MARK IV ENTERPRISES
301 Exchange Blvd, Ste 200
Rochester, NY 14608
Phone: 585.232.1760, Fax: 585.325.2967

March 27, 2023

Perinton Town Board
1350 Turk Hill Road
Fairport NY 14450

RE: 390 WOODCLIFF

Dear Supervisor Hanna and Members of the Town Board,

I respectfully request that the above-referenced PDD application be placed on the Town Board's April 12, 2023 agenda for a decision on merit pursuant to Town Code § 205-52(E)(1)(b).

As you know, we commenced discussions about this project with Town staff and the Town Board well over a year ago. At that time we were proposing over 250 units in four 4-story buildings. The overall reaction from Town staff and the Town Board was positive so we proceeded with purchasing the property and submitting a formal application for PDD-Rezoning in April of last year. The application proposed 246 units in four 4-story buildings and was referred to the Planning Board and Conservation Board unanimously on July 13, 2022. Both the Planning Board and Conservation Board determined that the proposed project has merit and should be allowed to continue on to the site plan review phase. Both boards indicated that neighbor concerns could be addressed during site plan review and the SEQR process. However, on November 9, 2022 the Town Board tabled the PDD application so we could address neighbor concerns before moving the application forward.

On January 10, 2023 we submitted plan revisions and additional information to address the neighborhood concerns. The revisions included significant reduction in unit count and the elimination of all proposed fourth stories. Information submitted included a traffic study showing that the proposed project would not have a significant impact on Woodcliff Drive, a geotechnical report showing that the proposed project would not have any impact on the upslope homes, cross sections showing that the top of each proposed building was over 20 feet below the foundation of the nearest homes, and over 250 feet away.

In an effort to finally move this project forward, we are prepared to make even further reductions, including:

1. **Reduce total number of units to 188.** This would create a density of approximately 19 units per acre, which is a similar density to many multi-family projects in the Town. In fact, at least three projects have higher density. All are adjacent to single-family homes and qualify as the infill development sought by the Town's recently adopted comprehensive plan.

2. **Reduce all building heights below 40 feet.** Although the buildings would not have been visible from the single family houses off Woodcliff Drive at four stories, this will further eliminate any visual impact. Three story apartment buildings are common throughout the Town.

3. **Eliminate Building # 4.** The 24% reduction in units allows us to reduce the project from four buildings to three. This will further reduce any visual impact, increase greenspace, and minimize footprint.

Pursuant to Town Code § 205-52(E)(1)(b) the Town Board is required to "determine whether the application has merit and should be sent to the Planning Board for site plan approval." To make this determination the Town Board must find that the project: (i) has community value, and (ii) has adequate resources and public facilities, including transportation, water supply, waste disposal and fire protection to handle the development being proposed.

The community value offered by the project is described best in the letters sent by the Planning and Conservation Boards and includes the many comprehensive plan goals that will be met, especially diversity in housing, infill development, pocket parks, redevelopment of available underutilized sites along the Route 96 corridor, and walkability and Crescent Trail access. The resources and public facilities are adequate for the project as determined by the Planning and Conservation Boards. Additionally, the Town will see significantly increased tax revenue that can be put to good use in these trying economic times.

We have addressed the generalized community objections from the various Woodcliff homeowners associations with substantial evidence produced by licensed professionals. We have reduced the project to a point where density will have little to no impact, and is comparable to many other projects in the Town. Therefore, we request that the Town Board set aside political considerations and make the rational decision to move this project forward to site plan review and SEQR. To do otherwise would be arbitrary and capricious.

Sincerely,

Christian M. Nadler, Esq.
General Counsel

CC: Town Clerk
Town Attorney

Lori Stid

From: Ciaran Hanna
Sent: Wednesday, March 29, 2023 3:22 PM
To: Lori Stid
Subject: FW: 390 Woodcliff
Attachments: DOC032723-03272023.pdf

From: Christian M. Nadler <cnadler@markiventerprises.com>
Sent: Monday, March 27, 2023 1:09 PM
To: Ciaran Hanna <channa@perinton.org>; Meredith Stockman-Broadbent <msbroadbent@perinton.org>; Seana Sartori <ssartori@perinton.org>; David Belaskas <dbelaskas@perinton.org>; Alexandra C. Winner <awinner@perinton.org>
Cc: Chris DiMarzo <cdimarzo@markiventerprises.com>; Steve DiMarzo <Sdimarzo@markiventerprises.com>; Janelle Reed <jreed@perinton.org>; Joe LaFay <jlafay@perinton.org>
Subject: 390 Woodcliff

Please see attached letter. As you will see we are proposing even further reductions in unit count and size of the proposed project.

We look forward to appearing before you at the April 12th Town Board meeting.

As always, please do not hesitate to contact myself or Chris DiMarzo if you have any questions or if you would like to discuss.

Thanks,

Chris

Christian M. Nadler, Esq.
General Counsel
Mark IV Enterprises
301 Exchange Boulevard, #200
Rochester, New York 14608
Phone # 585-540-2968
Cell # 585-315-4767
cnadler@markiventerprises.com

MARK IV ENTERPRISES

390 Woodcliff

Revised Application March 2023

PDD Rezoning

Town of Perinton – Town Board

Woodmark Associates LLC

MARK IV ENTERPRISES

Index

MARK IV ENTERPRISES
301 Exchange Blvd, Ste 200
Rochester, NY 14608
Phone: 585.232.1760, Fax: 585.325.2967

March 30, 2023

Perinton Town Board
1350 Turk Hill Road
Fairport, NY 14450

RE: 390 WOODCLIFF

Dear Supervisor Hanna and Members of the Town Board,

We are pleased to submit revised application materials for the Town Board's consideration at its April 12, 2023 meeting.

As stated in my letter, dated March 27, 2023, the project will be comprised of the following:

1. 188 total units.
2. 3-story building height.
3. 3 residential buildings.

Attached are the following documents: (a) revised site plan, (b) elevations, (c) traffic study, and (d) geo-technical soil stability study.

We look forward to appearing before you on April 12, 2023.

Sincerely,

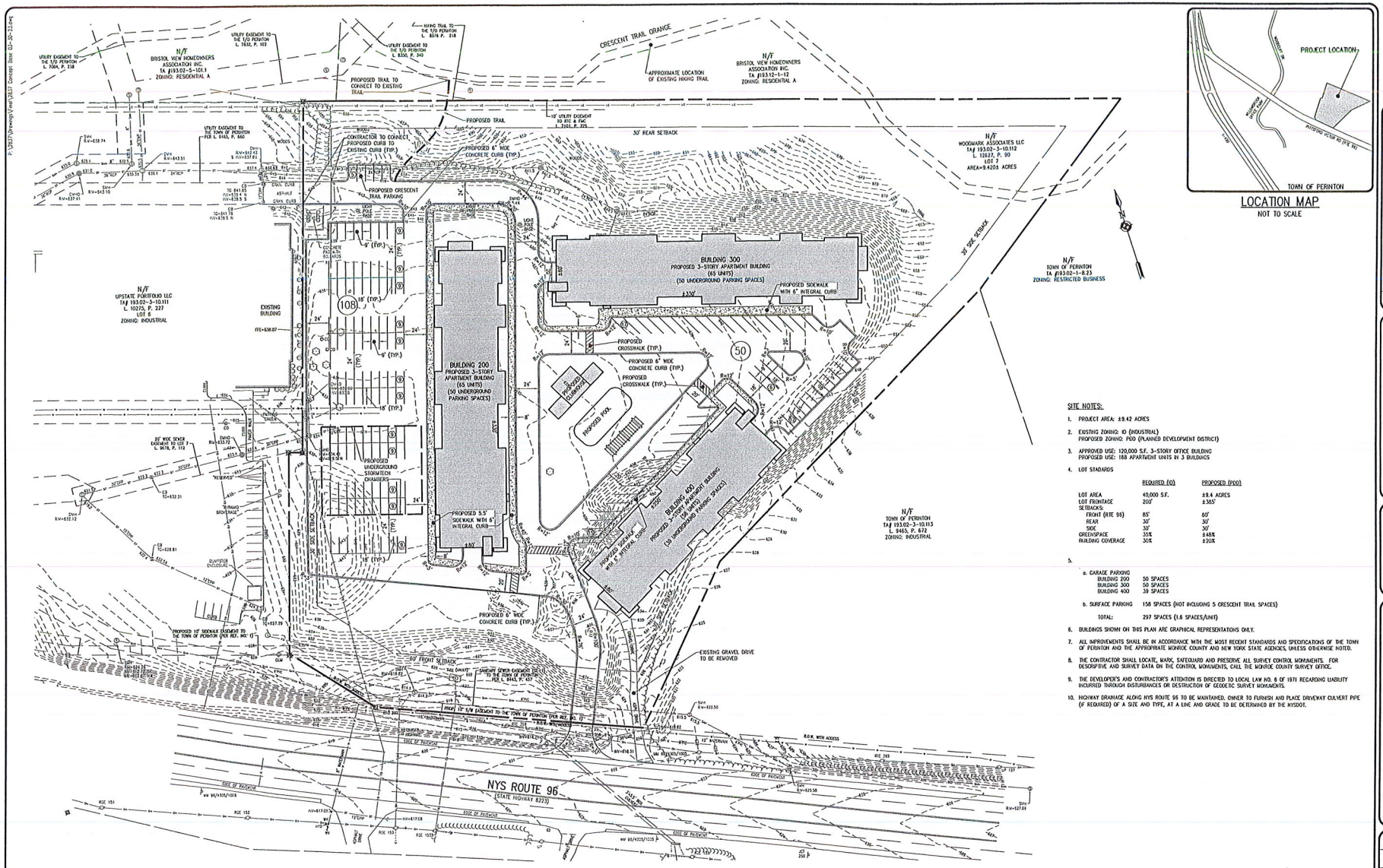
C. M. N.

Christian M. Nadler, Esq.

Encls.

