprehensive Plan. (Future Land Use Goal C).

- Ch. 8 Strategy 1. Implementation of the Future Land Use Plan
- Ch. 8 Strategy 2. Authorization of Mixed Use Development and Neighborhood Scale Commercial Development
- Ch. 8 Strategy 3. Amendment of the current process for approval of Multiple Dwelling residential developments.
- Ch. 8 Strategy 4. Separate Classification of Institutional Uses.
- Ch. 8 Strategy 5. Update Zoning Code Relying Upon Zoning Audit

2.4 Conditions and Thresholds Established Relative to Phase 1 Implementation Activities.

This DGEIS has established thresholds and conditions relative to the following Phase 1 Implementation Activities:

- Chapter 2, Strategy 2. Amend site plan, subdivision and planned zoning district review standards and criteria to strengthen review and mitigation related to green infrastructure.
 - o The Plans, on pages 2.21 through 2.24 identify a specific series of twelve amendments to be undertaken. These are the thresholds taken into account in the environmental review of the implementation of this strategy.
- Chapter 2, Strategy 3. Establish a formal Green Infrastructure Planning and Review Process.
 - o The Plans, on pages 2.24 through 2.27 describe a number of policies and processes to be included within the proposed Green Infrastructure Planning and Review Process. In addition, a more detailed summary of the envisioned process is included in Plan Appendix IX. These are the thresholds taken into account in the environmental review of the implementation of this strategy.
- Chapter 3, Strategy 4. Enhance Planning Board review of impacts to farms in general.
 - o The Plans, on pages 3.23 through 3.24 include a specific list of issues to be incorporated within the enhanced review. These are the thresholds taken into account in the environmental review of the implementation of this strategy.
- Chapter 3, Strategy 8. Adopt a policy of purchasing development rights (PDR) on priority parcels.
 - o The Plans, on pages 3.30 through 3.31 have identified specific principles to be incorporated within the proposed PDR plan. These are the thresholds taken into account in the environmental review of the implementation of this strategy.
- Chapter 4, Strategy 3. Replace present requirements for set-aside of a fixed percentage of open space with requirements providing the discretion to require open space appropriate to the site and the setting. Amend the zoning code to better define open space and include specific language describing desirable open space characteristics.
 - o The Plans, on pages 4-21 through 4-24 provide a number of objectives, definitions and standards for inclusion in the recommended program. These are

the thresholds taken into account in the environmental review of the implementation of this strategy.

- Chapter 4, Strategy 6. Adopt a program allowing for effective movement of development rights from areas where open space would be preferred to those where additional density would be appropriate. Require approvals increasing a parcel's maximum development density to be accompanied by an offsetting transaction reducing density within another area of town where open space would be preferred.
 - o The Plans, on pages 4-26 through 4-29 provide a number of objectives, public benefits, methods, aspects to be evaluated during implementation, drafting guidelines and criteria regarding selection of a site as appropriate for utilization of a density bonus. These are the thresholds taken into account in the environmental review of the implementation of this strategy.
- Chapter 5, Strategy 17. Develop and Maintain Community Development Plans.
 - o The Plans, on page 5.33 list a number of specific plans to be developed and/or updated. These are the thresholds taken into account in the environmental review of the implementation of this strategy.
- Chapter 6, Strategy 7: Streamline re/development application process.
 - o The Plans, on page 6.24 list a number of specific requirements to be included in a streamlined process. In addition, the policies and processes to be included pursuant to Chapter 2, Strategy 3 (see Chapter 2, pages 2.24 through 2.27) will necessarily have to be incorporated within the streamlined process (this strategy and Chapter 2, Strategy 3 are interdependent). These are the thresholds taken into account in the environmental review of the implementation of this strategy.
- Chapter 7, Strategy 6. Implement the recommendations of the Victor Traffic Task Force and identify alternative funding streams required for implementation of prioritized projects.
 - o The report from the Victor Traffic Task Force included a number of guiding priorities, considerations and costs to be taken into account in implementation. These are the conditions and thresholds taken into account in the environmental review of the implementation of this strategy.
- Chapter 8, Strategy 1. Implementation of the Future Land Use Plan.
 - o Chapter 8 of the Plans includes maps on pages 8.15 and 8.16 depicting specific modifications to district boundaries, use classifications and maximum density

limitations. These are the thresholds taken into account in the environmental review of the implementation of this strategy.

- Chapter 8, Strategy 2. Authorization of Mixed Use Development and Neighborhood Scale Commercial Development.
 - o The Plans, on pages 8.17 through 8.19, include significant detail regarding objectives, methods, provisions and requirements to be included in the proposed authorization. These are the thresholds taken into account in the environmental review of the implementation of this strategy.
- Chapter 8, Strategy 3. Amendment of the current process for approval of Multiple Dwelling residential developments.
 - o The Plans, on pages 8.19 through 8.22, include significant detail regarding objectives, methods, provisions and requirements to be included in the proposed amended process. These are the thresholds taken into account in the environmental review of the implementation of this strategy.

No specific conditions or thresholds are established in the Plans or in this DGEIS relative to the following Phase 1 Implementation Activities. For purposes of determining the need for further review subsequently, the following Phase 1 Implementation Activities have been reviewed only as they are described in the Plans with no additional assumptions or limitations:

- Chapter 2, Strategy 4. Lead by Example: Train municipal staff in environmental stewardship, conservation, and care for sensitive resources.
- Chapter 2, Strategy 9. Develop an inventory of cultural resources to identify priority historical, architectural, archaeological and other cultural resources for preservation; Incorporate code provisions ensuring that development proposals affecting these resources are required to be compatible with preservation of their quality and integrity.
- Chapter 4, Strategy 1. Create a water and sewer infrastructure plan before approving extension of those services through other parts of the town. Include conservation measures intended to reduce the impact of development on new and existing infrastructure. Develop policies and plans for maintenance of stormwater infrastructure, including detention ponds.
- Chapter 4, Strategy 2. Institute a growth management program.

