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February 1, 2024

Hon. John "Jack" Murphy, Mayor
Village of Marcellus
6 Slocombe Ave.
Marcellus, New York 13108

Mayor Murphy and Member of the Village of Marcellus Board of Trustee,

On Jan. 8th, Stewart's submitted draft versions of the Special Use Permit Application, Planning Application, the short Environmental Assessment Form, provided a Plan Set based on aerial and tax map along with an assessment for architectural/archaeological resources from Hudson Cultural Services. We would like now to supplement this material with a Plan Set based on an updated survey, a gas install narrative, questions we've received through various outlets, a trip generation letter from CHA Consulting and our response to the Village's Special Use Permit Criteria outlined in the Village's zoning ordinance in Section 250-74.

In its analysis of the Special Use Criteria and in speaking with residents, there seems to be a concern that the former AOK gas station at the corner of Orange and Main streets and the history of a contaminated facility where its ownership prevented the sale of the facility. To alleviate the concern of recreating this history, Stewart's proposes the use of a performance bond/surety renewed annually that will provide the Village with \$500,000 should Stewart's vacate without a remediation and removal plan. Please understand we find this situation highly unlikely with our history of being a desirable operator in the eyes of the New York State Department of Environmental Conservation.

The Village also has a mechanism for obtaining the services of a designated engineer of its choice. Such engineer would be paid by Stewart's through an escrow account and would not cost the Village or the taxpayer any monies for the associated review.

Items 1 through 5 are in Response to Special Use Permit Standards Enumerated in §250-74(f) the Village Ordinance:

1. All special use permits shall be issued (on forms provided by the Village Clerk) by the Board of Trustees, unless otherwise provided in the Village Code. The application may be referred to the Village Planning Board for its recommendation.



Stewart's response: The designated forms were provided to Stewart's on January 5th have been returned after being sent for review on Jan. 8th; they're also accessible on Stewart's website.

2. Prior to the issuance of a special use permit, the Board of Trustees or other authorized board shall conduct a public hearing pursuant to the notice and hearing requirements for a variance in accordance with Article XV Section 250-73-2 of this chapter.

Stewart's response: This section requires a Public Hearing within 30 days of satisfaction of the administrative officer. The code is not clear as to when the Planning Board recommendation would occur, however Stewart's assumes the hearing held after Planning consideration. Section 2 of the proposed moratorium would prohibit issuance of any permits during the twelve-month period and Stewart's assumes applications would be placed on pause.

3. Each specific use for which a permit is sought shall be considered as an individual case and shall conform, in addition to all other applicable standards prescribed in these rules and regulations, to the detailed application of the following standards in a manner appropriate to the particular circumstances of such use:
 - a. The nature and size of the use, the nature and intensity of the operations involved in or conducted in connection with it, its site layout, and its relation to streets giving access to it shall be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection with such use will not be hazardous or detrimental to the predominant character of the neighborhood or to the normal traffic of the neighborhood, taking into consideration among other things, convenient routes of pedestrian traffic, particularly street intersections, vehicular turning movements in relation to routes and of traffic flow, site distances and adequacy of parking facilities.

Stewart's response: Pursuant to the attached Site Plan (S-2), there are two pedestrian approaches stemming from the Main Street sidewalk. Each approach occurs on the opposite side of the proposed picnic area and brings patrons to a covered porch which wraps around three sides of the building. The sidewalk on the eastern side of the proposed driveway terminates at the driveway and the proposed crossing is striped on the asphalt. This matches the current situation in Nojaim's driveway, however other driveways along Main Street continue concrete across and Stewart's is willing to do that if it is the recommendation of the Planning Board of Board of Trustees; such action would have to be reviewed and approved by NYSDOT.

Vehicle traffic has been analyzed from the perspective of a "Trip Generation Analysis" by CHA Consulting and provided via attachment. Overall, there are slight increases in the peak hour driveway trips but the intended use has higher pass-by assignments which means there are fewer trips generated from people leaving their houses versus those already on the roadway network. Should be Board of Trustees and Planning Board

require specific trip assignments, counts would have to be undertaken to determine routing through the Village.

In addition to the Site Plan, Stewart's has provided a Vehicle Tracking Plan (S-8) showing the proposed fuel delivery occurring from Main Street only and not accessing Orange Street. Although Stewart's is unaware of any weight restriction, the sole use of Main Street eliminates the conflict of residential and the larger vehicle. A motor vehicle access has been provided because two driveways on Main Street would contradict New York State Department of Transportation spacing and this ensures the driveways do not compete for service.

- b. The nature, locations, size, intensity and site layout of use shall be in harmony with the appropriate and orderly development of the area in which it is situated and that its operation shall not be detrimental by reason of dust, noise, odors, fumes, explosion, glare or otherwise.

Stewart's response: The submitted Plan Set includes a Photometric Plan (S-7) which utilizes downlit, LED fixtures that are backshielded. The benefit of the LED fixtures is that they utilize individual bulbs and the back shielding prevents light escape onto adjoining parcels. This Photometric Plan was shared with neighbors of an adjoining parcel Heidi and Jason Randall to show them the potential impacts of the intended lighting. Stewart's signed an agreement with the Randalls that a fence would be installed and the the desired 8-foot high fence would require approval from the Zoning Board of Appeals while a 6-foot fence could be guaranteed.

The gasoline install narrative along with the proposed Site Plan show the intended venting scheme for the tanks. Stewart's installs tanks with the most up to date technology, all of which involves double wall piping. It would be beneficial for fuel deliveries to occur off hours to ensure the least amount of cars are located within the parking lot. The dumpster is situated as far from the residential neighborhood as possible and similar to any other food service location within the village.

Dust: The only time dust would be a consideration is during demolition of the existing structure. The Demolition Permit would be explicit to wet any debris as it is leveled. This has also been discussed with the Randall's as we attempt to work with them on sharing information and with uncertainty of how the process is going to unfold.

- c. The location and height of buildings, the location, nature and height of walls, fences and other structures, and the nature and extent of drainage and landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent lands and buildings, nor impair the value thereof, no cause any substantial inconvenience to adjoining or nearby properties.

Stewart's response: Looking at the Village's Design Standards and their emphasis on pedestrian accommodation, we oriented the building behind a picnic area. The



proposed development scheme has been discussed with the adjoining residential property owner and should the application proceed, we anticipate discussions with adjoining commercial property owners. To alleviate some of the concerns within the Village, Stewart's hosted a forum at 6:30 pm Jan. 29th at the Volunteer Fire Department.

- d. Whether the structure, building or lot in or upon which the use requiring a special use permit will or presently does conform to all zoning requirements of the applicable district where situate pursuant to the requirements of this ordinance.

Stewart's response: The Village's Zoning Ordinance does not contain many explicit bulk requirements and instead relies on the Planning Board's recommendation to the Board of Trustees. The Jan. 8th version sent to Paul Stacey were scaled plans based off a tax map for accuracy and completeness. Now, with an updated survey, the plans are completely to scale and easily measured for conformance to any enumerated standard or bulk requirement.

