

AS ACTED UPON DURING A DULY NOTICED OPEN SPECIAL USE PERMIT MEETING OF THE TOWN BOARD OF THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK, HELD AT THE HENRIETTA TOWN HALL AT 475 CALKINS ROAD, HENRIETTA, NEW YORK ON JUNE 30, 2021 AT 6:00 P.M.

To Accept SEQR Determination and Issue Negative Declaration for Frontier Management for the Frontier Car Wash Application.

On Motion of
Supervisor Schultz

Seconded by
Councilmember Bolzner

WHEREAS, the Town of Henrietta received an application from Frontier Management (the "Application") for the development of Frontier Car Wash located at 2199 East Henrietta Road, Tax ID No. 162.18-2-1.003 [once the subdivision finalizes the address will be 2205 East Henrietta Road], requesting site plan approvals and a Special Use Permit (collectively, "the Project"); and

WHEREAS, the Henrietta Town Board has been established as lead agency for purposes of the State Environmental Quality Review Act ("SEQR"); and

WHEREAS, the Henrietta Town Board has carefully considered and taken a hard look at all potential environmental impacts of the Project; and

WHEREAS, the Town Board has completed Parts 2 and 3 of the EAF, which are attached hereto, and has carefully considered the information contained therein.

THEREFORE, BE IT RESOLVED, that pursuant to SEQR, the Town Board hereby adopts and approves the attached Parts 2 and 3 of the EAF.

BE IT FURTHER RESOLVED, that based upon all available information, and after examining the relevant issues, the Town Board hereby determines that the Project will not have a potentially significant adverse impact on the environment, and hereby issues a Negative Declaration.

Duly put to a vote:

Councilmember Barley	voting	Aye
Councilmember Stafford	voting	Aye
Councilmember Sefranek	voting	Aye
Councilmember Bolzner	voting	Aye
Supervisor Schultz	voting	Aye

Carried

Short Environmental Assessment Form

Part 1 - Project Information


Instructions for Completing

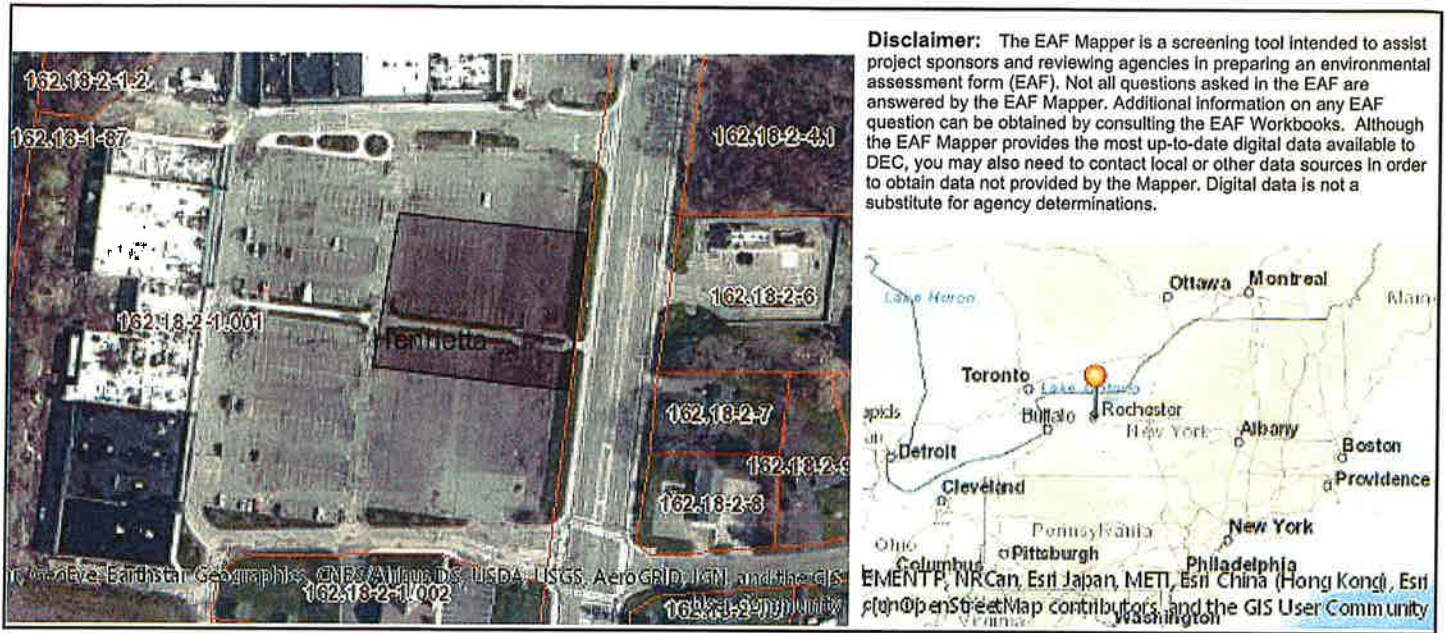
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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			
Name of Action or Project: FRONTIER CAR WASH			
Project Location (describe, and attach a location map): 2199 EAST HENRIETTA ROAD ROCHESTER, NY 14623			
Brief Description of Proposed Action: SUBDIVIDE 13.3-AC. TOWN CENTRE PLAZA TO CREATE 1.1-AC. PARCEL TO CONTAIN A PROPOSED 40'x120' CAR WASH.			
Name of Applicant or Sponsor: SPONSOR: LANDTECH (EDMUND S. MARTIN, P.E.)		Telephone: (585) 442-9902	
Address: 1105 RIDGEWAY AVENUE		E-Mail: ED@LANDTECHNY.COM	
City/PO: ROCHESTER		State: NY	Zip Code: 14615
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: MCWA: WATER SUPPLY & BACKFLOW; MCHD: BACKFLOW; MCPW: SEWER LATERAL.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		1.1 acres	
b. Total acreage to be physically disturbed?		0.8 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.1 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input 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			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