- Chapter 5, Strategy 2. Create a pedestrian/bike plan for the town and village to link subdivisions, particularly cul-de-sacs, as well as connect people to activity centers and recreational ways.
- Chapter 5, Strategy 10. Allow for a greater density and diversity of housing around the village and in specific hamlet areas.
- Chapter 7, Strategy 11. Support Victor Hiking Trails, Inc, the Walkable Communities Committee, and the Genesee Transportation Council in their efforts to develop plans and to implement projects that will interconnect existing sidewalks and trails to provide a more complete and integrated sidewalk and trail transportation network.

3. NEED AND BENEFIT

3.1 Need

As described in summary in the section that follows and in more detail within the Plans proposed for adoption, Victor residents value the community for its beauty, natural resources, agricultural heritage, rural character, small town atmosphere, friendly neighbors, community parks and trails, and school system. However, unlike many small communities in New York State, Victor has been facing increasing residential and commercial development pressure as residents and businesses move to the community²⁴. This pressure as well as the resulting impacts to the character of the community were already primary concerns for Town residents in the early 1990s and were referenced in the Town's 1995 Comprehensive Plan that these Plans propose to update.

Fortunately, despite the recent surge in development, Victor retains significant natural resources that are widely distributed²⁵, including streams and open water, wetlands, floodplains, forested areas, unique land forms, steep slopes, trails and open spaces. Concern regarding progressive loss of these resources in the face of development pressure was one of several concerns leading to the effort to develop a Comprehensive Plan update. Similar need was recognized regarding preservation of Victor's agricultural legacy, rural character and abundant historic or cultural resources. Rapid development has also threatened and, in some instances, overwhelmed Victor's infrastructure, including the Transportation system, in particular. Traffic congestion within the Route 96 corridor has become commonplace and a major "quality-of-life" issue for residents. Although the Plans address many other aspects of the community, including economic development, the foregoing are among the greatest needs facing Victor.

²⁴ As described in the Plans, from 1980 to 2010, Victor's population grew by 147% when including the Village and by 239% when excluding the Village.

²⁵ See the overview provided in Chapter 1 of the Plans, the additional detail provided in Chapter 2 and, for the most detail, the 2014 Natural Resource Inventory appended to the Plans in Appendix XI.

3.2 Benefit

In general, the Plans and the recommended implementation activities have been proposed to realize and benefit from the following vision statement²⁶:

- Together, the Town of Victor and the Village of Victor will preserve and enhance the community's high quality of life, economic vitality, natural and historic resources.
- Town policies will promote a small town atmosphere. The walkable Village core will serve as a central focus supporting Victor's cohesive, affordable and healthy network of neighborhoods including the hamlet of Fishers.
- We will protect and enhance our extensive natural resources and their supporting landscapes, which weave throughout the town and village. At the same time, we will maintain our role as a regional crossroads of commerce by embracing models of economic activity that are sustainable over the long term.
- We will honor our agricultural heritage and foster opportunities for the successful growth of traditional and new farming models. We will conserve prime soils for agricultural use, now and for the future.
- Economic growth and continued success must walk hand-in-hand with responsible environmental stewardship in order to achieve community sustainability. We pledge to work to maximize both in all aspects of community life.

More specifically, the Plans and recommended implementation activities are proposed to benefit the community by accomplishing the following thirty-five goals²⁷, presented here in the order in which they appear in the Plans.

- Foster a regional, landscape-scale approach to the protection and conservation of natural resources and Agricultural Rural Land. (Natural & Cultural Resources Goal A).
- Respect and protect the natural topography. (Natural & Cultural Resources Goal B).

²⁶ As presented in Chapter 1 of the Comprehensive Plan.

²⁷ As presented in Chapters 2 through 8 of the Comprehensive Plan and as summarized in Chapter 9 of the Comprehensive Plan.

- Preserve or restore hubs and links across the landscape that anchor and connect green infrastructure networks and provide an origin or destination for wildlife and ecological processes moving to or through the network. (Natural Resources Goal C).
- Integrate a green infrastructure conservation and planning approach into Victor's long term planning and development review process. (Natural & Cultural Resources Goal D).
- Provide an interconnected network of green space that conserves natural ecosystem values and functions and provides associated benefits to human populations. (Natural & Cultural Resources Goal E).
- Protect water quality of surface and groundwater: Protect/enhance streams and stream corridors, wetlands, floodplains, aquifers; and, Prevent erosion and sedimentation. (Natural & Cultural Resources Goal F).
- Protect ecosystem functioning and biodiversity: Protect, enhance and restore plant and animal habitats, including woodlands and forests; Protect riparian and aquatic ecosystems, native vegetation; and, Protect/enhance critical natural areas. (Natural & Cultural Resources Goal G).
- Preserve important cultural resources and improve the basis now available for initiatives and informed decision-making relative to preservation of historic buildings, structures, objects and sites. (Natural & Cultural Resources Goal H).
- Protect and enhance agricultural lands and other working landscapes as vital components of our green infrastructure and community character. (Agricultural Protection Goal A).
- Monitor and manage growth including its impacts on key systems such as sanitary sewer and stormwater infrastructure. (Growth Management and Community Character Goal A).
- Ensure that all elements of Victor's community character valued by residents are preserved. (Growth Management and Community Character B).
- Adopt a conservation-based approach that addresses the ecological and social impacts of sprawl and the accelerated consumption and fragmentation of agricultural and open land. (Growth Management and Community Character C).
- Foster a regional, landscape-scale approach to open space preservation that takes into account how open space on any particular parcel contributes to the open space needs of the town as a whole. (Growth Management and Community Character D).