4. All Applications submitted for special use permit review shall contain, where applicable, detailed plans, including site, elevations and plans of structures, and accessory use areas and landscaped development of the entire parcel devoted to special permit use, and such other documents and illustrations as shall be necessary to make the above review.

Stewart's response: The Plan Set provided includes a Title Sheet (T-1) along with a proposed Landscape Plan (S-6). The proposed Landscape Plan shows approximately a 6% increase of greenspace included in the development scheme versus the existing condition. In addition to these two plans, Stewart's had had three dimensional renderings developed for the in-situ representation of what the proposed building and canopy would look like. To keep within elements of the design standards, Stewart's proposes a mansard roof on the fueling canopy to make it appear as any other roofed structure.

5. All uses of land or buildings, now in existence, which heretofore were permitted as of right and which would hereafter be required to obtain a special use permit shall be entitled to such special use permit without hearing, upon submission of site plans and elevations of structures drawn to scale, notwithstanding any failure to meet requirements of this article or any other provisions of this ordinance.

Stewart's response: We do not believe this section is applicable.

6. No lands or building for which a special use permit has been issued, or is issuable shall be changed to another special use permit, nor shall any alteration, or enlargement, of any structure, facility or designated area necessary or incidental to such special use permit, be made without obtaining a new special use permit relating to such alteration, enlargement or change. All requests for such new permits shall be considered in the same manner and under the same criteria as an original request.



Stewart's response: Acknowledged.

We hope you attended the information session on Jan. 29th and should you have any explicit questions that need to be covered, please reach me at 518 581 1201 ext 4435 or at cmarshall@stewartshops.com

Respectfully submitted,



Charles "Chuck" Marshall
Stewart's Shops Corp.



Planning Board Application Procedure

Village of Marcellus

6 Slocombe Avenue
Marcellus, NY 13108
(315) 673-3112

Village Law §7-725 and the Village of Marcellus Code authorize Planning Board approval of all Site Plans, Special Permits, Subdivisions and Lot Line Adjustments.

This application form is intended to provide an overview of the procedures and requirements of this process.

This outline is by no means complete, and the Planning Board may request additional information throughout the review process.

The powers and duties of the Planning Board have been vested in the Village Board of Trustees. The board normally meets at 7:00 P.M. on the third Wednesday of each month. In order to be placed on the agenda all required materials must be submitted to the Village Clerk's office at least (2) two weeks before the meeting date.

A. Fees:

1. New site plan approval - \$100.00. Revised site plan - \$50.00.
New site plans require \$1,000.00 deposit for engineering and legal fees. Any remaining deposit funds will be returned upon completion of the project and any shortage will be billed to the applicant.
2. Special permit - \$50.00 plus administrative costs
3. Sub-division of land - \$100.00 plus \$500.00 deposit for engineering and legal fees incurred by the Village of Marcellus.
4. State Environmental Quality Review Long Form (SEQR) - \$25.00

B. Applicants submitting electronically and prepared to present electronically at the meetings must submit:

1. The electronic documents to: codes@villageofMarcellus.com
2. Five (5) paper copies of all documents including the application, State Environmental Quality Review Form and a current survey of the property created by a NYS licensed land surveyor.

C. Applicants submitting in paper form only must submit:

1. Nine (9) paper copies of all documents including the application, State Environmental Quality Review Form and a current survey of the property created by a NYS licensed land surveyor.

D. Additional instructions by application type:

1. Special Permits

The applicant must be prepared to address the following items at the hearing:

- a. That the proposed use is in compliance with all other applicable regulations of the Zoning Local Law, and other applicable federal, state, and local regulations.
- b. That the proposed use will not have an adverse impact upon the character or integrity of any land within the neighborhood.
- c. That the proposed use is physically and visually compatible with (and will not impede development or redevelopment of) the general neighborhood or adversely affect the existing land use in proximity to the subject site.

Planning Board Application

Village of Marcellus

6 Slocombe Avenue
Marcellus, NY 13108
(315) 673-3112

APPLICATION TYPE - PLEASE SELECT ONE:

Site Plan Special Permit Sub-division Preliminary Sub-Division Final

PROJECT LOCATION INFORMATION:

Address of project: 17-27 East Main St Marcellus, NY 13108

Tax Map # 314801 004 .- 01 - 10.1, 12.0 and 13.0

Project Name: Stewart's Shops - Marcellus

APPLICANT INFORMATION:

Property Owner: Richard J. Nojaim and Grocer, LLC

Address of property owner: 27 East Main St.

Phone # (315) 729-8189 Fax # email: moj@aol.com

Lease Holder: _____

Address of property owner: _____

Phone # _____ Fax # _____

Contact Person: Charles "Chuck" Marshall

Address of property owner: PO Box 435, Saratoga Springs, NY 12866

Phone # (518) 269-0664 Fax # email: cmarshall@stewartsshops.com

Architect/Engineer: Scott E. Kitchner, P.E.

Address of property owner: PO Box 435, Saratoga Springs, NY 12866

Phone # (518) 581-1201 Fax # email: skitchner@stewartsshops.com

EXISTING PROPERTY INFORMATION

Current zoning classification: VC - Village Center

Surrounding land use: Mix of residential and commercial

North: Residential: Jason and Heidi Randall

South: Bounded by Main Street

East: Professional Building: K&J Properties of Marcellus

West: Retail: Charles J. Nojaim

Total site area (sq feet or acreage): 1.43 acres

Dimensions of property: 244' along Main St; 198' along Orange St; 329' along western boundary interior to property

Existing number of parking spaces: 33

Current land use (residential, commercial, undeveloped, etc.): _____

The largest portion of the land is ~14,000 square foot grocery store, minimum green space except 0.51 acre greenspace

Current conditions of site (buildings, brush, etc.): _____

The 0.51 greenspace area is largest but minimum site landscaping, treed area to north behind residential

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Stewart's Shops Corp.			
Name of Action or Project: Stewart's Shops - Marcellus			
Project Location (describe, and attach a location map): Main and Orange Street - Marcellus			
Brief Description of Proposed Action: Stewart's proposes the demolition of Nojaim Brothers of Marcellus approximately a 14,000 square foot grocery store. Upon demolition Stewart's proposes the construction of a new retail location of approximately 4,300 square feet and a stand alone gas canopy of 2,000 square feet.			
Name of Applicant or Sponsor: Stewart's Shops Corp.		Telephone: (518) 581-1201 ext 4435	
		E-Mail: cmarshall@stewartsshops.com	
Address: P.O. Box 435			
City/PO: Saratoga Springs		State: New York	Zip Code: 12866
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Village of Marcellus Planning Board and ONondaga County Planning Referral		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		1.43 acres	
b. Total acreage to be physically disturbed?		1.43 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.43 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, briefly describe:		
Stewart's will install new stormwater infrastructure that will direct water to the north for temporary storage and ultimately and overflow discharge to Main or Orange Street upon further investigation		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Short term impoundment of water for stormwater handling.		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor/name: <u>Stewart's Shops Corp.</u> Date: <u>February 1, 2024</u></p> <p>Signature: <u><i>Charles Marshall</i></u> Charles Marshall Title: <u>Real Estate Rep</u></p>		

Special Permit Application Procedure

Village of Marcellus

6 Slocombe Avenue
Marcellus, NY 13108
(315) 673-3112

This application form is intended to provide an overview of the procedures and requirements of the Special Permit process. This outline is by no means complete, and the Village Board may request additional information throughout the review process. The Village Board may, at its discretion, require the project to go before the Planning Board for Site Plan Review.