CC: Town Clerk
Town Attorney

Site Plan



LOCATION MAP
NOT TO SCALE

SITE NOTES:

1. PROJECT AREA: ±9.42 ACRES
2. EXISTING ZONING: ID (INDUSTRIAL)
   PROPOSED ZONING: PDD (PLANNED DEVELOPMENT DISTRICT)
3. APPROVED USE: 120,000 S.F. 3-STORY OFFICE BUILDING
   PROPOSED USE: 188 APARTMENT UNITS IN 3 BUILDINGS
4. LOT STANDARDS

	REQUIRED (ID)	PROPOSED (PDD)
LOT AREA	40,000 S.F.	±9.4 ACRES
LOT FRONTAGE	200'	±365'
SETBACKS:		
FRONT (RTE 96)	85'	60'
REAR	30'	30'
SIDE	30'	30'
GREENSPACE	35%	±48%
BUILDING COVERAGE	30%	±20%

5.
   a. GARAGE PARKING
      BUILDING 200 — 50 SPACES
      BUILDING 300 — 50 SPACES
      BUILDING 400 — 39 SPACES
   b. SURFACE PARKING — 158 SPACES (NOT INCLUDING 5 CRESCENT TRAIL SPACES)
   TOTAL: 297 SPACES (1.6 SPACES/UNIT)
6. BUILDINGS SHOWN ON THIS PLAN ARE GRAPHICAL REPRESENTATIONS ONLY.
7. ALL IMPROVEMENTS SHALL BE IN ACCORDANCE WITH THE MOST RECENT STANDARDS AND SPECIFICATIONS OF THE TOWN OF PERINTON AND THE APPROPRIATE MONROE COUNTY AND NEW YORK STATE AGENCIES, UNLESS OTHERWISE NOTED.
8. THE CONTRACTOR SHALL LOCATE, MARK, SAFEGUARD AND PRESERVE ALL SURVEY CONTROL MONUMENTS. FOR DESCRIPTIVE AND SURVEY DATA ON THE CONTROL MONUMENTS, CALL THE MONROE COUNTY SURVEY OFFICE.
9. THE DEVELOPER'S AND CONTRACTOR'S ATTENTION IS DIRECTED TO LOCAL LAW NO. 6 OF 1971 REGARDING LIABILITY INCURRED THROUGH DISTURBANCES OR DESTRUCTION OF GEODETIC SURVEY MONUMENTS.
10. HIGHWAY DRAINAGE ALONG NYS ROUTE 96 TO BE MAINTAINED. OWNER TO FURNISH AND PLACE DRIVEWAY CULVERT PIPE (IF REQUIRED) OF A SIZE AND TYPE, AT A LINE AND GRADE TO BE DETERMINED BY THE NYSDOT.

LEGEND

BOUNDARY LINE

SETBACK LINE

NOT APPROVED

This plan has not received final approval of all reviewing agencies. This plan is subject to revisions until all approvals are obtained and should not be used for construction purposes.

GRAPHIC SCALE

50 0 25 50 100

(IN FEET)
1 Inch = 50 ft.

T.A.# 193.02-03-10.112

Drawing Alteration
The following is an excerpt from the New York State Education Law Article 145 Section 7209 and applies to this drawing
"It is a violation of this law for any person, unless he is acting under the direction of a licensed professional engineer or land surveyor to alter any item on any map or plan bearing the seal of a licensed professional engineer or land surveyor. If any alteration is made, the altering engineer or land surveyor shall affix to the item his seal and the notation "altered by" followed by his signature and the date of such alteration, and a specific description of the alteration."

NO.	REVISIONS	DATE	BY
1	REDUCED BUILDING 100	3/30/23	TM
2			
3			
4			
5			
6			
7			

BME ASSOCIATES
ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS
38 LUTF BRIDGE LANE EAST, FAIRPORT, NEW YORK 14450
PHONE 585-377-7360
FAX 585-377-7399
WWW.BMEA.COM

PROJECT: 390 WOODCLIFF APARTMENTS
LOCATION: TOWN OF PERINTON, MONROE COUNTY, NEW YORK
CLIENT: WOODMARK ASSOCIATES, LLC
301 EXCHANGE BOULEVARD, SUITE 200
ROCHESTER, NEW YORK 14608
DRAWING TITLE: CONCEPT SITE PLAN

PROJECT MANAGER	DATE
P. VARS	
PROJECT ENGINEER	DATE
M. BOGDUEVSKI	
DRAWN BY	DATE
A. D'ANGELO	
SCALE	DATE ISSUED
1" = 50'	JANUARY 5, 2023
PROJECT NO.	
2837	
DRAWING NO.	
SK-3	

Architectural Elevation

CJS ARCHITECTS

WOODCLIFF PERSPECTIVE

MARK IV ENTERPRISES
WOODCLIFF VII
390 WOODCLIFF DR
FAIRPORT, NY 14450
12/22/22

ENTRACE ELEVATION

CJS ARCHITECTS

MARK IV ENTERPRISES
WOODCLIFF VII
390 WOODCLIFF DR
FAIRPORT, NY 14450
12/22/22 MARK IV ENTERPRISES

Traffic Study

SRF ASSOCIATES
Transportation Planning / Engineering / Design

3495 Winton Place
Building E, Suite 110
Rochester, NY 14623

(585) 272-4660
www.srfa.net

Mr. Christian M. Nadler, Esq.
General Counsel
Mark IV Enterprises
301 Exchange Boulevard, #200
Rochester, New York 14608

August 15, 2022

RE: Proposed 390 Woodcliff Apartments, Town of Perinton, NY
Trip Generation and Distribution Assessment Letter

Dear Mr. Nadler:

This technical letter provides a trip generation and distribution assessment related to the proposed apartment project located at 390 Woodcliff Drive in the Town of Perinton, NY for informational purposes and to understand the possible traffic impacts resulting from the proposed project. Additionally, this letter discusses the thresholds for completing a Traffic Impact Study (TIS). All supporting materials are included in the attachments.

PROJECT DESCRIPTION

The proposed project consists of rezoning to allow constructing 246 units of market-rate apartments between four new multi-story buildings. Access is proposed via an existing curb cut along NY-96 (Pittsford Victor Road) and Woodcliff Drive. The concept site plan is included in the attachments.

TRIP GENERATION

Data contained in the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition) was used to project the volume of the traffic generated by the proposed project. Data published by the ITE is the nationally accepted standard for generating trips for new uses. Given the functional characteristics of the study corridors, adjacent land uses, and the proposed land use for the project site, the peak hours selected for analysis are the weekday commuter AM and PM peak periods. The combination of site traffic and adjacent street traffic produces the greatest demand during these peak periods.

Table 1 shows the total site generated trips for the proposed residential project. It is noted that the project site was approved as an office development for up to ±120,000 square feet (SF). The potential trip generation for this office use is also included in the table as a point of comparison.

TABLE 1: SITE GENERATED TRIPS

DESCRIPTION	ITE LUC	SIZE	AM PEAK HOUR		PM PEAK HOUR	
			ENTER	EXIT	ENTER	EXIT
Former Approval – Office	715	±120,000 SF	195	24	32	182
Apartments	220	246 units	23	75	79	46
Difference in Trips			**-172**	**51**	**47**	**-136**

Note:
1. ITE LUC = ITE Land Use Code.

The proposed apartment project is expected to generate the following new vehicle trips: 23 entering/75 exiting vehicle trips during the AM peak hour and 79 entering/46 exiting vehicle trips during the PM peak hour.

When compared to the approved use as an office building, the proposed use is projected to generate 121 fewer vehicle trips during the AM peak hour (55% decrease) and 89 fewer vehicle trips during the PM peak hour (42% decrease).

TRIP DISTRIBUTION

The cumulative effect of site-generated traffic on the transportation network is dependent on the origins and destinations of that traffic and the location of the driveways serving the site. The proposed arrival/departure distribution of traffic generated by the proposed project is considered a function of several parameters, including:

- Commercial/employment centers in the area using US Census Data
- Site access locations via NY-96 and Woodcliff Drive
- Proximity and access to I-490
- Existing traffic controls (e.g., traffic signal at NY-96/Woodcliff Drive)
- Hourly traffic patterns using most recent available Annual Average Daily Traffic (AADT) data obtained from the New York State Department of Transportation (NYSDOT)

Figure 1 shows the anticipated trip distribution pattern percentages for the traffic from the proposed project. **Figure 2** illustrates the peak hour site generated traffic based on those percentages.

Under the proposed condition, approximately 10 vehicle trips are expected to use Woodcliff Drive north of the site during the AM peak hour and 13 vehicle trips are expected to use Woodcliff Drive during the PM peak hour. The approved office was projected to generate approximately 22 vehicle trips during the AM peak hour and 21 vehicle trips during the PM peak hour north of the site. This is a difference of 12 vehicle trips during the AM peak hour and nine vehicle trips during the PM peak hour.