- Promote pedestrian walkability, bicycling and non-automotive transportation within neighborhoods. (Community Development Goal A).
- Promote development that has low impact on the environment and that maintains the character of the community. (Community Development Goal B).
- Preserve existing trees and provide for new trees in new and existing developments. Protect other natural features including habitat, waterways and topography. (Community Development Goal C).
- Protect the night sky and reduce light trespass. Preserve the rural quiet from unnecessary noise intrusion. (Community Development Goal D).
- Provide housing for residents of various socio-economic backgrounds and life stages. (Community Development Goal E).
- Encourage the use of rating systems that promote and encourage greener housing and development practices, such as the LEED for Neighborhood Development Rating System, Energy Star and SITES, among others. (Community Development Goal F).
- Provide a basis for informed decision making and investment by developing and maintaining plans related to community development. (Community Development Goal G).
- Facilitate the retention and expansion of local businesses and industry. (Economic Development Goal A).
- Diversify the Town by attracting new businesses and industry. (Economic Development Goal B).
- Make the Development Process Business Friendly. (Economic Development Goal C).
- Expand efforts to attract and retain young professionals (ages 24-40). (Economic Development Goal D).
- Continue revitalization and beautification of the Village and Hamlet Business Districts. (Economic Development Goal E).
- Promote amenities in commercial districts. (Economic Development Goal F).
- Promote tourism in Victor. (Economic Development Goal G).
- Engage municipal employees to understand economic development. (Economic Development Goal H).
- Provide a highway and roadway network that allows for the safe and efficient movement of people and goods within and through the Town. (Transportation Goal A).

- Analyze the transportation improvements available to support the safe, reliable, timely, and efficient movement of people and goods in the Town and Village of Victor. Understand what future development will likely mean for transportation and traffic in Victor. Identify opportunities and determine what can be done to eliminate or moderate traffic and traffic congestion in Victor. (Transportation Goal B).
- Ensure that future development is cohesive with the functional classification of the existing roadways adjoining the development. Cohesiveness means that the roadways are compatible with the adjacent land use and provide the proper function. (Transportation Goal C).
- Reduce usage of and reliance on private motor vehicle transportation. (Transportation Goal D).
- Provide a blueprint of future land use patterns: a general pattern for the location, distribution and character of the future land uses within the Town of Victor. (Future Land Use Goal A).
- Guide development over a long period of time: work together with other elements of the comprehensive plan to provide for the Town of Victor's long range growth and promote public health, safety and general welfare by providing efficiency and economy in the process of growth. (Future Land Use Goal B).
- Propose a system of future land uses including maximum development densities. Indicate the particular types of uses the Town expects and desires to see in future development taking into account existing infrastructure as well as the agricultural protection, natural resource, cultural resource, growth management, open space, neighborhood development, economic development, transportation and other recommendations included in this Comprehensive Plan. (Future Land Use Goal C).

4. EXISTING CONDITIONS AND ENVIRONMENTAL SETTING

In general, Chapter 1 of the Plans presents a “Community Profile” that describes the existing conditions as well as the environmental setting. In particular, Chapter 1 includes much information relative to recent growth experienced within the Town. Chapter 4 of the Plans supplements this information with more detail regarding growth, community character and the need for growth management. Chapter 2 of the Plans presents some description of Victor natural resources and green infrastructure. More importantly, from a natural resource perspective, the 2014 Town of Victor Natural Resource Inventory which provides a detailed description of the natural resources found within the Town in among the appendices included in the Plans²⁸. Town agricultural resources are described in detail in Chapter 3. Chapters 4 and 5 present information relative to Community and Economic Development, respectively. Finally, Chapter 7 of the Plan includes a detailed inventory and description of the Transportation System found within the Town.

The preceding section regarding need has already referenced how Victor has been facing increasing residential and commercial development pressure as residents and businesses move to the community. The same section noted that, despite development pressure, the community nonetheless retains significant, widely distributed natural resources²⁹, including streams and open water, wetlands, floodplains, forested areas, unique land forms, steep slopes, trails and open spaces. Figure 1, taken from Chapter 1 of the Plans and included on page 50 of this document, illustrates the wide distribution of natural resources within Victor.

The preceding section also referenced Victor’s agricultural legacy and rural character. As presented in Chapter 3 of the Plans, a review of Town assessment records identified at least 4,200 acres of agricultural lands within Victor.³⁰ Figure 2, taken from Chapter 3 of the Plans and included on page 51 of this document and originally developed for inclusion in the 2014 Town of Victor Natural Resource Inventory depicts land cover types within the community. In addition to

²⁸ See Appendix XI.

²⁹ See the overview provided in Chapter 1 of the Plans, the additional detail provided in Chapter 2 and, for the most detail, the 2014 Natural Resource Inventory appended to the Plans in Appendix XI.

³⁰ As the Plans note, relying on review of aerial images, the Town’s 2014 Natural Resource Inventory identified almost 7,400 acres.

the working landscapes identified in the Plans and in the Natural Resource Inventory, agriculture has also left behind many other open spaces, many of which have been set-aside over the past two decades as a condition of various development approvals³¹.

Finally, as also noted in the foregoing section, rapid development in Victor has threatened to overwhelm the Transportation system, in particular. Figure 3, taken from Chapter 7 of the Plans and included in this document on page 52 depicts the major components of the Transportation system within Victor. With respect to Transportation, traffic congestion within the Route 96 corridor has become an oft-cited “quality-of-life” issue for residents.

4.1 Open Space.

Although much of the open space now found within Victor was once farmed, or still is, Victor open space also includes other areas such as woods, wetlands, floodplains and even some golf courses. The Town’s 2014 Natural Resource Inventory includes more detail regarding the extent and locations of open space in Victor.

In general, Victor open space is prized for how it sustains Victor’s rural character, contributes to many scenic vistas and provides valuable habitat. As stated on Chapter 4, page 4.15 of the Plans:

Among the multiple components contributing to and supporting Victor’s community character, open space is one of the most prominent and essential. It is open space that echoes Victor’s rich agricultural past, accommodates its present agricultural enterprises, enables residents’ perception of rural character and supports their sense of place. Open space also provides the basic visual context for the experience of most, if not all, of Victor’s natural resources as well as many of its cultural resources. It is only through open space that residents and visitors can appreciate Victor’s distinctive and aesthetic blend of unique landforms, scenic rolling hills, woods, wetlands and watercourses. Recognition of the importance of open space to the character of this community helps to explain why the topic comes up so frequently in discussions of Victor’s identity, why it figured so prominently in the 1995 Comprehensive Plan and subsequent initiatives, and why residents so frequently oppose proposed developments that would inevitably consume remaining open space.

As also described in Chapter 4 of the Plans, a 1995 Town provision (§211-46[A]) required 50% of the land area of a major residential subdivision to be set aside for open space³². Non-

³¹ Such requirements are reviewed in more detail in the following Section 4.1.

residential subdivisions were required to set aside 35% of the land area as open space³³.