The Village Board of Trustees normally meets at 7:00 P.M. on the fourth Monday of each month. In order to be placed on the agenda all required materials must be submitted to the Village Clerk's office at least (2) two weeks before the meeting date.

A. Fees:

1. The Special Permit application fee is \$50.00 plus any administrative costs.
2. A State Environmental Quality Review Short Form (SEQR) must be included with the application.

B. Applicants submitting electronically and prepared to present electronically at the meetings must submit:

1. The electronic documents to: codes@villageofMarcellus.com
2. Five (5) paper copies of all documents including the application, State Environmental Quality Review Form and a current survey of the property created by a NYS licensed land surveyor.

C. Applicants submitting in paper form only must submit:

1. Nine (9) paper copies of all documents including the application, State Environmental Quality Review Form and a current survey of the property created by a NYS licensed land surveyor.

D. The applicant must be prepared to address the following items at the hearing:

- a. That the proposed use is in compliance with all other applicable regulations of the Zoning Local Law, and other applicable federal, state, and local regulations.
- b. That the proposed use will not have an adverse impact upon the character or integrity of any land within the neighborhood.
- c. That the proposed use is physically and visually compatible with (and will not impede development or redevelopment of) the general neighborhood or adversely affect the existing land use in proximity to the subject site.

PROPOSED PROJECT INFORMATION

Anticipated project development time: Summer 2024

Will this project be staged? No If yes, explain: _____

Does project involve any designated wetlands? No

Does project involve any flood plain development? No

If yes, identify community panel: _____ Identify designation: _____

Identify State or Federal permits needed (list type and appropriate agency):

Anticipated increase in the number or residents, shoppers, employees, etc. as a result of this development:
A formal traffic analysis has begun. It is anticipated the overall number of costumers to remain but usage times may differ.

Project description (please describe proposed use, demolitions, alterations and any proposed new construction):
Stewart's proposes the demolition of Nojaim Brothers of Marcellus for the construction of a new 4.300 square foot

Stewart's Shop (retail store) with a self-standing 2.000 square foot gas canopy

I hereby certify that the statements and information provided herein are true and accurate to the best of my knowledge and belief.

Applicant's signature: *Chris McCall* Date: February 1, 2024

FOR OFFICE USE ONLY		
Project # _____	Description: _____	Fee: _____
Date application received: _____	Received by: _____	
Date application found to be complete: _____		
Total Fee Due: \$ _____	Date Paid: _____	Cash Receipt # _____



Petroleum Storage Equipment – Design, Installation & Maintenance

As a family- and employee-owned business that owns its real estate, Stewart's puts a tremendous investment into our high standards for petroleum storage equipment and its maintenance. We live in the communities we serve, and keep a steady focus on compliance excellence to protect the environment and our drinking water sources.

All of our newly installed gasoline facilities meet and/or well exceed all relevant codes and regulations including NYS DEC codes 6NYCRR part 613, NFPA (National Fire Protection Association) codes, and the New York State Uniform Fire Prevention and Building Code. We are proud to lead the industry in New York State for petroleum storage compliance.

Tanks:

To protect our shared natural resources, our new systems utilize the latest in double-walled Fiberglass-Reinforced Plastic (FRP) tank design, system-wide secondary containment, 24/7 electronic monitoring, leak detection, overfill protection, spill prevention, and remote alarm reporting. We have not experienced a release to the environment from similar FRP systems in the 16 years we've been installing them.

Our FRP tanks by their very nature are corrosion-proof, and thereby do not experience degradation from contact with soil or groundwater. This ensures a long-lasting tank with walls that retain their structure and tightness for decades. Our tanks are also double-walled, or in other words are constructed as a "tank within a tank", with an interstitial space that is brine-filled and monitored electronically for any change 24 hours a day, 7 days a week. In the rare event of a leak in either the inner (primary) or outer (secondary) wall, the change in brine level will instantly alert us of an issue. Any alarms triggered by our system are visible and audible at the shop, and are also visible at our headquarters via web console and email/mobile phone for the fastest possible response. And the double-walled construction ensures that the product stored never reaches the environment, allowing time to empty the vessel and make a lasting, quality repair.

The FRP tanks deliver stored fuel via submersible turbine pumps (STPs) to our dispensers under pressure. The STPs and ancillary tank-top equipment are enclosed within secondary containment sumps sealed to the top of the tanks. If a leak were to occur in this equipment, it would be fully contained by the sump and would not reach the environment. All STP sumps are monitored 24/7 by liquid sensors, which instantly trigger an alarm at the shop and our headquarters as above in the presence of liquid (even water).

Our FRP tanks are also specially equipped to prevent overfilling during a fuel delivery via an automatic shut-off mechanism which stops the flow of fuel into the tank when it reaches 95% capacity (but does allow the deliverer to safely empty the delivery hose into the tank before disconnecting). A 15-gallon spill bucket surrounds the fill port so that, in the event of a mishap during hose handling, any spilled fuel is immediately contained and will not reach the environment. Venting of the tanks includes Stage I Vapor Recovery, which returns any gasoline vapors from our tanks to the truck during delivery to prevent the unwanted release of petroleum vapors to the air.

Piping:

Flexible double-walled piping is used on all of our underground systems. The flexible design not only avoids the stress failures that befall rigid piping, but also gives the piping layout a seamless design from the tanks all the way to the dispensers. Fewer fittings means fewer opportunities for a leak. The interstitial space between the two piping walls is monitored electronically 24/7 and would allow a leak to drain safely back to the tank sump without ever reaching the environment. The piping is also installed in a 4" diameter conduit, giving a de-facto

triple containment construction and providing greater physical protection to the outer wall. The pressurized inner wall which carries the petroleum to the dispensers is also monitored 24/7 by an electronic line leak detector, which in the event of a pressure loss not only triggers alarms at the shop and our headquarters, but also shuts down the flow of fuel from the associated tanks to stop product loss.

Dispensers:

Our dispensers also contain spill prevention designs. Beneath every dispenser is a secondary containment sump which catches and contains any leaks or drips that might occur inside the dispenser cabinet, thus preventing the release of petroleum to the environment. Liquid within this sump is allowed to communicate through the interstitial space of the piping back to the tank's STP sump, there triggering the liquid sensor alarm at the shop and our headquarters for a rapid response and repair.