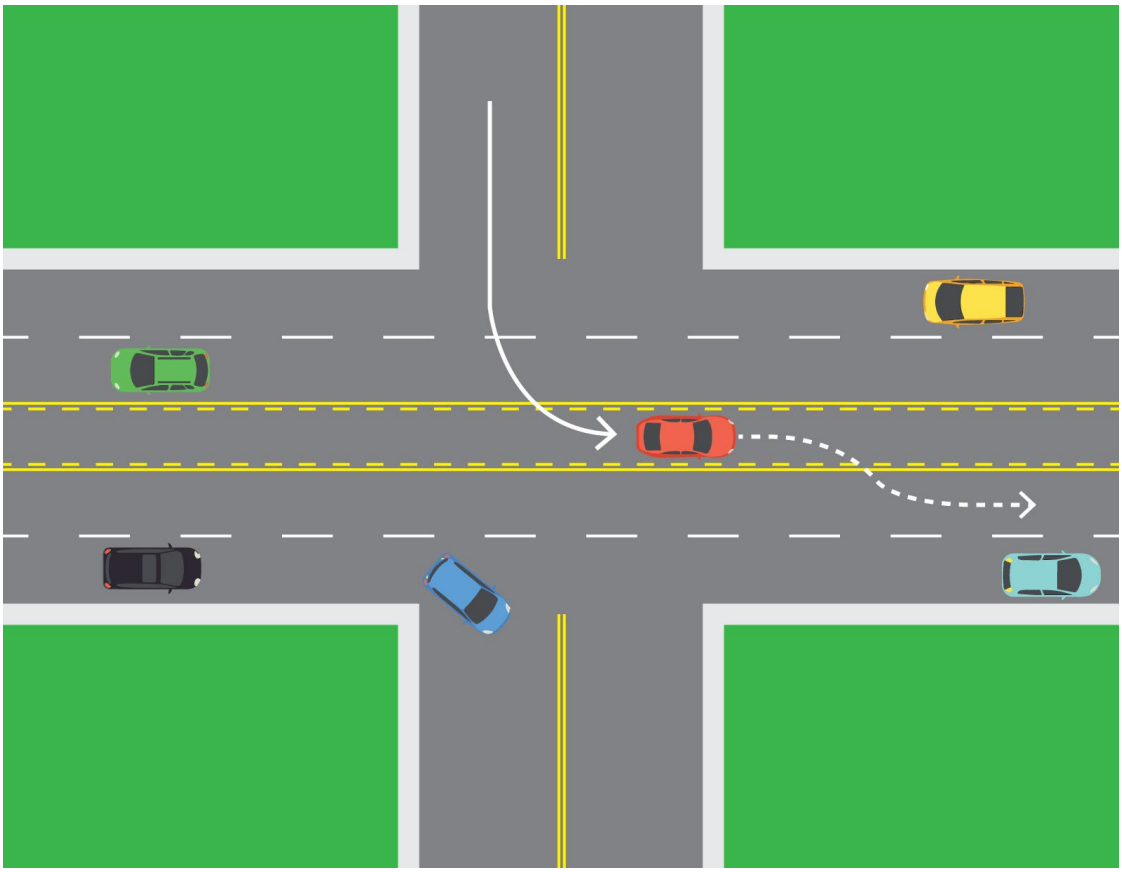
The roads anticipated to be primarily used by the additional trips generated by the proposed project are listed in **Table 2**. Functional classification of roadways within the study area is determined by the NYSDOT and the Federal Highway Administration (FHWA).

TABLE 2: EXISTING HIGHWAY SYSTEM

ROADWAY	CLASS[1]	AGENCY[2]	SPEED LIMIT[3]	TRAVEL LANES[4]	TRAVEL PATTERN/ DIRECTION	EST. AADT & SOURCE[5]
Pittsford Victor Road (NY-96)	16	NYSDOT	45	4	Two-way/ North-South	19,748 NYSDOT (2019)
Woodcliff Drive	19	Town	30	2	Two-way/ North-South	No Data Available

Notes:
1. State Functional Classification of Roadway. 16 = Urban Minor Arterial, 19 = Urban Local
2. Jurisdictional Agency of Roadway.
3. Posted or Statewide Limit in Miles per Hour (mph).
4. Number of travel lanes. Excludes turning/auxiliary lanes developed at intersections.
5. Estimated AADT in Vehicles per Day (vpd). AADT Source (Year).

It should be noted that NY-96 has a center two-way left-turn lane benefiting drivers entering and exiting the site. For example, drivers exiting the site can perform a two-stage left-turn maneuver. This can increase the number of prevailing traffic gap opportunities afforded to a driver as the driver, upon seeing an acceptable gap in traffic on the near side of the street (westbound NY-96), can enter this space before proceeding into the far side traffic stream (eastbound NY-96) when an acceptable gap in traffic is created. An example of this is shown in the following graphic.



Typical Project Entrance

THRESHOLDS FOR THE REQUIREMENT OF A TRAFFIC IMPACT STUDY

Many reviewing agencies, including the NYSDOT, use a guideline in determining whether a project warrants the preparation of a TIS. The applicable guideline is that if a proposed project is projected to add 100 or more site generated vehicles per hour (vph) to an adjacent intersection during either peak study period, then that intersection should be studied for potential traffic impacts.

Based upon the ITE trip generation projections and the resulting traffic assignment estimates shown in **Figure 2**, 68 or fewer total site generated peak hour trips are added to a single adjacent intersection during the peak hours studied.

CONCLUSIONS AND RECOMMENDATIONS

Given the projected site generated traffic; the projected site traffic distribution; the thresholds for completing a TIS; the site's multiple access points; existing signalized access control at NY-96/Woodcliff Drive; and the roadway characteristics previously described, a full TIS report is not warranted. This letter supports our professional opinion that the majority of vehicle trips generated by the project site will use NY-96 based upon the layout and proximity of the project site to NY-96, as well as access to I-490.

If you have any questions or require additional information, please do not hesitate to contact our office.

Sincerely,
SRF Associates, D.P.C.

David Kruse, AICP, PTP
Senior Transportation Planner

Attachments

ATTACHMENT

August 15, 2022

Letter to
Mr. Christian M. Nadler, Esq.
Mark IV Enterprises

Proposed 390 Woodcliff Apartments
390 Woodcliff Drive

Trip Generation and Distribution Assessment

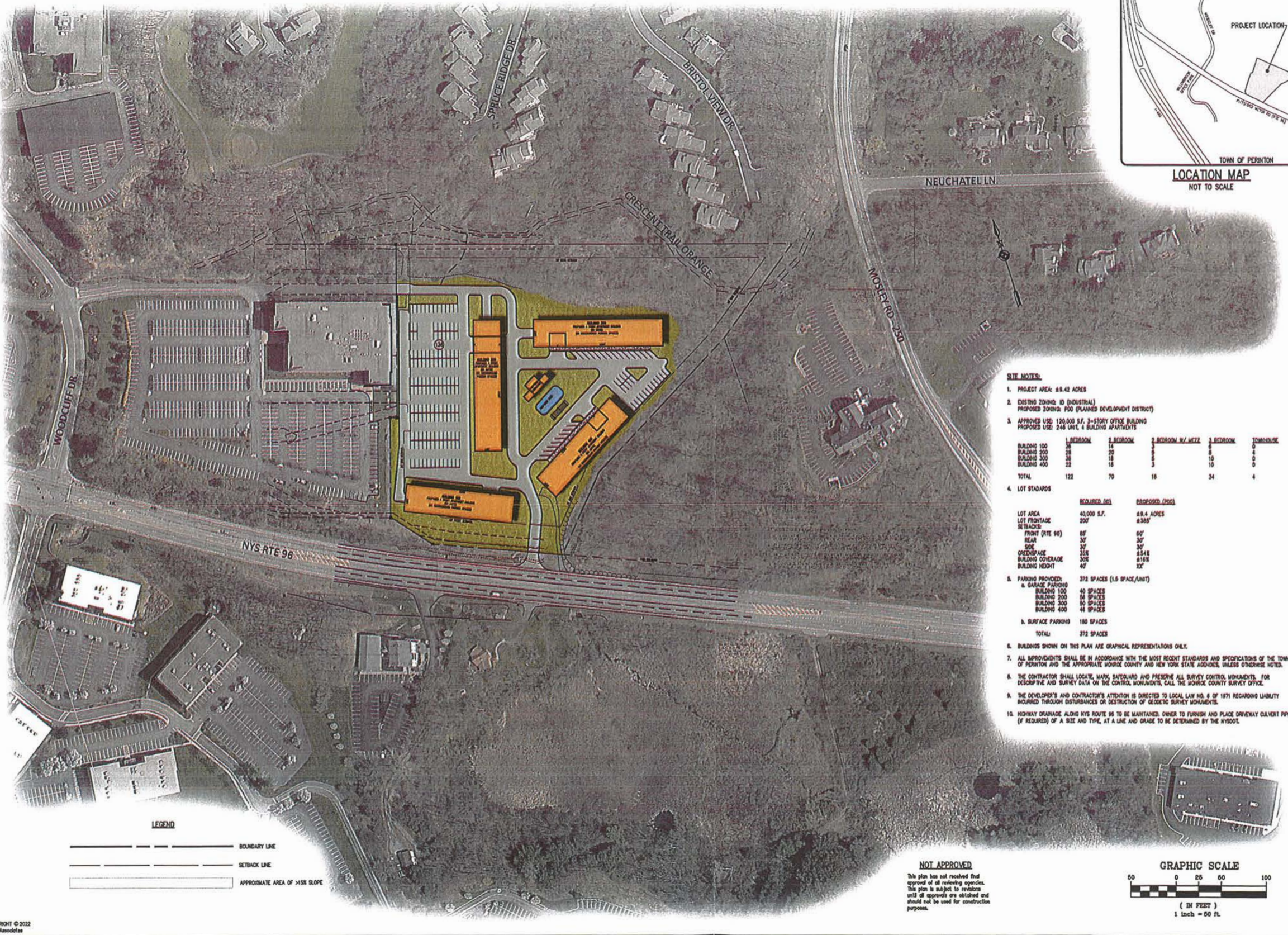
Town of Perinton
Monroe County, New York

SRF ASSOCIATES

3495 Winton Place
Building E, Suite 110
Rochester, NY 14623

PROPOSED APARTMENT PROJECT DATA

P:\2837\Drawings\Final\2837 Rendering 4-18-22.dwg



LOCATION MAP
NOT TO SCALE

SITE NOTES:

1. PROJECT AREA: ±9.42 ACRES
2. EXISTING ZONING: ID (INDUSTRIAL)
   PROPOSED ZONING: PDD (PLANNED DEVELOPMENT DISTRICT)
3. APPROVED USE: 120,000 S.F. 3-STORY OFFICE BUILDING
   PROPOSED USE: 248 UNIT, 4 BUILDING APARTMENTS

	1 BEDROOM	2 BEDROOM	2 BEDROOM W/ MEZZ	3 BEDROOM	TOWNHOUSE
BUILDING 100	38	14	3	8	0
BUILDING 200	28	22	3	8	4
BUILDING 300	28	18	3	10	0
BUILDING 400	22	16	3	10	0
TOTAL	122	70	12	36	4

4. LOT STANDARDS

	REQUIRED (ID)	PROPOSED (PDD)
LOT AREA	40,000 S.F.	±9.4 ACRES
LOT FRONTAGE	200'	±385'
SETBACKS:		
FRONT (RTE 96)	85'	60'
REAR	30'	30'
SIDE	30'	30'
OPEN SPACE	35%	±54%
BUILDING COVERAGE	30%	±16%
BUILDING HEIGHT	40'	XX'

5. PARKING PROVIDED: 372 SPACES (1.5 SPACE/UNIT)
   a. GARAGE PARKING
      BUILDING 100 40 SPACES
      BUILDING 200 68 SPACES
      BUILDING 300 80 SPACES
      BUILDING 400 46 SPACES
   b. SURFACE PARKING 180 SPACES
   TOTAL: 372 SPACES
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10. HIGHWAY DRAINAGE ALONG NYS ROUTE 96 TO BE MAINTAINED. OWNER TO FURNISH AND PLACE DRIVEWAY CULVERT PIPE (IF REQUIRED) OF A SIZE AND TYPE, AT A LINE AND GRADE TO BE DETERMINED BY THE NYSDOT.