Although the Town has also imposed specific minimum open space requirements applicable to Senior Citizen Housing and Multiple Residential districts, there are none directly applicable to Planned Development Districts (Planned Development Districts are discussed in more detail on Chapter 4, page 4.12 of the Plans).

As the Plans noted, none of the present open space requirements directly limit overall density (the number of units to be developed on a parcel). They focus instead on configuration and layout, effectively limiting the opportunity for a proposed development of any density to occupy an entire parcel and compelling an alternate approach similar to that utilized in a clustered³⁴ development. In other words, although the maximum number of units permitted upon a given site remains the same, the open space provisions effectively require that the units be consolidated, or clustered, into a smaller area within the site leaving the balance of the site open. In most cases there has been little practical effect upon the actual development density (units per acre) or yield realized by developers.

Finally, as stated on Chapter 4, page 4.15 of the Plans:

The present open space set aside requirements are somewhat arbitrary in practice. This is not to say that open space does not remain an important priority within the community. However,

³² No open space set aside was required for minor residential subdivisions.

³³ As explained in the Plans, separate provisions adopted in 1997 also required Senior Citizen Housing District developments to set aside 40% of the land as open space (§211-26[B]), required Multiple Residential District developments to set aside 20% of the land area as open space (§211-25[B]), and required all commercial and industrial developments to reserve 35% of the land as green space (Sections 211-22[C], 211-23[D], and 211-24[D]). These separate provisions apply whether or not the development involves a subdivision of land.

³⁴ Here the Plans provide the following explanatory footnote: “New York State authorizes cluster subdivisions in General City Law Section 37, Town Law Section 278, and Village Law Section 7-738. These sections describe, in the words of the James A. Coon Local Government Technical Series, an approach in which ‘the same number of housing units allowed in a conventional subdivision are concentrated – or clustered – at a higher density in the most appropriate portion of the property, leaving larger areas to remain open and undeveloped’. (Creating the Community You Want: Municipal Options for Land Use Control, James A. Coon Local Government Technical Series, Revised 2009, New York State Department of State, Office of Coastal, Local Government and Community Sustainability, pp. 11-12).”

the manner in which the present system of open space set-asides applies equally to all parcels regardless of the presence or distribution of natural resources, productive farmland or other features important to the community is a major shortcoming³⁵.

In practice, the present minimum open space set aside applicable to residential properties is similar to a mandatory clustering and/or conservation subdivision approach. The preferred approach would be to empower the planning board to exercise its discretion in determining the need for these in specific instances, to require them when appropriate, and to definitively identify the extent and location of any involved reservations of open space. The NRI and the NRI Open Space Index, in particular, should serve as useful resources for the Planning Board when making these discretionary determinations. Furthermore, it is unclear whether town-wide mandates for clustering and/or a conservation subdivision approach are necessary and there are instances (e.g., 5 acre lots) in which such requirements could be inappropriate. Nonetheless, the need for clustering and/or conservation subdivisions, the need for conservation easements, and the identification of preferred locations for land to remain undeveloped and open are all topics that should be considered as early as possible, preferably during the Pre-application or Sketch Plan phase of a planning, review and approval process. Finally, conservation easements will remain an appropriate tool to protect land not developed so that it may be set-aside as open space.

4.2 Transportation.

On pages 7.7 through 7.14 of Chapter 7, the Plans review in some detail existing conditions found in the Transportation system within the Town. This is followed, beginning on page 7.41 of the Plans, with an almost-one-hundred-page “Transportation Inventory” summarizing the system in full detail. However, with respect to the potential adverse impacts at play here, the setting is, if not simple, relatively straight-forward nonetheless.

Favorable strategic connections to arterials such as I-90, I-490 and NYS Route 96, geographic and historic constraints, ongoing commercial development, the demand for housing situate in Victor, and the demand for housing elsewhere within Ontario County by those who would commute to Rochester through Victor have all culminated in a Route 96 corridor that operates at a traffic volume that is frequently either near or beyond its capacity and that is subject to significant congestion and delays during weekday as well as weekend peaks.

³⁵ Here the Plans opine, in a footnote: “On some parcels the set-aside is useful, on others it seems without any benefit. From environmental, natural resource and green infrastructure perspectives, the set-aside of more extensive open space may be appropriate on some sites while less could be acceptable in others.”

Although it has intensified, this problem is not new and has been studied previously. While the Plans suggest a number of strategies intended to improve conditions, it is also true that solutions are difficult to come by and constrained by such things as costs, overlapping local, county and state jurisdictions and topographical constraints such as relatively few intersecting collateral streets and hills that flank one side of Route 96 precisely where extensive wetlands border the other. In addition, although Victor residents who feel the congestion diminishes their quality of life tend to focus primarily on the ongoing development within Victor proper, the truth is that much of the traffic is pass-through trips on state thoroughfares that neither originate nor terminate in Victor and over which Victor consequently has very little control.

4.3 Community Character.

As is readily obvious from an examination of *Google Earth* or other aerial photographs, Victor is not a community of gridded, intersecting orthogonal streets and collectors as is the case in more traditional and/or more urban communities. Instead, many of Victor's residences are found within individual subdivisions, many with only one or, at most, a few points of vehicular access, most incorporating curvilinear street alignments and multiple cul-de-sacs, and virtually all comprised of similar-sized homes and lots. Although these subdivisions are similar in a number of ways, many residents have come to identify with the characteristics of their particular subdivision/neighborhood and to rely on assurances provided in covenants and/or zoning provisions that any future development within or near their neighborhood will be of a similar type and density. Although the parameters defining a particular subdivision, or cluster of subdivisions, may not represent "community" character in the broad sense of the term, to these residents the character of their neighborhood is important and the prospects for approval of infill or adjacent development of a very different type or density is unwelcome.

5. POTENTIAL IMPACTS and MITIGATION

5.1 Open Space.

Part 3 of the SEQOR Full Environmental Assessment Form included in Appendix A to this DGEIS identified only a single strategy recommended in the Plans with the potential to impact Open Space adversely. The strategy identified as having the potential for a negative impact on open space is Chapter 4, Strategy 3, a Phase 1 priority strategy, which calls for the following:

- Replace present requirements for set-aside of a fixed percentage of open space with requirements providing the discretion to require open space appropriate to the site and the setting. Amend the zoning code to better define open space and include specific language describing desirable open space characteristics.