Breakaway fittings are installed on the dispenser hoses which allow all hoses to safely release from the dispenser and stop the flow of fuel in the event of a drive-off where the nozzle is still in a customer's tank. Nozzles are all equipped with an automatic shutoff feature to alert the customer that their tank is almost full, thereby reducing the likelihood of an overflow. Shear (or "impact") valves are installed in piping beneath the dispensers and are designed to break or shear at a controlled point in the event of a car-dispenser accident, automatically shut off the flow of fuel from the tanks, and prevent backflow from within the affected dispenser.

Electronic Safeguards:

Besides the line leak detectors, sump liquid sensors, and interstitial liquid sensors mentioned above, our system operation is monitored continuously by an automatic tank gauge (ATG) which acts as the "brain". It receives and relays input 24/7 from the various sensors and probes, monitors inventory levels, measures deliveries, senses for water, and alerts Stewart's of any unusual operating conditions or alarms. Our systems are also equipped with one-touch "E-Stop" buttons that allow a user to instantly stop the flow of fuel and disconnect all power and communication circuits to the dispensers in the event of an emergency.

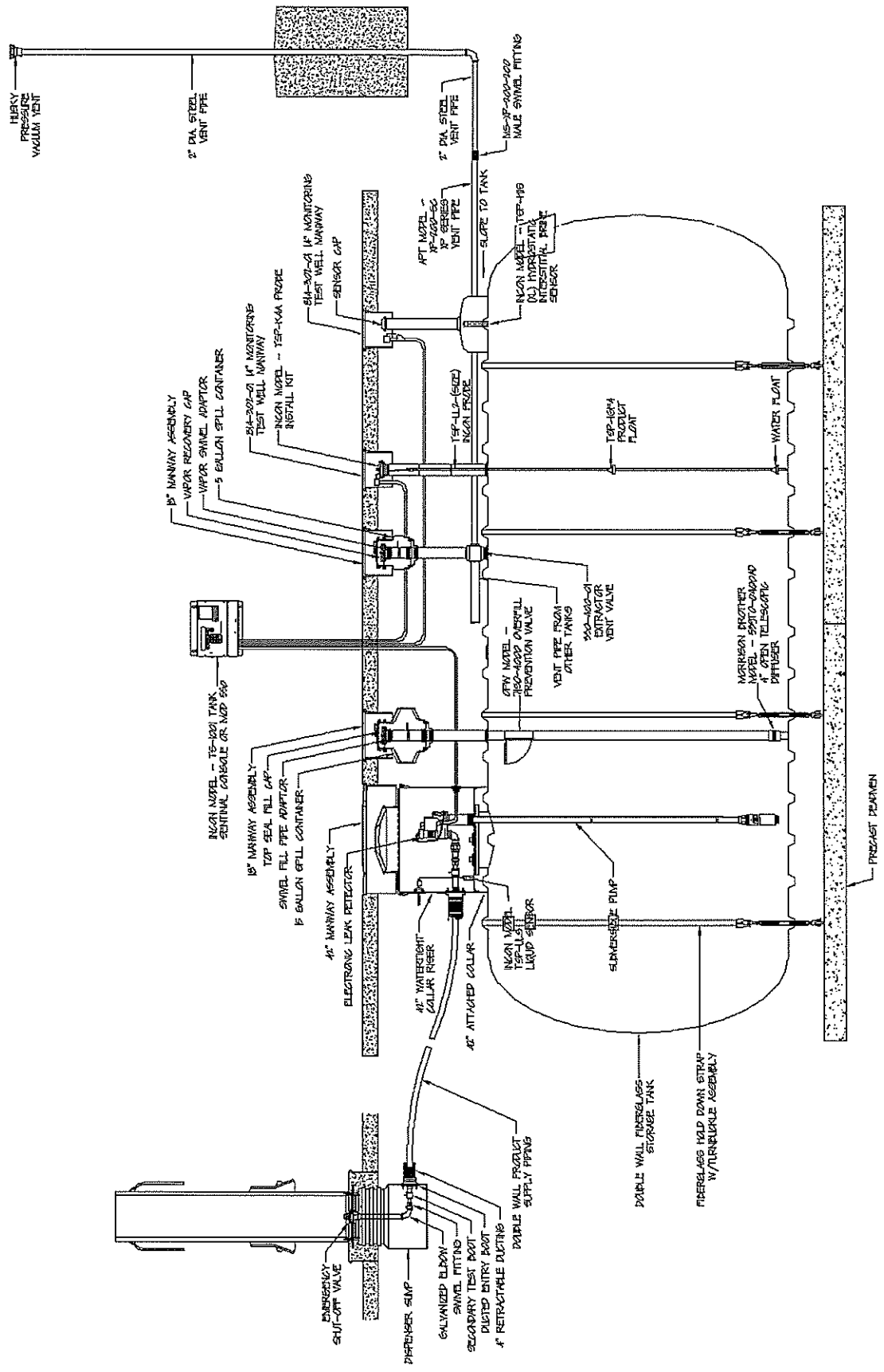
Maintenance, Training & Inspection:

Once a facility is in operation, multiple measures are taken to maintain a safe facility. Our procedures include constant automatic gauging of fuel storage tanks to reconcile inventory daily. We know every day if our physical inventory of fuel matches what our records show we should have, and any deviations are vigorously investigated. Fuel dispensers are calibrated regularly, and the Department of Weights and Measures checks the calibration of the pumps on a routine basis. This ensures that an accurate inventory reconciliation is possible.

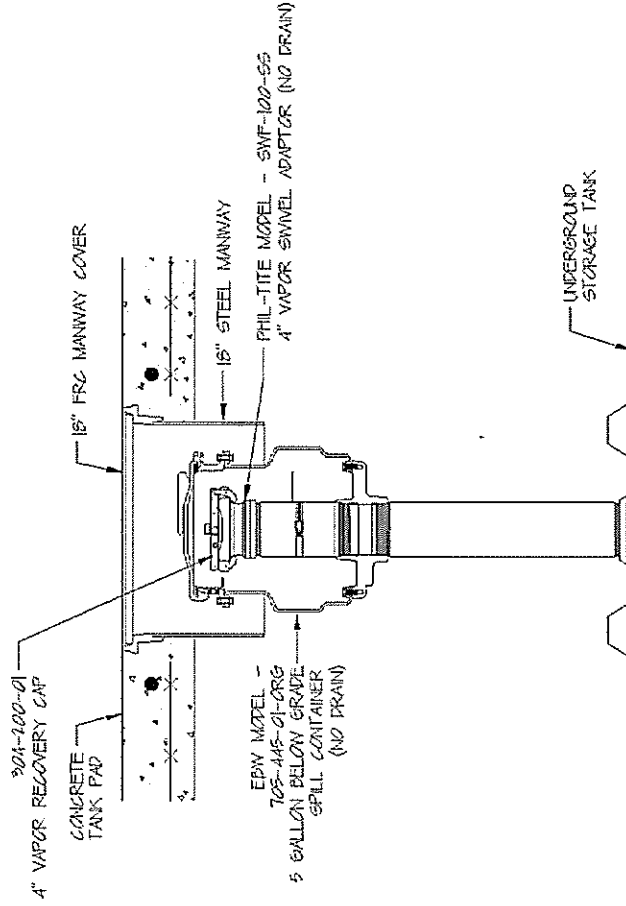
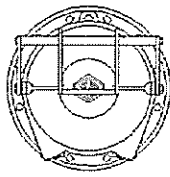
Although we are years ahead of the EPA deadline for performing this, Stewart's is currently inspecting and hydrostatically testing its secondary containment and overflow protection equipment to prove functionality in the unlikely event of a primary containment failure. Tank top sumps, under-dispenser sumps and fill port spill buckets are carefully inspected and then filled with water for a set time period to prove tightness. Overflow protection devices such as automatic shut-off are pulled, inspected, and their shutoff functionality is confirmed. This is all repeated every 3 years.