NOT APPROVED

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GRAPHIC SCALE
50 0 25 50 100
(IN FEET)
1 inch = 50 ft.

T.A.# 193.02-03-10.112

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NO.	REVISIONS	DATE	BY
7			
6			
5			
4			
3			
2			
1			

BME ASSOCIATES
ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS
30 LUTI BRIDGE LANE EAST
FAIRPORT, NEW YORK 14450
PHONE: 585-377-7360
FAX: 585-377-7389
WWW.BMEPC.COM

PROJECT: 390 WOODCLIFF APARTMENTS
LOCATION: TOWN OF PERINTON, MONROE COUNTY, NEW YORK
CLIENT: MARK IV ENTERPRISES, 201 EXCHANGE BLVD, ROCHESTER, NY 14608
DRAWING TITLE: RENDERING

PROJECT MANAGER	DATE
P. VARS	
PROJECT ENGINEER	DATE
M. BOGDJEVSKI	
DRAWN BY	DATE
J. BASILE	
SCALE	DATE ISSUED
1" = 100'	APRIL 13, 2022
PROJECT NO.	
2837	
DRAWING NO.	

United States Census Bureau OnTheMap

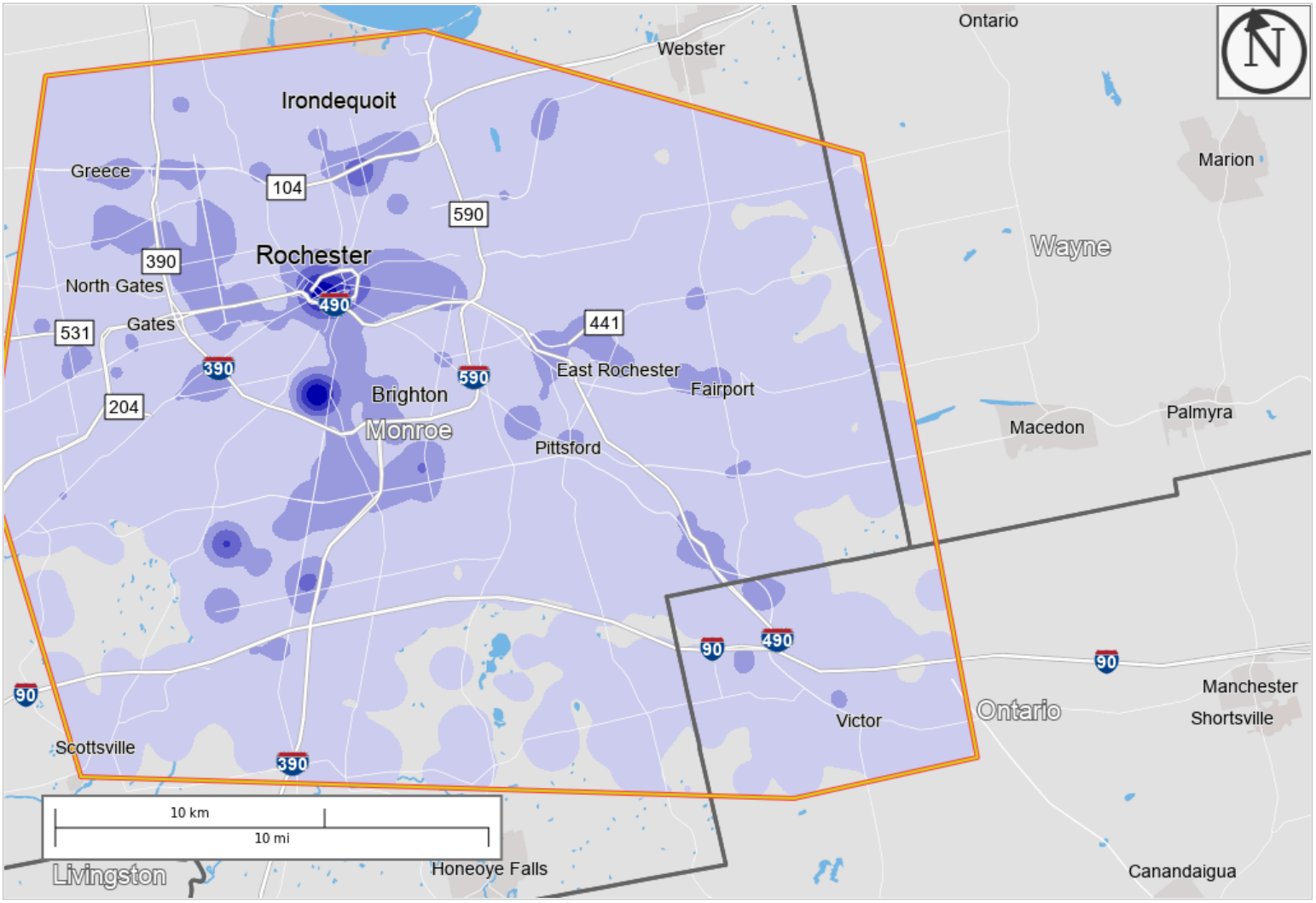
Work Area Profile Report

All Jobs for All Workers in 2019

Created by the U.S. Census Bureau's OnTheMap https://onthemap.ces.census.gov on 08/08/2022

Density of All Jobs in Work Selection Area in 2019

All Workers



Map Legend

Job Density [Jobs/Sq. Mile]

- 5 - 2,664
- 2,665 - 10,642
- 10,643 - 23,939
- 23,940 - 42,554
- 42,555 - 66,489

Selection Areas

- Analysis Selection

United States Census Bureau

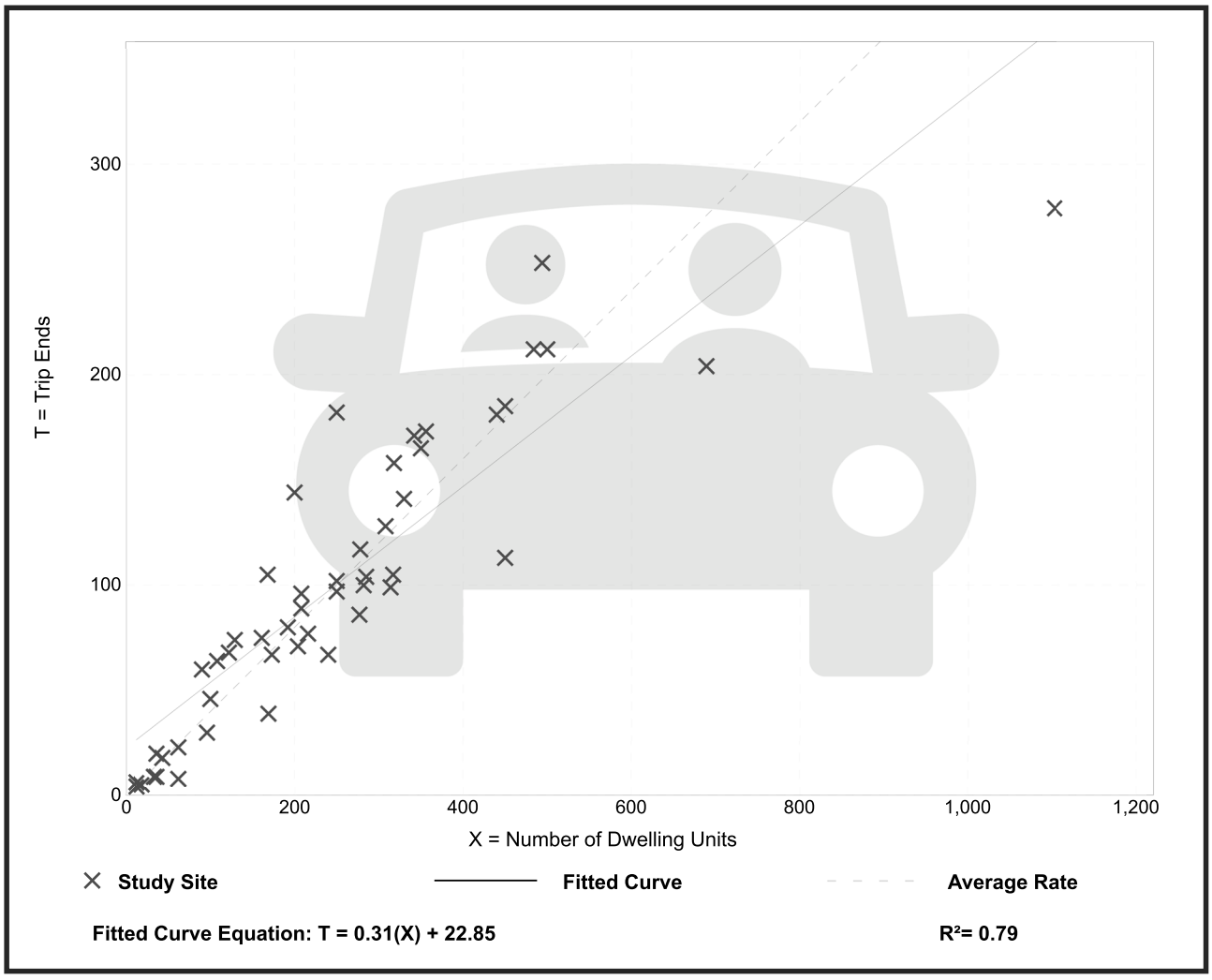
Multifamily Housing (Low-Rise)
Not Close to Rail Transit (220)