As indicated in the Environmental Assessment Form as well as the Introduction to this document, this potential adverse impact concerns the risk that the proposed substitution of “subjective”, discretionary open space set-aside requirements in place of the uniform, mandatory requirements now applicable to all development projects could result in a reduction in the quantity or quality of future open space set-asides should the Planning Board not use the discretion vested in them wisely.

It should be noted that the proposed Plans do identify this risk and also indicate the need for balance and caution in implementing this particular recommended strategy.

The risk for an outcome in which the quantity and quality of future open space set-asides is diminished is actually quite low provided sufficient standards and guidelines that can be relied upon by the Planning Board are developed during the implementation of this strategy in order to mitigate the risk. Furthermore, to the extent some risk remains nonetheless, even with the development of sufficient standards and guidelines, for the Planning Board to fall short in evaluating the need and opportunity for open space set-aside in a particular application, the risk is more than offset by the potential for corresponding gains in those instances where the need and opportunity for open space set-aside is unusually great and where the present uniform requirements would otherwise result in failing to respond to the high level of need or take advantage of the unusual opportunity to set aside open space.

5.2 Transportation.

Part 3 of the SEQR Full Environmental Assessment Form included in Appendix A to this DGEIS identified nine strategies recommended in the Plans with the potential to impact Transportation adversely.³⁶ Among these were three prioritized for implementation in Phase 1. The Phase 1 strategies identified with the potential to impact Transportation negatively are:

- Adopt a program allowing for effective movement of development rights from areas where open space would be preferred to those where additional density would be appropriate. Require approvals increasing a parcel's maximum development density to be accompanied by an offsetting transaction reducing density within another area of town where open space would be preferred. (Chapter 4, Strategy 6, Priority 1).
- Allow for a greater density and diversity of housing around the village and in specific hamlet areas. (Chapter 5, Strategy 10, Priority 1).
- Authorization of Mixed Use Development and Neighborhood Scale Commercial Development. (Chapter 8, Strategy 2, Priority 1).

The six Phase 2, 3 and 4 strategies identified with the potential to impact Transportation negatively are:

- As underutilized downtown sites are developed, encourage mixed-use buildings that provide housing appropriate for intergenerational residents with a variety of income levels. (Chapter 5, Strategy 14).
- Devise standards for new roads to ensure they are compatible with Victor's green infrastructure as well as community character and pedestrian needs. (Chapter 5, Strategy 15).
- Market Victor for Business Attraction. (Chapter 6, Strategy 3).

³⁶ As already noted in the foregoing footnote, these correspond closely to the initiatives identified as also having the potential to impact Community Character adversely as they involve increasing density and concentrating development that would otherwise take place elsewhere in Town within the Route 96 corridor and nearby areas instead. However, the recommended strategies with potential impacts to Transportation also include some Priority 2, 3 and 4 initiatives focused on tourism, business promotion and downtown revitalization which all have some potential to generate additional traffic volumes.

- Encourage residential units above retail in the Village Business District (Chapter 6, Strategy 10).
- Promote agri-tourism, eco-tourism and niche farming opportunities as a means of enhancing the economic vitality of agriculture in Victor. (Chapter 6, Strategy 15).
- Reinforce Victor as a Tourism Destination. (Chapter 6, Strategy 16).

This potential adverse impact concerns the risk that the multiple, strong, anti-sprawl, smart growth, open space and rural character preservation initiatives included in the Plans will redistribute traffic within the community in such a way that more of it utilizes the already-congested Route 96 corridor rather than other collateral collectors within the less-central areas of the community, thereby exacerbating the present situation in which traffic within the Route 96 corridor is frequently congested, particularly through the Village. Also included in this potential adverse impact are other recommended strategies that would, rather than redistribute traffic, simply promote changes that could generate additional traffic, particularly within the corridor.

The fact that these strategies, otherwise proposed for good reason, might lead to an unintended adverse impact upon traffic congestion is regrettable and, unfortunately, unavoidable. With respect to the three Phase 1 strategies, in particular, each of these is a fundamental initiative upon which other badly-needed benefits depend. No alternative approaches that would realize these benefits without similar potential impacts to traffic congestion have been identified and no mitigating measures have been identified. The sources and conditions contributing to traffic congestion in Victor are varied and include the difficulty of providing additional lanes as well as the involvement of pass-through and commuter traffic that neither originates nor terminates within Victor. Although it is difficult to quantify or forecast, it is hoped that the additional contribution from these proposed Comprehensive Plan measures will be small, at least until such time as the congestion problem is resolved. Finally, with respect to those strategies that will simply redistribute rather than generate traffic, it should also be pointed out that even were these proposed Comprehensive Plan strategies to be abandoned and were the development that would otherwise have been “recruited” into the corridor to remain outside the corridor as it is now, that some of this traffic would likely find its way into the corridor nonetheless at some point in the journey. Although much of that peripheral traffic no doubt avoids the corridor when possible, there are certainly instances where at least one destination is within the corridor or requires travel through the corridor and where remaining on rural roads only consequently becomes impractical.

5.3 Community Character.

Part 3 of the SEQR Full Environmental Assessment Form included in Appendix A to this DGEIS identified eight strategies recommended in the Plans with the potential to impact Community Character adversely.³⁷ Among these were three prioritized for implementation in Phase 1. The Phase 1 strategies identified with the potential to impact Community Character negatively are:

- Adopt a program allowing for effective movement of development rights from areas where open space would be preferred to those where additional density would be appropriate. Require approvals increasing a parcel's maximum development density to be accompanied by an offsetting transaction reducing density within another area of town where open space would be preferred. (Chapter 4, Strategy 6, Priority 1).
- Allow for a greater density and diversity of housing around the village and in specific hamlet areas. (Chapter 5, Strategy 10, Priority 1).
- Authorization of Mixed Use Development and Neighborhood Scale Commercial Development. (Chapter 8, Strategy 2, Priority 1).