We provide initial and continuous Class C Operator training to our shop personnel and maintenance employees in order to equip them to properly operate a petroleum bulk storage facility with emphasis on protection of human health and the environment. Employees are trained to stop, contain, clean, and report all surface spills to a Corporate Spill Responder and involve emergency responders as needed. All shops stock spill clean-up materials. This training program will become mandatory in late 2016, however Stewart's Shops Corp. has been training this way since 2003. We also fully inspect our systems and inventory records on a monthly basis and then audit those inspections annually. Our inspections go far beyond the NYSDEC inspection scope, which occurs every 3 years. Abbreviated monthly inspections will be required by NYS after this year, but Stewart's has been conducting thorough monthly inspections for the past 13 years.

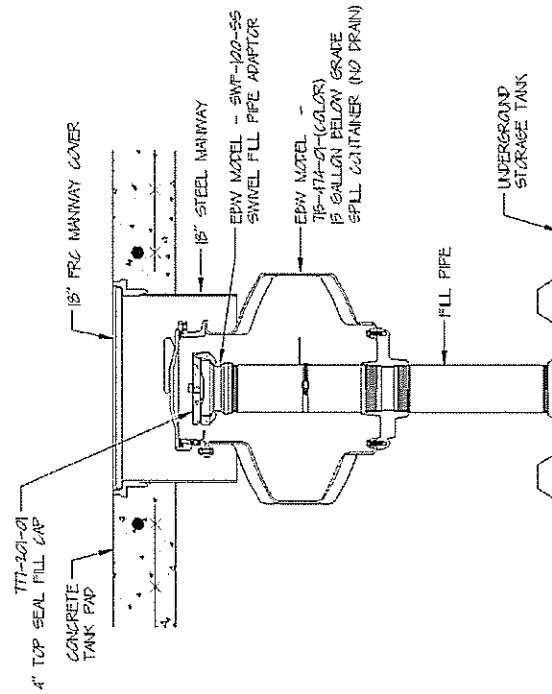
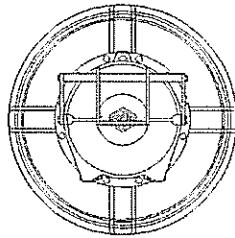
We simply cannot overstate our commitment to operate safe, compliant, well-maintained underground storage tank systems for the protection of our neighborhoods and local environment.



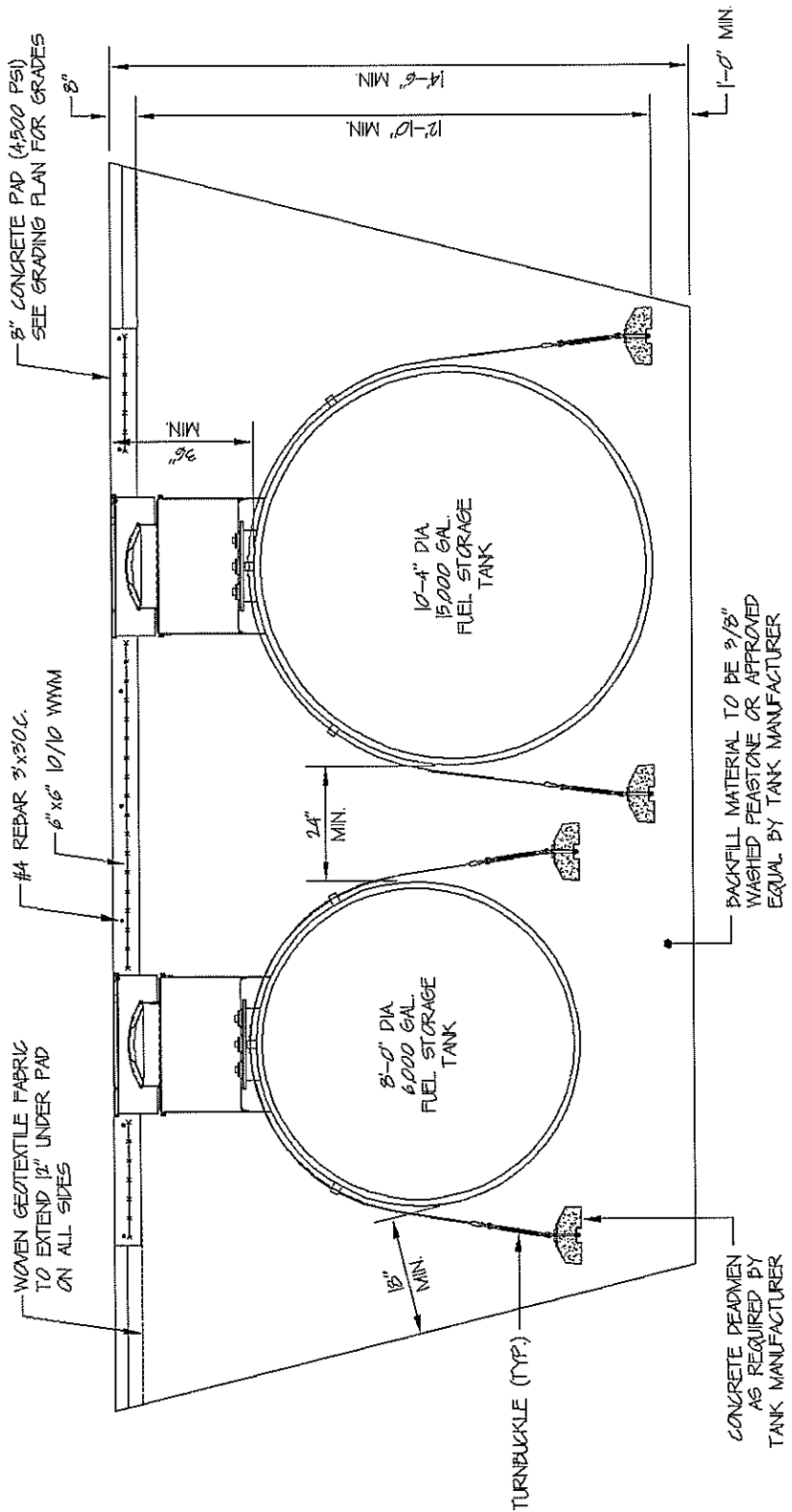
5 TYPICAL ILLUSTRATIVE APPLICATION DETAIL
 SCALE 1/8" = 1'-0"
 CROSS REFERENCE: NRE