Vehicle Trip Ends vs: **Dwelling Units**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.
Setting/Location: **General Urban/Suburban**
Number of Studies: 49
Avg. Num. of Dwelling Units: 249
Directional Distribution: 24% entering, 76% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.40	0.13 - 0.73	0.12

Data Plot and Equation



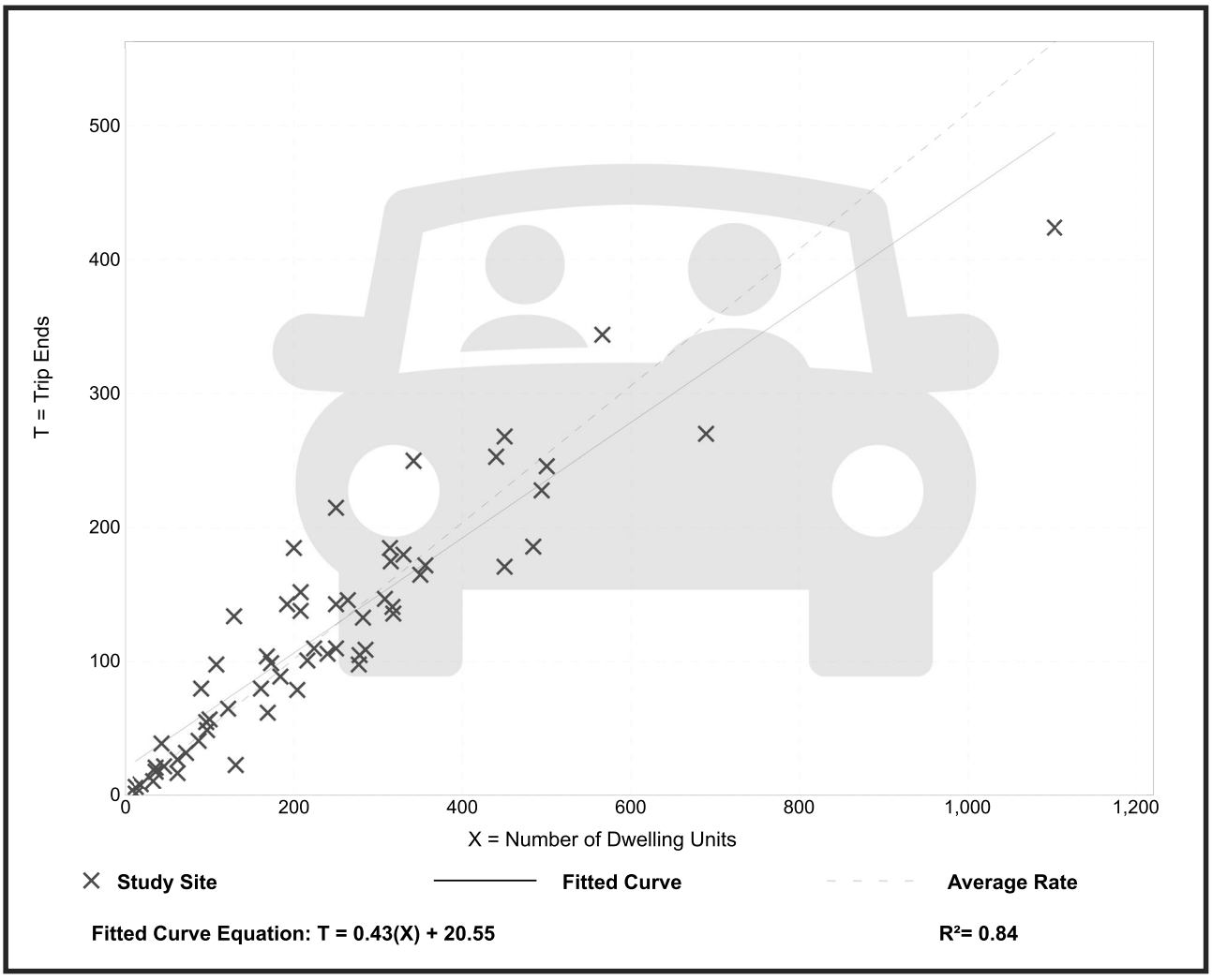
Multifamily Housing (Low-Rise)
Not Close to Rail Transit (220)

Vehicle Trip Ends vs:	**Dwelling Units**
On a:	**Weekday,**
	Peak Hour of Adjacent Street Traffic,
	One Hour Between 4 and 6 p.m.
Setting/Location:	**General Urban/Suburban**
Number of Studies:	59
Avg. Num. of Dwelling Units:	241
Directional Distribution:	63% entering, 37% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.51	0.08 - 1.04	0.15

Data Plot and Equation



ITE Hourly Trip Generation Information
ITE Trip Generation, 10th Edition

Percent of Daily Traffic During the 60-minute Period		
	AM	PM
12:00	0.7%	5.4%
1:00	0.4%	4.6%
2:00	0.3%	5.7%
3:00	0.4%	6.2%
4:00	0.6%	7.6%
5:00	1.3%	9.1%
6:00	2.9%	7.9%
7:00	7.4%	5.7%
8:00	6.3%	5.1%
9:00	5.3%	3.6%
10:00	4.0%	2.9%
11:00	5.3%	1.2%

PROPOSED PROJECT: **390 Woodcliff Apartments**
LOCATION: **390 Woodcliff Drive, Town of Perinton, NY**
PEAK HOUR: **AM Peak Hour**

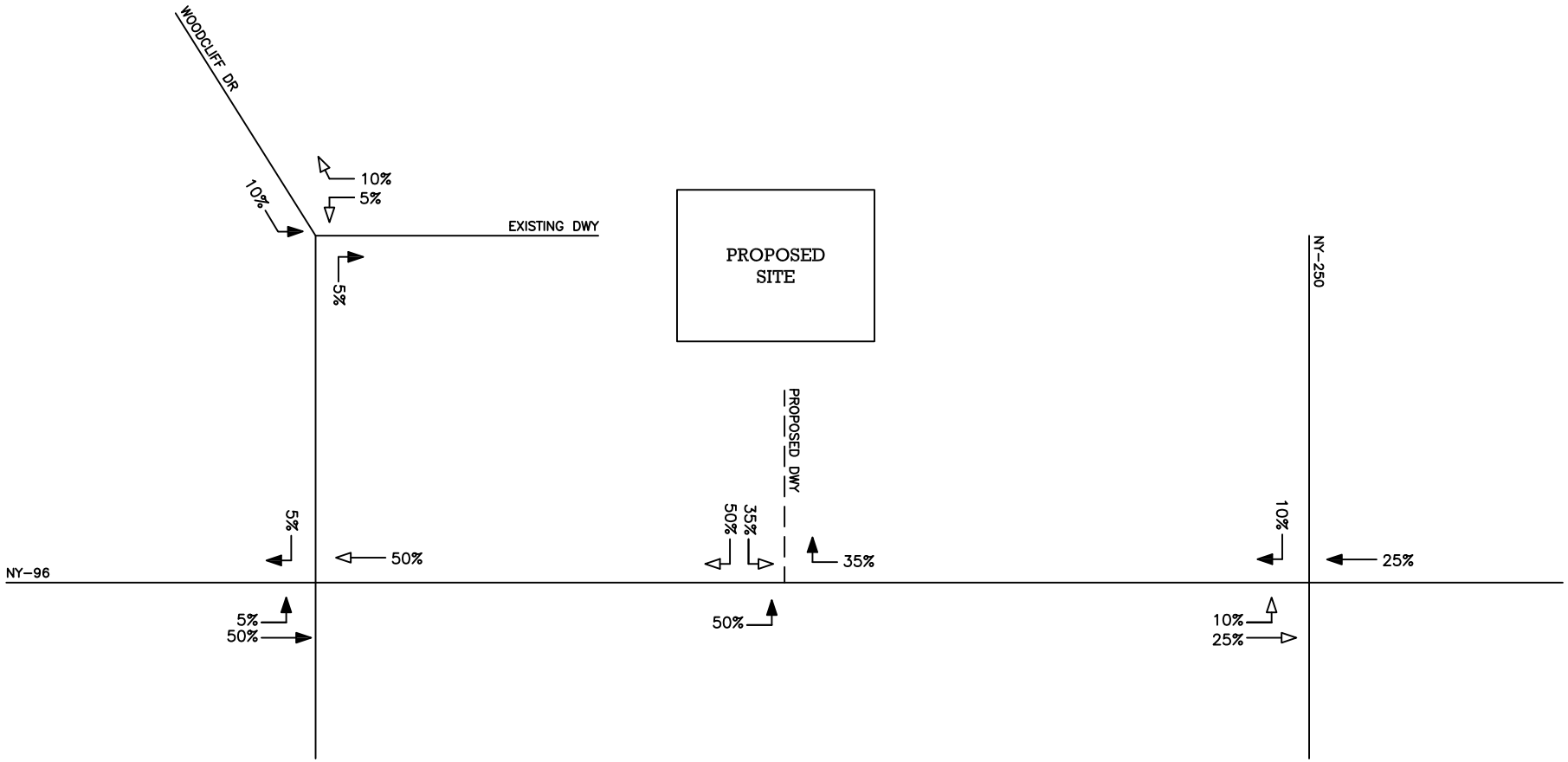
Figure Number: 1 2

LOCATION NUMBER	INTERSECTION DESCRIPTION	Proposed Project				Total Site Trips
		Enter Dist. %	Exit Dist. %	Trips IN 23	Trips OUT 75	
1	Woodcliff Drive Existing Access					
	SR					
	ST					
	SL	10%		2		2
	WR		10%		8	8
	WT					
	WL		5%		4	4
	NR	5%		1		1
	NT					
	NL					
	ER					
	ET					
	EL					
2	NY-96 Woodcliff Drive					
	SR		5%		4	4
	ST					
	SL					
	WR					
	WT		50%		38	38
	WL					
	NR					
	NT					
	NL					
	ER					
	ET	50%		12		12
	EL	5%		1		1
3	NY-96 Proposed Driveway					
	SR		50%		38	38
	ST					
	SL		35%		25	25
	WR	35%		8		8
	WT					
	WL					
	NR					
	NT					
	NL					
	ER					
	ET					
	EL	50%		12		12
4	NY-96 NY-250					
	SR	10%		2		2
	ST					
	SL					
	WR					
	WT	25%		6		6
	WL					
	NR					
	NT					
	NL					
	ER					
	ET		25%		19	19
	EL		10%		8	8