The five Phase 2, 3 and 4 strategies identified with the potential to impact Community Character negatively are:

- Provide incentives in the form of density bonuses to protect and enhance green infrastructure. (Chapter 2, Strategy 5).
- Develop zoning that offers a significant incentive for the creation of workforce housing. (Chapter 5, Strategy 12).
- Change zoning to allow accessory units. (Chapter 5, Strategy 13).
- As underutilized downtown sites are developed, encourage mixed-use buildings that provide housing appropriate for intergenerational residents with a variety of income levels. (Chapter 5, Strategy 14).
- Encourage residential units above retail in the Village Business District. (Chapter 6, Strategy 10).

³⁷ It should be noted that these correspond very closely to the initiatives identified as also having the potential to impact traffic adversely as they involve increasing density and concentrating development that would otherwise take place elsewhere in Town within the Route 96 corridor and nearby areas instead.

As indicated in the Environmental Assessment Form and the Introduction to this document, this potential adverse impact concerns the risk that the anti-sprawl, smart growth, open space and rural character preservation initiatives included in the Plans might impact the character of existing, established neighborhoods by leading to the approval of new development that would compromise the character of those neighborhoods. The concern is described in the EAF as follows: The initiatives anticipate relocating development that would otherwise take place in the outer, more rural regions of the town and concentrating it instead within, or at least nearer to, the Route 96 corridor and adjacent established neighborhoods. The Plans also include numerous references to accompanying density increases, either as part of an incentive zoning program that would relocate development units or outright, as part of initiatives to foster more mixed-use development and increased density within hamlet areas. Might these initiatives lead to approval of infill development near existing residences that will fundamentally change the character of an established neighborhood? Even where there is no infill within an existing neighborhood, how would the initiatives change the nature of what might be approved for development on vacant land near such a neighborhood and how would that affect the character of the neighborhood?

The Plans, in responding to these questions, already present a number of criteria to guide decision-making relative to the movement of development units, the award or approval of density-increases, and the potential for infill development. At the same time, although the Plans do attempt to provide safeguards and as much guidance as possible, it is also true that some questions will remain unanswered until implementation is underway.

With respect to the three Phase 1 strategies, in particular, each of these is a fundamental initiative upon which other badly-needed benefits depend. No alternative approaches that would realize these benefits without some small risk of similar potential impacts to neighborhood character have been identified. Finally, although change cannot be avoided entirely, the risk for an outcome in which the character of existing, established neighborhoods is significantly compromised is actually quite low provided sufficient standards and guidelines that can be relied upon by the Town Board and the Planning Board are developed during the implementation of this strategy in order to mitigate the risk. Thus, the most productive approach will be one in which careful consideration and diligent effort are invested during implementation in developing an appropriate set of guidelines, standards and criteria to further minimize the risk of any adverse impacts to existing, established neighborhoods.

6. UNAVOIDABLE IMPACTS

Unavoidable potential impacts all arise in future phases of the project and include:

- There is some remaining risk that the Town Planning Board will fail in properly exercising the discretion that would be vested in them to determine the open space to require for set-aside in specific projects and that both the quality and quantity of open space conserved within the Town in the future will decline as a result. This DGEIS was unable to identify reasonable alternatives that would avoid, or measures to modify the proposed action that would further mitigate or reduce, the potential adverse impact to open space that could result from the proposed substitution of a discretionary open space policy in place of the mandatory uniform regime of requirements now in place.
- Some risk remains that the anti-sprawl, smart-growth and rural character preservation initiatives proposed in the Plans that would seek to concentrate more development within or near the Route 96 corridor will generate sufficient additional traffic volumes within the corridor as to significantly increase traffic congestion. This DGEIS was unable to identify reasonable alternatives that would avoid, or measures to modify the proposed action that would further mitigate or reduce, the potential adverse impact to traffic congestion that could result from the proposed implementation of strategies intended to reduce sprawl and concentrate some development that might otherwise occur within the outer reaches of the Town within the Route 96 corridor instead.
- Some risk remains that the guidelines provided in the Plans, and others anticipated for development during implementation, will prove insufficient and lead, together with the Town Board's failure to administer Incentive Zoning prudently, to the future approval of infill and higher density development either within or immediately adjacent to existing established neighborhoods in a manner that is damaging to the character of those neighborhoods. This DGEIS was unable to identify reasonable alternatives that would avoid, or measures to modify the proposed action that would further mitigate or reduce, the potential adverse impact to the character of individual neighborhoods that could result from the proposed implementation of strategies intended to reduce sprawl and concentrate some development that might otherwise occur within the outer reaches of the Town within the Route 96 corridor instead.

7. IRREVERSIBLE and IRRETRIEVABLE COMMITMENT OF RESOURCES

Neither adoption of the Plans nor implementation of Phase 1 strategies would involve any irreversible or irretrievable commitment of resources.

8. CUMULATIVE IMPACTS

Neither adoption of the Plans nor implementation of Phase 1 strategies would involve any cumulative impacts relative to other pending projects, approvals or plans.

9. GROWTH INDUCING IMPACTS

As described in the Plans Chapter 1 Community Profile and in further detail in the Chapter 4 discussion of growth and the need for growth management, Victor is, and has been for some time, one of the most rapidly growing communities in New York State. Many, perhaps most, of the strategies proposed in the Plans for implementation are in response to this rapid growth and the attendant threats to community character, natural resources, green infrastructure, agriculture, open space, rural character, cultural resources and other assets valued by the community. As a consequence, a number of the proposed strategies address growth in multiple ways, some seeking to manage and respond to it, others seeking to redirect it and still others seeking perhaps to even slow it. But none of the proposed strategies are intended, or likely, to induce growth other than to the degree that well-managed growth might tend to alter the mix of development by attracting higher quality development of the type the community would prefer. In conclusion, no direct impacts to further induce residential, commercial or industrial growth are anticipated as a consequence of the adoption of these Plans or as a consequence of undertaking any of the Phase 1 Implementation Activities.

10. USE and CONSERVATION OF ENERGY RESOURCES

The Plans include a number of proposed strategies intended to improve energy efficiency and reduce energy consumption. However, no adverse impacts related to use and conservation of energy resources are anticipated.