6
G-1
VAPOR RECOVERY DETAIL
SCALE 1/4"=1'-0"
CROSS REFERENCE: NONE



4
G-2
TANK FILL DETAIL
SCALE 1/4"=1'-0"
CROSS REFERENCE: NONE



4
 6-1
TANK CROSS-SECTION DETAIL
 SCALE: 1/4"=1'-0"
 CROSS REFERENCE: NONE



Hudson Cultural Services

PO Box 124, Lagrangeville NY 12540

914-456-3698

January 2, 2024

Marcus Andrews

Stewarts Shops

P.O. Box 435

Saratoga Springs, NY 12866

Re: Nojaim Brothers IGA, 27 East Main Street
Archaeological Historic Potential Evaluation

Dear Mr. Andrews,

Hudson Cultural Services (HCS) submits this letter in response to a request from Stewarts Shops to evaluate the archaeological potential and historic significance of the property located at 27 East Main Street, in the Town of Marcellus, Onondaga County New York. The property at 27 East Main Street features a historic marker, that designates this location as that of the first frame house built in Onondaga County, New York.¹ This letter outlines the research completed to determine if the property has the potential to contain archaeological deposits associated with the former frame house.

HISTORIC BACKGROUND

The property at 27 East Main Street, currently includes the IGA and associated parking lot. The current parcels identified as 27 E. Main Street, are shown on a street map as being 17-19, 21 and 27 East Main Street. Prior to 2003 a residential structure was visible at 17 East Main Street, but was later demolished. The location of the former structure is now open lawn. A grocery store is located at the corner of Orange Street and Main Street.

A review of the early 20th century Sanborn Fire Insurance Maps² show that in the early 20th century the buildings along Main Street were both residential and commercial. In 1911, the structure on the corner was the Powell Hotel, to the west a residential structure, followed by a Confectionary and a Dry Goods & Boot store. The Dry Goods store was made of brick, and connected to a wood frame dwelling. This Store and Dwelling correlate to present day 17-19 East Main Street. To the north of the Powell House, is St. John's Episcopal Church, which was demolished prior to 1927.³

The 1985 historic aerial shows the Powell House demolished, along with the two structure to its east. It is replaced with a large rectangular building, the IGA building, and parking areas to the west. In 2006, the former dry goods building has been demolished, and the parking area for the IGA expanded. A small lawn area marks the location

¹ "Site of first frame house in Town of Marcellus. Built by Dr. Elnathan Beach who served in American Revolution; sheriff of county from 1799 to 1801"

² Figure 4

³ Figure 5

Exhibit A: Maps & Figures

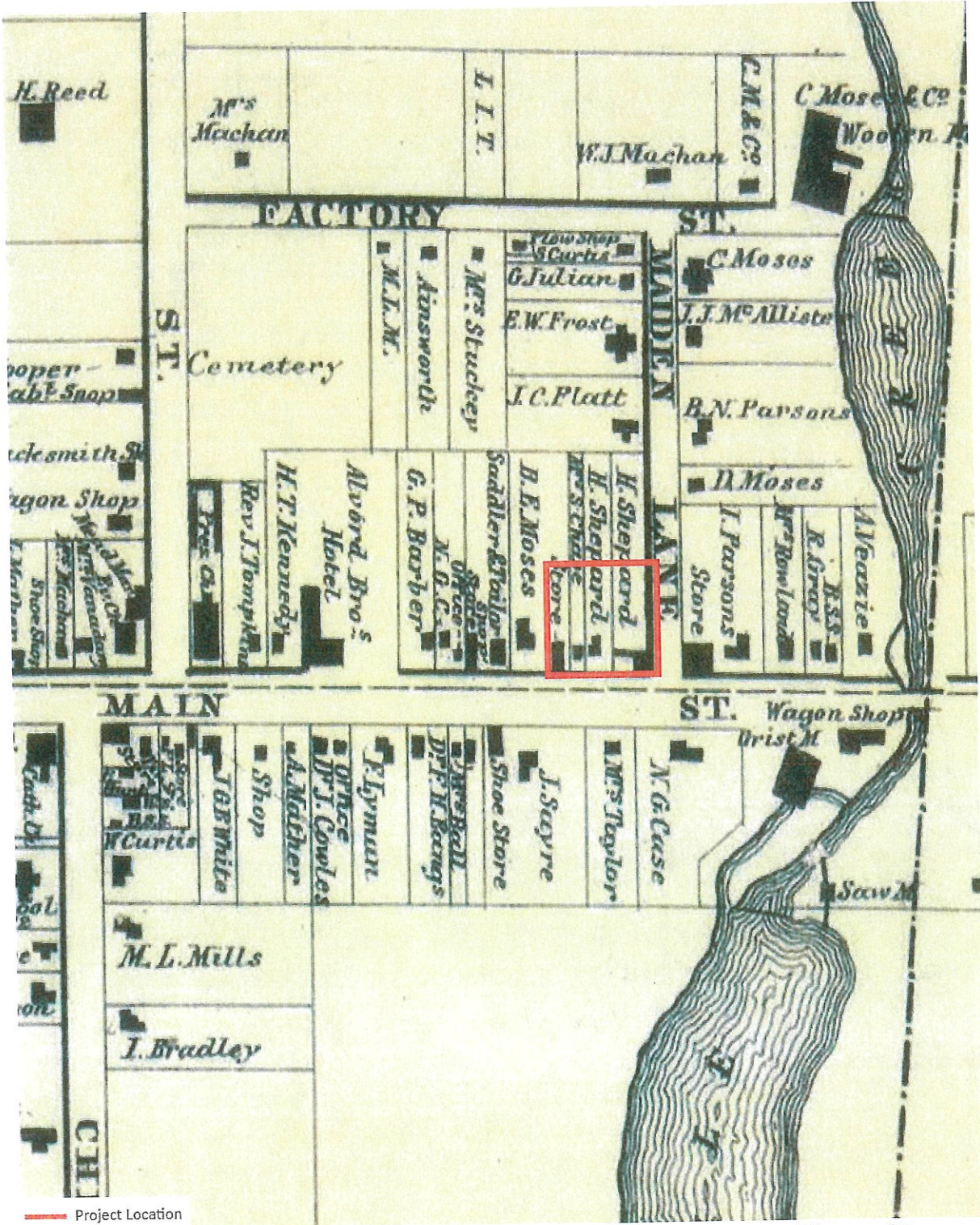


Figure 2: 1859, H. H. French. *Map of Onondaga County, New York.* (Source: Library of Congress).