PROPOSED PROJECT: **390 Woodcliff Apartments**
LOCATION: **390 Woodcliff Drive, Town of Perinton, NY**
PEAK HOUR: **PM Peak Hour**

Figure Number: 1 2

LOCATION NUMBER	INTERSECTION DESCRIPTION	Proposed Project				Total Site Trips
		Enter Dist. %	Exit Dist. %	Trips IN 79	Trips OUT 46	
1	Woodcliff Drive Existing Access					
	SR					
	ST					
	SL	10%		8		8
	WR		10%		5	5
	WT					
	WL		5%		2	2
	NR	5%		4		4
	NT					
	NL					
	ER					
	ET					
	EL					
2	NY-96 Woodcliff Drive					
	SR		5%		2	2
	ST					
	SL					
	WR					
	WT		50%		23	23
	WL					
	NR					
	NT					
	NL					
	ER					
	ET	50%		39		39
	EL	5%		4		4
3	NY-96 Proposed Driveway					
	SR		50%		23	23
	ST					
	SL		35%		16	16
	WR	35%		28		28
	WT					
	WL					
	NR					
	NT					
	NL					
	ER					
	ET					
	EL	50%		39		39
3	NY-96 NY-250					
	SR	10%		8		8
	ST					
	SL					
	WR					
	WT	25%		20		20
	WL					
	NR					
	NT					
	NL					
	ER					
	ET		25%		11	11
	EL		10%		5	5



SRF ASSOCIATES
Transportation Planning / Engineering / Design
www.srfa.net / (585) 272-4660

N

NOT TO SCALE

FIGURE 1

TRIP DISTRIBUTION

PROPOSED 390 WOODCLIFF APARTMENTS
TOWN OF PERINTON, NY

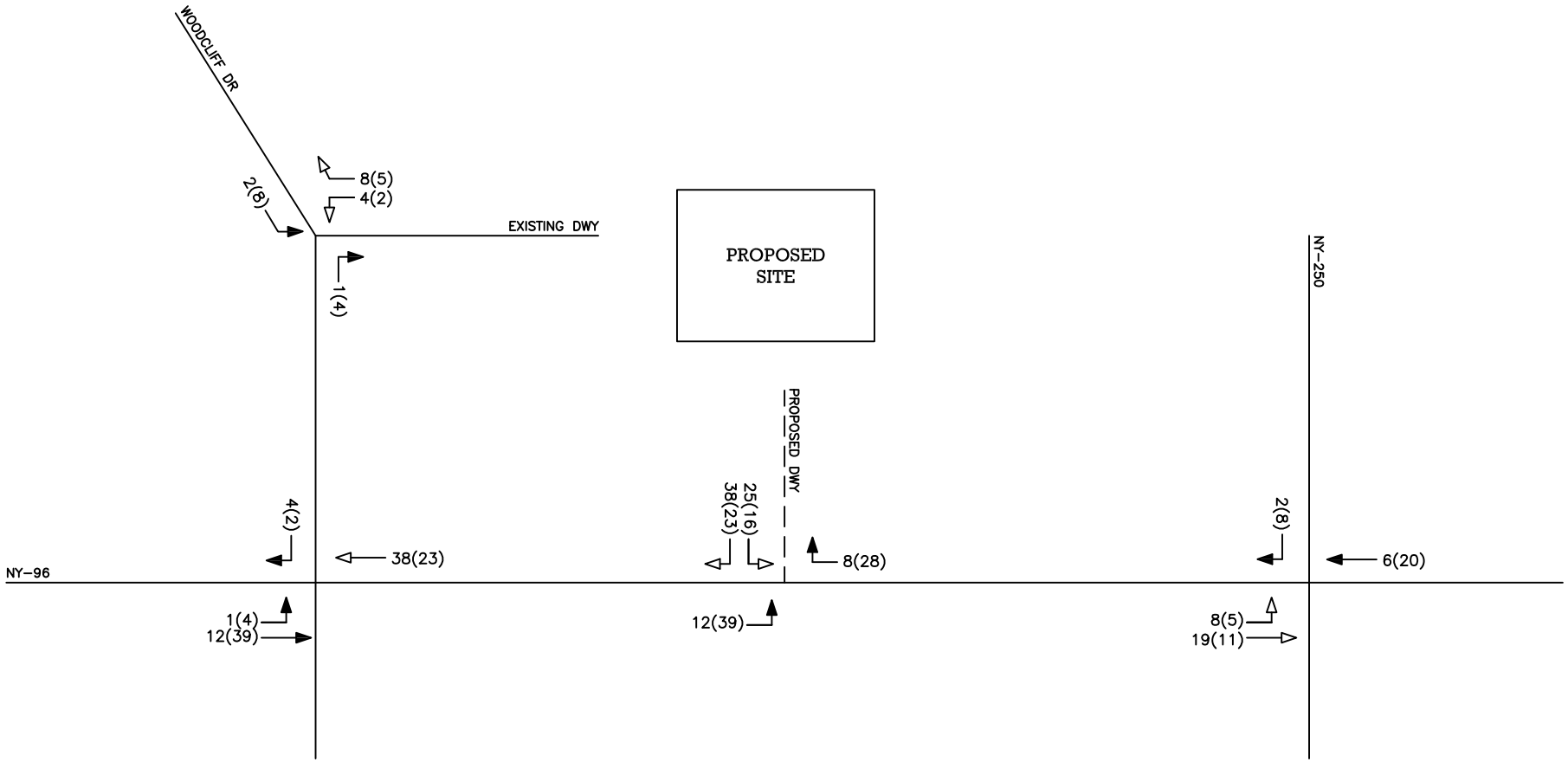
KEY

00(00) = AM(PM)

→ = ENTERING TRIPS

→ = EXITING TRIPS

PROJECT NO: 42075



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N

NOT TO SCALE

FIGURE 2

SITE GENERATED TRIPS

PROPOSED 390 WOODCLIFF APARTMENTS
TOWN OF PERINTON, NY

KEY

00(00) = AM(PM)

→ = ENTERING TRIPS

→ = EXITING TRIPS

PROJECT NO: 42075

APPROVED OFFICE DATA

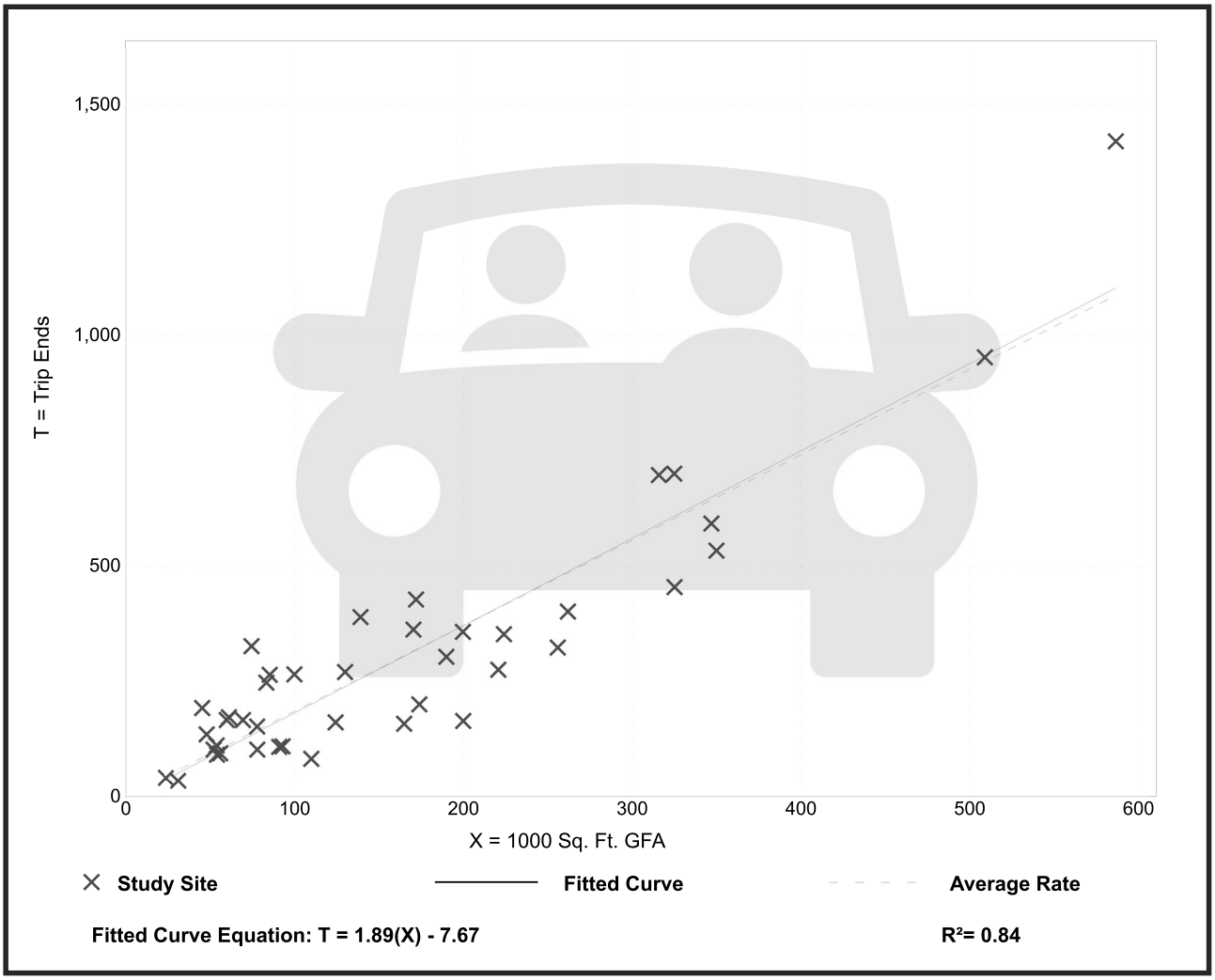
Single Tenant Office Building
(715)