11. SOLID WASTE IMPACTS

Neither adoption of the Plans nor implementation of Phase 1 strategies would involve any solid waste impacts. Solid waste impacts related to the Plans would all be the direct result of future development. Adoption of the Plans and implementation of Phase 1 strategies are not anticipated to directly affect the amount of development the community will experience. There is some potential for the growth management strategies called for in the Plans to actually slow the pace of development or perhaps even reduce the anticipated build-out.

12. ALTERNATIVES

No- Action. The No-Action alternative, in other words, an alternative in which neither of the Plans is adopted and none of the recommended strategies implemented, would avoid all of the potential impacts associated with the adoption of these Plans as well as with the implementation of Phase 1 strategies. Those impacts avoided by a No-Action alternative include those identified above in Section 6 as otherwise unavoidable. Unfortunately, the no-action alternative would also fail to realize the vision found in Chapter 1 of the Plans and presented above in Section 3 or this document or accomplish any of the goals found throughout Chapters 2 through 8 of the Plans and repeated above in Section 3.

Alternative A – Open Space. No reasonable alternatives were identified that would avoid or reduce the potential adverse impact to open space that could result from the proposed substitution of a discretionary open space policy in place of the mandatory uniform regime of requirements now in place. Neither were any measures to modify the proposed action identified that would further mitigate or reduce the potential adverse impact. The recommended strategies are believed to be the minimum necessary to accomplish the intended goals and no alternatives were identified that would accomplish the same goals without bringing a comparable potential for identical or similar incidental, unintended, adverse impacts to open space. It appears that the only alternative that would avoid or reduce this potential impact would be deleting the involved strategies from the Plan and foregoing their implementation – basically, a variant of the No Action alternative. Therefore, some risk remains that the Town Planning Board will fail in to properly exercise the discretion that would be vested in that Board to determine the specific quantity and location of open space to require for set-aside in specific projects and that both the quality and quantity of open space conserved within the Town will decline in the future as a result. This risk has been identified in Section 6 as an unavoidable impact.

Alternative B – Traffic Congestion. As with Open Space, no reasonable alternatives were identified that would avoid or reduce the potential adverse impact to traffic congestion that could result from the proposed implementation of strategies intended to reduce sprawl and to concentrate some development that might otherwise occur within the outer reaches of the Town within the Route 96 corridor instead. Neither were any measures to modify the proposed action identified that would further mitigate or reduce the potential adverse impact. The recommended

strategies are believed to be the minimum necessary to accomplish the intended goals and no alternatives were identified that would accomplish the same goals without bringing a comparable potential for identical or similar incidental, unintended adverse impacts to traffic congestion. As with Open Space, it appears that the only alternative that would avoid or reduce this potential impact would be deleting the involved strategies from the Plan and foregoing their implementation – basically, a variant of the No Action alternative. Therefore, some risk remains that the anti-sprawl, smart-growth and rural character preservation initiatives proposed in the Plans that would seek to concentrate more development within or near the Route 96 corridor will generate such additional traffic volumes within the corridor as might significantly increase traffic congestion. This risk has been identified in Section 6 as an unavoidable impact.

Alternative C – Community Character. As with Open Space and Traffic Congestion, no reasonable alternatives were identified that would avoid or reduce the potential adverse impact to Neighborhood Character that could result from the proposed implementation of strategies intended to reduce sprawl, preserve open space as well as rural character and to concentrate some development that might otherwise occur within the outer reaches of the Town within the Route 96 corridor instead as well as increase density within some core areas as part of an program of incentive zoning or other promotion of infill development. Neither were any measures to modify the proposed action identified that would further mitigate or reduce the potential adverse impact. As with both Open Space and Traffic Congestion, the recommended strategies are believed to be the minimum necessary to accomplish the intended goals and no alternatives were identified that would accomplish the same goals without bringing a comparable potential for identical or similar incidental, unintended adverse impacts to Neighborhood Character. It appears that the only alternative that would avoid or reduce this potential impact would be deleting the involved strategies from the Plan and foregoing their implementation – basically, a variant of the No Action alternative. Therefore, some risk remains that that the guidelines provided in the Plans relative to the anti-sprawl, smart-growth and rural character preservation initiatives proposed in the Plans, as well as other guidelines anticipated for development during implementation, will prove insufficient and, together with the Town Board's failure to administer the Incentive Zoning program prudently, will lead to approval of infill and higher density development either within or immediately adjacent to existing established neighborhoods in a manner that is damaging to the character of some neighborhoods. This risk has also been identified in Section 6 as an unavoidable impact.