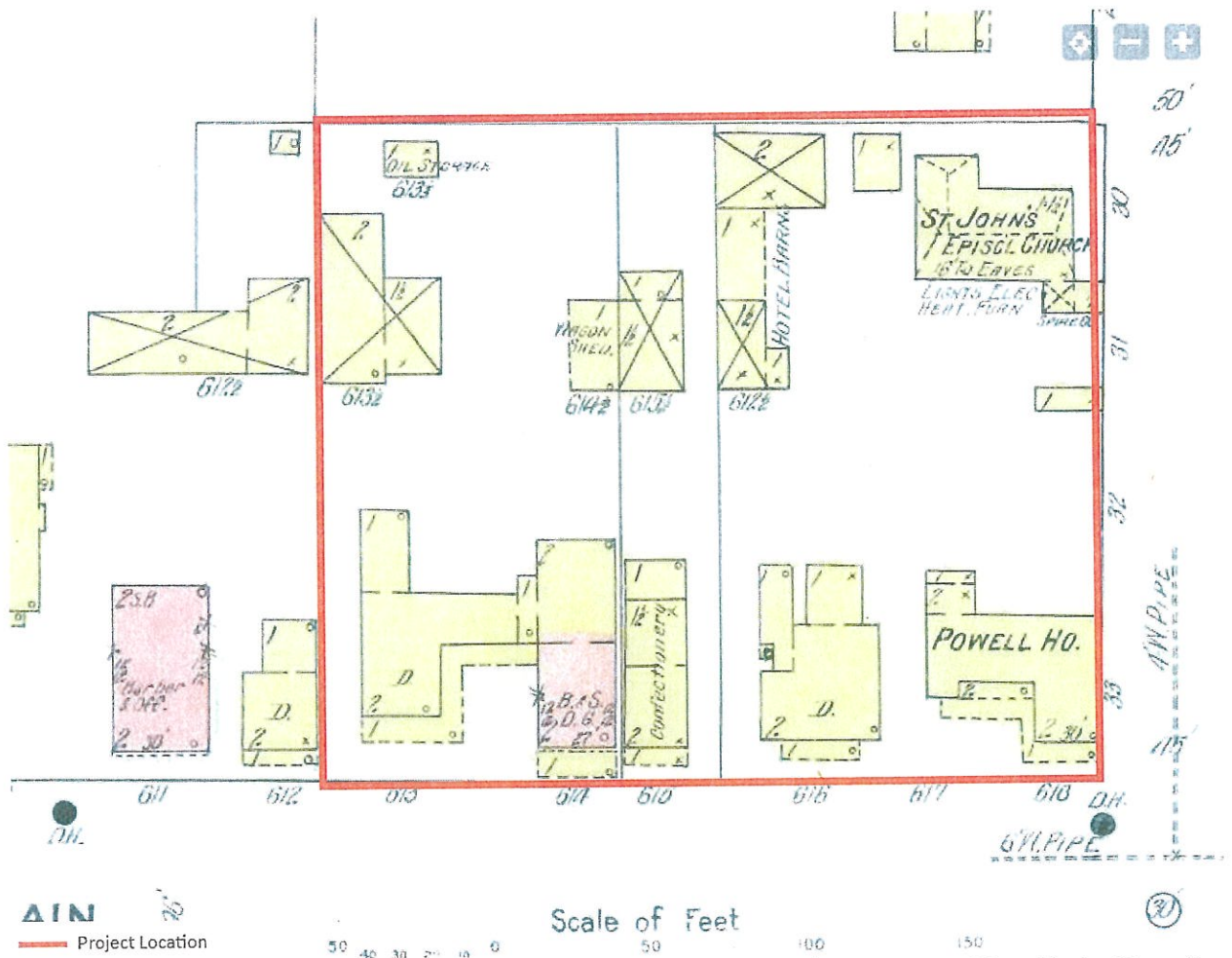


Figure 4: 1911, Sanborn Fire Insurance Map from Marcellus, Onondaga County, New York. Sheet 3. (Source: Library of Congress)



Figure 6: 1959, Aerial Image showing the Project Location. (Source: NETR Historic Aerials)



Figure 8: 1986, Aerial Image showing the Project Location. (Source: earthexplorer)



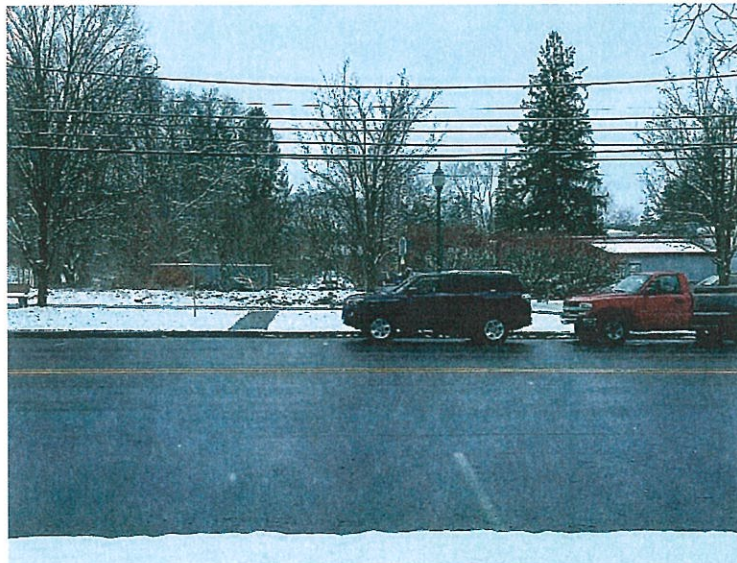
1. View to the north toward the existing IGA supermarket.



2. A historic marker identifies the location of the first frame house built in the town. View to the southwest



5. View to the south for former location of buildings.



6. View to the north toward the former location of 17-19 E. Main Street.



January 23, 2024

Chuck Marshall
Land Development/Permitting
Stewart's Shops Corp.
2907 State Route 9
Ballston Spa, New York, 12020

**Subject: Stewart's Shops Egress Assessment, East Main Street, Village of Marcellus, NY
CHA Project No. 88684**

Introduction

The purpose of this memorandum is to provide a trip generation assessment for the proposed Stewart's Shop in Marcellus, New York. This memo will evaluate and compare the trips generated by the existing supermarket with the trips generated by the proposed development for the weekday AM and PM peak hour as well as for the weekend peak hours.

Project Description

The proposed project would redevelop an existing 12,000 square foot supermarket into a combination convenience store and gas station. The project is located at 27 East Main Street, approximately 750 feet east of New York State Route 174.