Vehicle Trip Ends vs: **1000 Sq. Ft. GFA**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.
Setting/Location: **General Urban/Suburban**
Number of Studies: 41
Avg. 1000 Sq. Ft. GFA: 164
Directional Distribution: 89% entering, 11% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.85	0.75 - 4.37	0.65

Data Plot and Equation



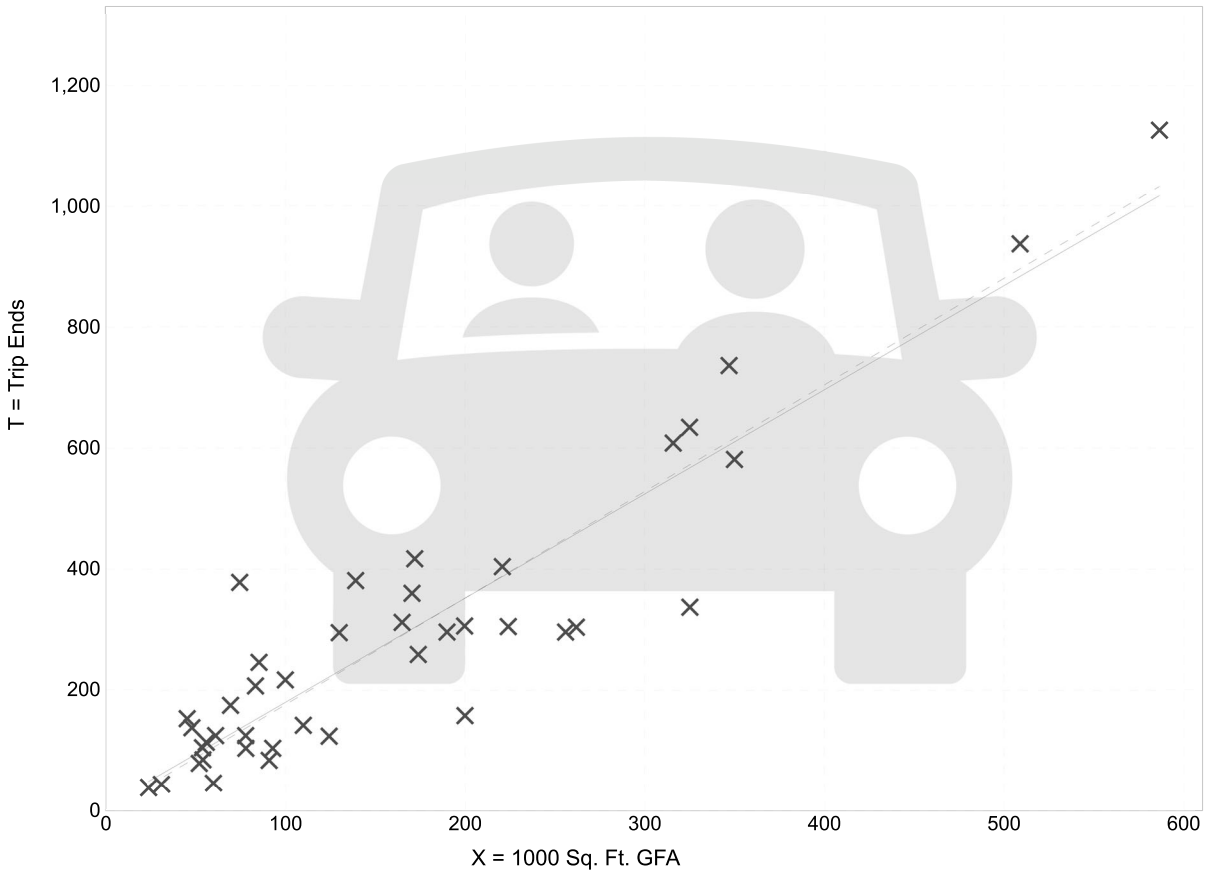
Single Tenant Office Building
(715)

Vehicle Trip Ends vs: **1000 Sq. Ft. GFA**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: **General Urban/Suburban**
Number of Studies: 41
Avg. 1000 Sq. Ft. GFA: 164
Directional Distribution: 15% entering, 85% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.76	0.77 - 5.07	0.61

Data Plot and Equation



Fitted Curve Equation: T = 1.72(X) + 7.89

R^2= 0.85

PROPOSED PROJECT: **390 Woodcliff Apartments (OFFICE TRIP GENERATION)**
LOCATION: **390 Woodcliff Drive, Town of Perinton, NY**
PEAK HOUR: **AM Peak Hour**

Figure Number:

LOCATION NUMBER	INTERSECTION DESCRIPTION	Proposed Project				Total Site Trips
		Enter Dist. %	Exit Dist. %	Trips IN 195	Trips OUT 24	
1	Woodcliff Drive Existing Access					
	SR					
	ST					
	SL	10%		20		20
	WR		10%		2	2
	WT					
	WL		5%		1	1
	NR	5%		10		10
	NT					
	NL					
	ER					
	ET					
	EL					
2	NY-96 Woodcliff Drive					
	SR		5%		1	1
	ST					
	SL					
	WR					
	WT		50%		12	12
	WL					
	NR					
	NT					
	NL					
	ER					
	ET	50%		98		98
	EL	5%		10		10
3	NY-96 Proposed Driveway					
	SR		50%		12	12
	ST					
	SL		35%		8	8
	WR	35%		68		68
	WT					
	WL					
	NR					
	NT					
	NL					
	ER					
	ET					
	EL	50%		98		98
4	NY-96 NY-250					
	SR	10%		20		20
	ST					
	SL					
	WR					
	WT	25%		49		49
	WL					
	NR					
	NT					
	NL					
	ER					
	ET		25%		6	6
	EL		10%		2	2

PROPOSED PROJECT: **390 Woodcliff Apartments (OFFICE TRIP GENERATION)**
LOCATION: **390 Woodcliff Drive, Town of Perinton, NY**
PEAK HOUR: **PM Peak Hour**

Figure Number:

LOCATION NUMBER	INTERSECTION DESCRIPTION	Proposed Project				Total Site Trips
		Enter Dist. %	Exit Dist. %	Trips IN 32	Trips OUT 182	
1	Woodcliff Drive Existing Access					
	SR					
	ST					
	SL	10%		3		3
	WR		10%		18	18
	WT					
	WL		5%		9	9
	NR	5%		2		2
	NT					
	NL					
	ER					
	ET					
	EL					
2	NY-96 Woodcliff Drive					
	SR		5%		9	9
	ST					
	SL					
	WR					
	WT		50%		91	91
	WL					
	NR					
	NT					
	NL					
	ER					
	ET	50%		16		16
	EL	5%		2		2
3	NY-96 Proposed Driveway					
	SR		50%		91	91
	ST					
	SL		35%		64	64
	WR	35%		11		11
	WT					
	WL					
	NR					
	NT					
	NL					
	ER					
	ET					
	EL	50%		16		16
3	NY-96 NY-250					
	SR	10%		3		3
	ST					
	SL					
	WR					
	WT	25%		8		8
	WL					
	NR					
	NT					
	NL					
	ER					
	ET		25%		46	46
	EL		10%		18	18

Geo Tech Report

Foundation Design, P.C.

SOIL • BEDROCK • GROUNDWATER

August 25, 2022

Mark IV Enterprises
301 Exchange Boulevard
Rochester, New York 14608

Attention: Steve DiMarzo
Chief Operating Officer

Reference: 390 Woodcliff Apartments
Route 96, Perinton, New York
Preliminary/Desktop Assessment, 5265.0

Dear Mr. DiMarzo:

This letter presents our Desktop/Preliminary Geotechnical Review of the project. We base this on a recent site walk, review of the year 2000 Geotechnical Evaluation for Lots 6 and 7, and review of your current design concept and updated survey. The 390 Woodcliff Apartments project will occupy Lot 7 at Woodcliff. Rather than the earlier project (multi-story office building) this project will consist, in general terms, of four, 4 story apartment buildings with associated pavements and amenities. Most specifically, some concerns have been raised about the potential impact of the associated construction on the residences upslope from this parcel. In brief, we do not share this concern.

The earlier Geotechnical Evaluation showed the soil profile to generally consist of a layer of outwash sands and silts/gravel over dense glacial till, and had recommended a spread footing foundation system. Some cutting into the north slope was anticipated in the overall development. We expect that both soil types have some inherent strength and stability to potentially facilitate the proposed construction. The upslope residences are nominally at elevation 690 and the nearest proposed apartment has a lower floor elevation of about 645. Overall, this 45 foot elevation rise is accomplished across a horizontal distance of about 135 feet (so an overall gradient of 3H:1V, a fairly modest gradient for these soils). Mass grading for Lot 6 and 7 was done as part of the construction of Lot 6, approximately 20 years ago. This included cutting into the slope at the northeast corner of the parcel to create a 20 foot tall slope over a distance of about 30 feet (so 1.5H on 1V, not unheard of for stable soil types. It does appear that slopes of this or a similar gradient already exist directly behind the upslope residences, well away from the previous grading on Lot 7. We cannot say if this was a natural condition or a result of grading work done for that development.).

During our site walk we made a few observations:

The exposed soil surface at the toe of the slope appears to be the anticipated glacial till soil. Our experience in the nearby area on other projects concurs with this assessment. This reasonably validates the earlier geotechnical data on a conceptual level.

The cut slope is well vegetated and does not show signs of movement/degradation, or erosion. There is some wetter-type vegetation in an area partway up the slope. Our preliminary judgement is that this is likely the interface between the overburden sands and the dense glacial till. Water is likely perching above the till and daylighting on the slope. While this condition could be an item of concern, we did not see signs of the slope eroding or slumping in this area. Therefore either the actual volume of flow is limited or the soil strength (and the roots from the vegetation) are adequate to address the matter.