13. FIGURES

Figure 1

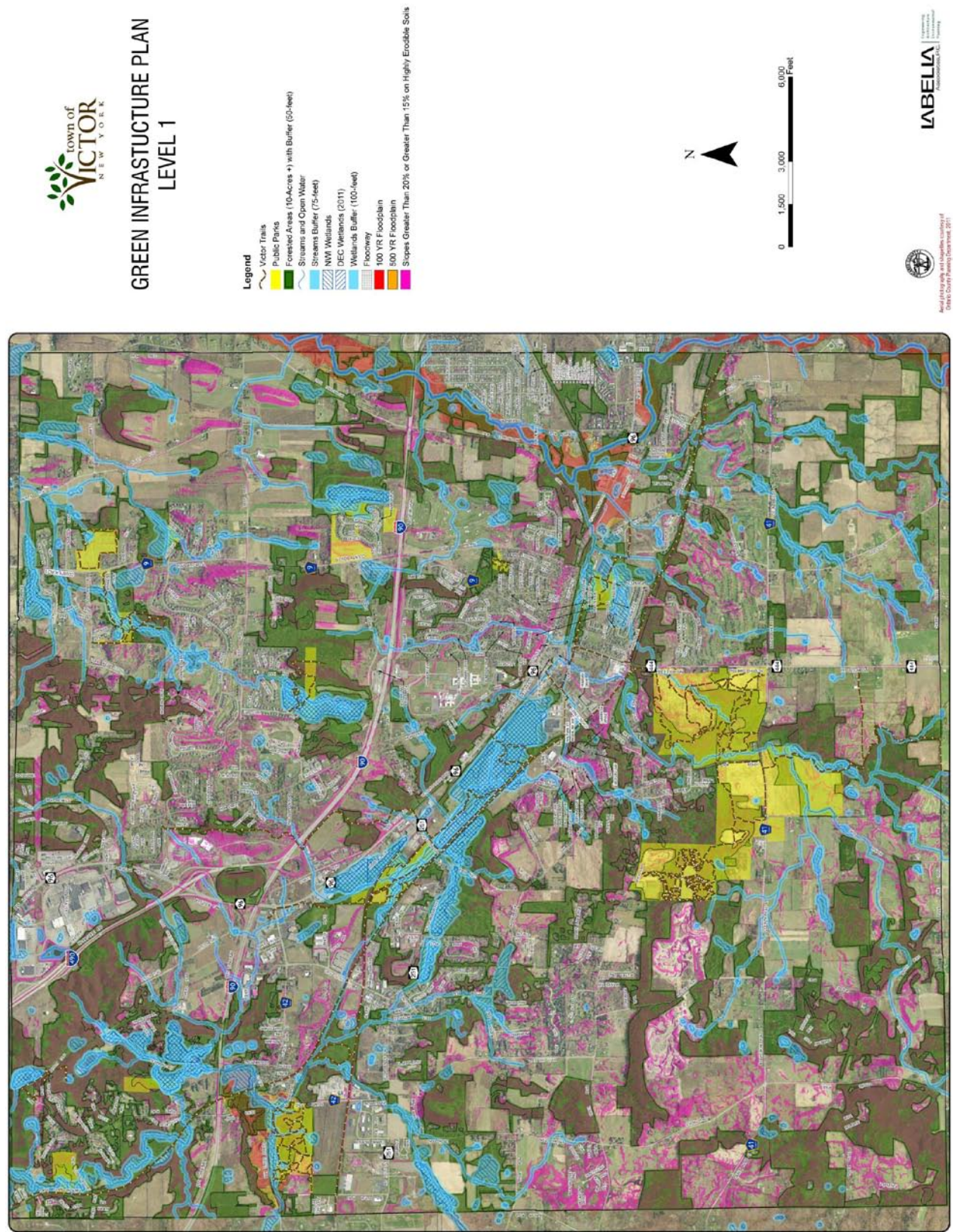


Figure 2

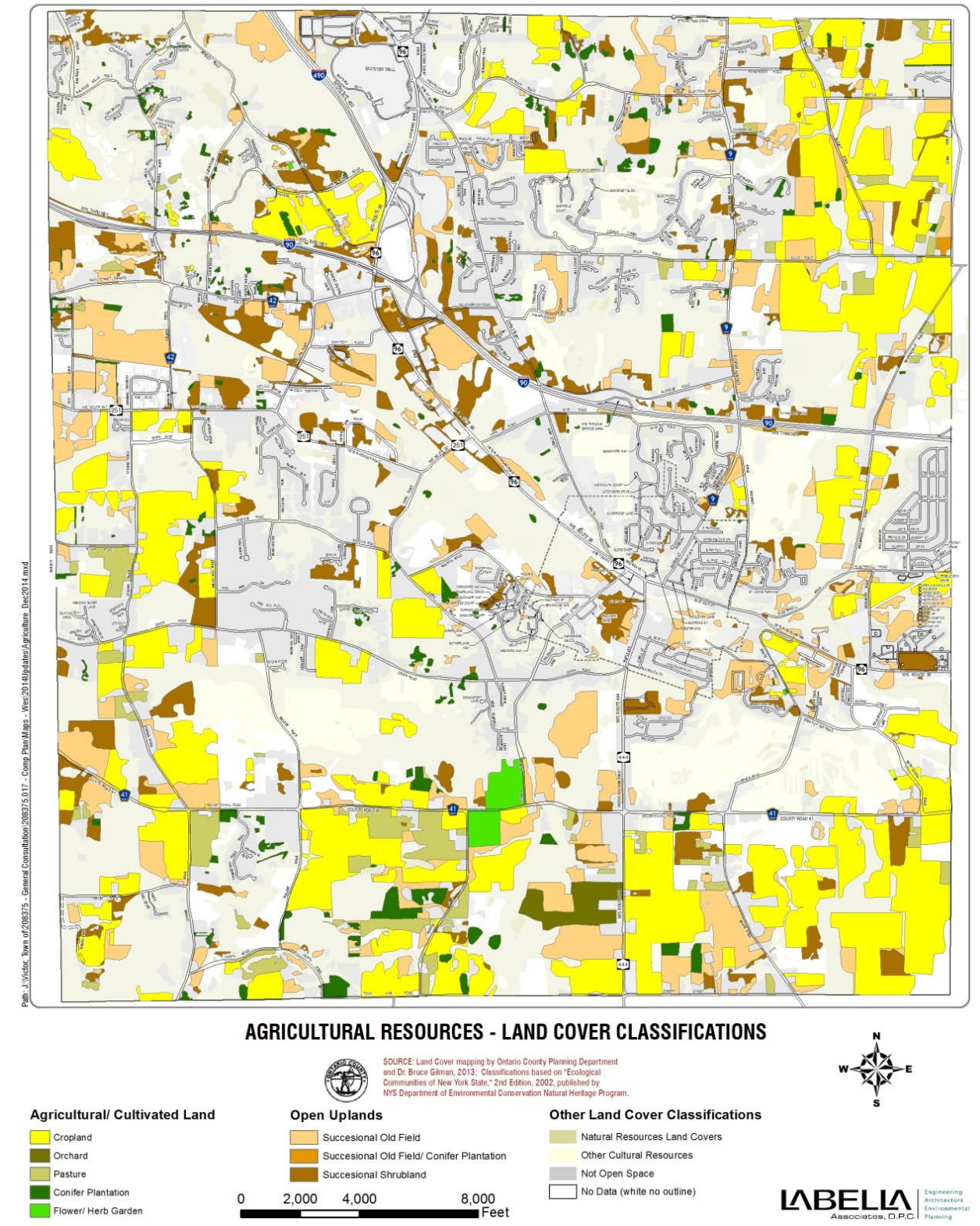


Figure 3