Existing Condition

The existing supermarket is approximately 12,000 square feet and has access along East Main Street. It has a combined single entry and exit driveway that is approximately 65 feet wide, with a usable width of approximately 40 feet due to parking. The ITE forecast of weekday trips generated by the supermarket is presented in Table 1 and the weekend trips generated in Table 2. For a more accurate measure of trips generated, traffic or customer data should be obtained from the existing supermarket.

Proposed Condition

Stewart's Shops is a combination convenience store and gas station consisting of a 4,300 square foot convenience store and a gas station with 8 fueling locations. The proposed access is to be on East Main Street and Orange Street but for this analysis, all the trips generated would be assumed to fall on the East Main Street driveway. The ITE forecast of weekday trips generated by the proposed Stewart's Shops is presented in Table 1 and the weekend trips generated in Table 2.

Table 2: Estimated Weekend Traffic Volume During Peak Periods

Land Use	ITE Land Use Code	Size	Saturday Peak Hour (vph)					Sunday Peak Hour (vph)				
			In (vph)	Out (vph)	Pass-by Rate	Total Trips (vph)	Adjusted Total Trips (vph)	In (vph)	Out (vph)	Pass-by Rate	Total Trips (vph)	Adjusted Total Trips (vph)
Existing – Nojaim Brothers	850	12,000 SF	61	60	24%	121	92	56	51	24%	107	81
Proposed – Stewart’s Shops	945	8 VFP, 4,300 SF	83	81	60%	164	66	32	34	60%	66	26

Conclusion

The proposed development is forecast to generate slightly higher peak hour vehicle trips during weekday mornings, with slightly lower peak hour vehicle trips during weekday afternoons and weekends. Further traffic analysis may be warranted to determine any impacts on the traffic network. Overall, the shift in traffic peaks is not concerning, as NYSDOT considers less than 100 additional trips as not significant.

Sincerely,



Luke Morenus, P.E.
 Sr. Project Manager
 lmorenus@chacompanies.com





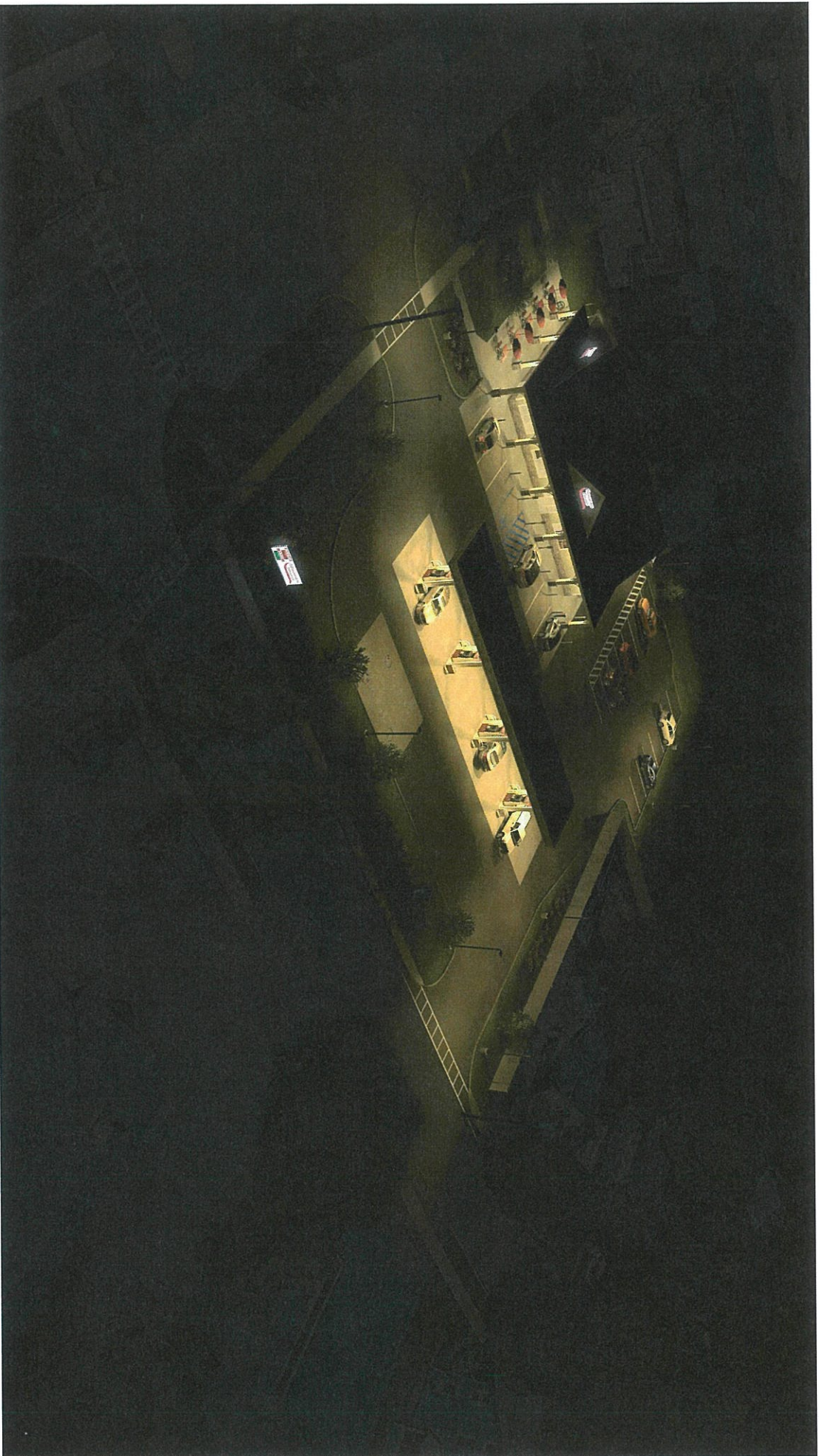
Google Earth

277 East Main St
Marcellus, NY

This is not a true aerial photograph. It is a computer-generated image based on satellite imagery and other data. The image is not a true aerial photograph and is not intended to be used as a map. The image is a computer-generated image based on satellite imagery and other data. The image is not a true aerial photograph and is not intended to be used as a map. The image is a computer-generated image based on satellite imagery and other data. The image is not a true aerial photograph and is not intended to be used as a map.

RIATechSolutions.com
513-574-9500





27 East Main St
Marcellus, NY

From left: (top) front entrance; (middle) parking lot; (bottom) building facade. The building is a modern, multi-story structure with a prominent central atrium and a large parking lot. The image is a high-angle, wide shot of a well-lit urban or suburban development at night.

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513-574-9500





This is not a site plan. It is a photograph of the site taken from an elevated perspective. The information shown on this map is for informational purposes only. It is not intended to be used as a legal document. The information shown on this map is for informational purposes only. It is not intended to be used as a legal document. The information shown on this map is for informational purposes only. It is not intended to be used as a legal document.

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