Given that the new construction will not directly impact the slope and that the slope has been in service for approximately 20 years we do not anticipate that the proposed project would destabilize the slope and cause the upslope residences to fail. When you are on site doing your proposed earthwork you should pay attention to the existing cut slope and confirm that some additional water/erosion control measures are not necessary. (While we do not have specific concerns, any items of work to be added based on field conditions would be much easier to accomplish prior to putting the nearby apartment building into service.)

This concludes our Preliminary/Desktop Assessment. We remain available for review/consultation as the design progresses and look forward to performing a more traditional Geotechnical Evaluation when the project status warrants it.

Very truly yours,

FOUNDATION DESIGN, P.C.

James M. Baker, P.E.
President
Enc.

Photo 1: Base of slope looking eastward

Photo 2: Top of slope looking westward

Important Information about This

Geotechnical-Engineering Report

Subsurface problems are a principal cause of construction delays, cost overruns, claims, and disputes.

While you cannot eliminate all such risks, you can manage them. The following information is provided to help.

The Geoprofessional Business Association (GBA) has prepared this advisory to help you – assumedly a client representative – interpret and apply this geotechnical-engineering report as effectively as possible. In that way, you can benefit from a lowered exposure to problems associated with subsurface conditions at project sites and development of them that, for decades, have been a principal cause of construction delays, cost overruns, claims, and disputes. If you have questions or want more information about any of the issues discussed herein, contact your GBA-member geotechnical engineer. Active engagement in GBA exposes geotechnical engineers to a wide array of risk-confrontation techniques that can be of genuine benefit for everyone involved with a construction project.

Understand the Geotechnical-Engineering Services Provided for this Report

Geotechnical-engineering services typically include the planning, collection, interpretation, and analysis of exploratory data from widely spaced borings and/or test pits. Field data are combined with results from laboratory tests of soil and rock samples obtained from field exploration (if applicable), observations made during site reconnaissance, and historical information to form one or more models of the expected subsurface conditions beneath the site. Local geology and alterations of the site surface and subsurface by previous and proposed construction are also important considerations. Geotechnical engineers apply their engineering training, experience, and judgment to adapt the requirements of the prospective project to the subsurface model(s). Estimates are made of the subsurface conditions that will likely be exposed during construction as well as the expected performance of foundations and other structures being planned and/or affected by construction activities.

The culmination of these geotechnical-engineering services is typically a geotechnical-engineering report providing the data obtained, a discussion of the subsurface model(s), the engineering and geologic engineering assessments and analyses made, and the recommendations developed to satisfy the given requirements of the project. These reports may be titled investigations, explorations, studies, assessments, or evaluations. Regardless of the title used, the geotechnical-engineering report is an engineering interpretation of the subsurface conditions within the context of the project and does not represent a close examination, systematic inquiry, or thorough investigation of all site and subsurface conditions.

Geotechnical-Engineering Services are Performed for Specific Purposes, Persons, and Projects, and At Specific Times

Geotechnical engineers structure their services to meet the specific needs, goals, and risk management preferences of their clients. A geotechnical-engineering study conducted for a given civil engineer will not likely meet the needs of a civil-works constructor or even a different civil engineer. Because each geotechnical-engineering study is unique, each geotechnical-engineering report is unique, prepared *solely* for the client.

Likewise, geotechnical-engineering services are performed for a specific project and purpose. For example, it is unlikely that a geotechnical-engineering study for a refrigerated warehouse will be the same as one prepared for a parking garage; and a few borings drilled during a preliminary study to evaluate site feasibility will not be adequate to develop geotechnical design recommendations for the project.

Do not rely on this report if your geotechnical engineer prepared it:

- for a different client;
- for a different project or purpose;
- for a different site (that may or may not include all or a portion of the original site); or
- before important events occurred at the site or adjacent to it; e.g., man-made events like construction or environmental remediation, or natural events like floods, droughts, earthquakes, or groundwater fluctuations.

Note, too, the reliability of a geotechnical-engineering report can be affected by the passage of time, because of factors like changed subsurface conditions; new or modified codes, standards, or regulations; or new techniques or tools. *If you are the least bit uncertain* about the continued reliability of this report, contact your geotechnical engineer before applying the recommendations in it. A minor amount of additional testing or analysis after the passage of time – if any is required at all – could prevent major problems.

Read this Report in Full

Costly problems have occurred because those relying on a geotechnical-engineering report did not read the report in its entirety. Do not rely on an executive summary. Do not read selective elements only. *Read and refer to the report in full.*

You Need to Inform Your Geotechnical Engineer About Change

Your geotechnical engineer considered unique, project-specific factors when developing the scope of study behind this report and developing the confirmation-dependent recommendations the report conveys. Typical changes that could erode the reliability of this report include those that affect:

- the site's size or shape;
- the elevation, configuration, location, orientation, function or weight of the proposed structure and the desired performance criteria;
- the composition of the design team; or
- project ownership.

As a general rule, *always* inform your geotechnical engineer of project or site changes – even minor ones – and request an assessment of their impact. *The geotechnical engineer who prepared this report cannot accept*

responsibility or liability for problems that arise because the geotechnical engineer was not informed about developments the engineer otherwise would have considered.

Most of the "Findings" Related in This Report Are Professional Opinions

Before construction begins, geotechnical engineers explore a site's subsurface using various sampling and testing procedures. *Geotechnical engineers can observe actual subsurface conditions only at those specific locations where sampling and testing is performed.* The data derived from that sampling and testing were reviewed by your geotechnical engineer, who then applied professional judgement to form opinions about subsurface conditions throughout the site. Actual sitewide-subsurface conditions may differ – maybe significantly – from those indicated in this report. Confront that risk by retaining your geotechnical engineer to serve on the design team through project completion to obtain informed guidance quickly, whenever needed.

This Report's Recommendations Are Confirmation-Dependent

The recommendations included in this report – including any options or alternatives – are confirmation-dependent. In other words, they are <u>not</u> final, because the geotechnical engineer who developed them relied heavily on judgement and opinion to do so. Your geotechnical engineer can finalize the recommendations *only after observing actual subsurface conditions* exposed during construction. If through observation your geotechnical engineer confirms that the conditions assumed to exist actually do exist, the recommendations can be relied upon, assuming no other changes have occurred. *The geotechnical engineer who prepared this report cannot assume responsibility or liability for confirmation-dependent recommendations if you fail to retain that engineer to perform construction observation.*

This Report Could Be Misinterpreted

Other design professionals' misinterpretation of geotechnical-engineering reports has resulted in costly problems. Confront that risk by having your geotechnical engineer serve as a continuing member of the design team, to:

- confer with other design-team members;
- help develop specifications;
- review pertinent elements of other design professionals' plans and specifications; and
- be available whenever geotechnical-engineering guidance is needed.

You should also confront the risk of constructors misinterpreting this report. Do so by retaining your geotechnical engineer to participate in prebid and preconstruction conferences and to perform construction-phase observations.

Give Constructors a Complete Report and Guidance

Some owners and design professionals mistakenly believe they can shift unanticipated-subsurface-conditions liability to constructors by limiting the information they provide for bid preparation. To help prevent the costly, contentious problems this practice has caused, include the complete geotechnical-engineering report, along with any attachments or appendices, with your contract documents, *but be certain to note conspicuously that you've included the material for information purposes only.* To avoid misunderstanding, you may also want to note that "informational purposes" means constructors have no right to rely on the interpretations, opinions, conclusions, or recommendations in the report. Be certain that constructors know they may learn about specific project requirements, including options selected from the report, *only* from the design drawings and specifications. Remind constructors that they may perform their own studies if they want to, and *be sure to allow enough time* to permit them to do so. Only then might you be in a position to give constructors the information available to you, while requiring them to at least share some of the financial responsibilities stemming from unanticipated conditions. Conducting prebid and preconstruction conferences can also be valuable in this respect.

Read Responsibility Provisions Closely

Some client representatives, design professionals, and constructors do not realize that geotechnical engineering is far less exact than other engineering disciplines. This happens in part because soil and rock on project sites are typically heterogeneous and not manufactured materials with well-defined engineering properties like steel and concrete. That lack of understanding has nurtured unrealistic expectations that have resulted in disappointments, delays, cost overruns, claims, and disputes. To confront that risk, geotechnical engineers commonly include explanatory provisions in their reports. Sometimes labeled "limitations," many of these provisions indicate where geotechnical engineers' responsibilities begin and end, to help others recognize their own responsibilities and risks. *Read these provisions closely.* Ask questions. Your geotechnical engineer should respond fully and frankly.

Geoenvironmental Concerns Are <u>Not</u> Covered

The personnel, equipment, and techniques used to perform an environmental study – e.g., a "phase-one" or "phase-two" environmental site assessment – differ significantly from those used to perform a geotechnical-engineering study. For that reason, a geotechnical-engineering report does not usually provide environmental findings, conclusions, or recommendations; e.g., about the likelihood of encountering underground storage tanks or regulated contaminants. *Unanticipated subsurface environmental problems have led to project failures.* If you have not obtained your own environmental information about the project site, ask your geotechnical consultant for a recommendation on how to find environmental risk-management guidance.

Obtain Professional Assistance to Deal with Moisture Infiltration and Mold

While your geotechnical engineer may have addressed groundwater, water infiltration, or similar issues in this report, the engineer's services were not designed, conducted, or intended to prevent migration of moisture – including water vapor – from the soil through building slabs and walls and into the building interior, where it can cause mold growth and material-performance deficiencies. Accordingly, ***proper implementation of the geotechnical engineer's recommendations will <u>not</u> of itself be sufficient to prevent moisture infiltration. Confront the risk of moisture infiltration*** by including building-envelope or mold specialists on the design team. ***Geotechnical engineers are <u>not</u> building-envelope or mold specialists.***

GEOPROFESSIONAL BUSINESS ASSOCIATION

Telephone: 301/565-2733
e-mail: info@geoprofessional.org www.geoprofessional.org