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? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input type="checkbox"/>
<hr/> <hr/>		
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)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<hr/> <hr/>		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<hr/> <hr/>		
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
UNKNOWN	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<hr/> <hr/>		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: SPONSOR: LANDTECH (EDMUND S. MARTIN, P.E.) Date: MAY 11, 2021		
Signature:  Title: ENGINEER		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

- Part 1 / Question 7 [Critical Environmental Area] No
- Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites] No
- Part 1 / Question 12b [Archeological Sites] No
- Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies] No
- Part 1 / Question 15 [Threatened or Endangered Animal] No
- Part 1 / Question 16 [100 Year Flood Plain] No
- Part 1 / Question 20 [Remediation Site] Yes

Project: Frontier Car Wash

Date: June 24, 2021

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

For the support documentation for Part 2, see the attached "EAF Part 3 for the Frontier Car Wash" Special Permit supplement dated June 24, 2021.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Henrietta Town Board

Name of Lead Agency

Date

Stephen L. Schultz

Town Supervisor

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

**EAF Part 3 for Frontier Car Wash
2199 East Henrietta Road
Part of Tax Account No. 162.18-2-1.003**

June 24, 2021

In addition to the narrative below, this EAF Part 2 hereby incorporates the following, which is made a part of this Part 3 reasoned elaboration;

- a. Town Board Special Use Permit Application SP-2021-048 for the Frontier Car Wash, prepared by Frontier Management and LandTech Surveying & Planning, PLLC, dated May 28, 2021;
- b. Short Environmental Assessment Form, Part 1, prepared by LandTech Surveying & Planning, PLLC, dated May 11, 2021;
- c. Suburban Plaza Resubdivision Drawing, prepared by LandTech Surveying & Planning, PLLC last revised June 8, 2021;
- d. Site Plan for the Frontier Car Wash, prepared by LandTech Surveying & Planning, PLLC, last revised June 2, 2021;
- e. Building Elevations for the Frontier Car Wash, prepared by Passero Associates, dated May 12, 2021;
- f. Letter from Jeffrey F. DeVoesick, Esq. from Morgenstern DeVoesick, Attorneys to Chris Martin, Town of Henrietta, received July 28, 2015.
- g. Town of Henrietta Interoffice Memorandum from the Planning Board to the Town Board, dated June 24, 2021.

1. Material Conflict with Adopted Land Use Plan or Zoning

The property is zoned Commercial, B-1, and car washes are a permitted use in this district as long as a special permit is obtained from the Henrietta Town Board. In addition, the applicant is requesting a variance from the Henrietta Zoning Board of Appeals to reduce the rear setback. Since there are already two existing car washes located along East Henrietta Road in the vicinity of this project, the proposal for a car wash is not expected to have a significant adverse impact.

2. Change in Use or Intensity of the Use of Land

The parcel is currently a vacant parking lot surrounded by commercial land uses, so the proposal to add a car wash is not expected to have a significant adverse impact.

3. Impairment of the Character or Quality of the Existing Community

There are currently existing commercial uses within the Town Center Plaza. Also, the area is surrounded by other commercial users including two car washes. Information has also been provided in regards to the noise generated from the on-site vacuum islands and the results show that the noise from the vacuum dissipates to acceptable levels. As a result, the proposal to add a car wash is not expected to have a significant adverse impact.

4. Impact on Critical Environmental Areas

No impact; there are no CEA's located within or adjacent to the site.

5. Impact on Transportation

Small impact. Due to the amount of existing traffic using the East Henrietta Road corridor during the peak morning and evening time periods, and the Saturday late morning and early afternoon peak, a majority of the traffic utilizing the car wash will be pass by traffic; so very little new traffic will be generated by the project. Also, all the vehicles utilizing the car wash will be stacked within the plaza so there won't be any traffic backing up onto East Henrietta Road.

6. Impacts on Energy

No impact; there is ample energy capacity present in the area.

7. Impact on Existing Water Supplies and Wastewater Treatment Facilities

No impact; there is an adequate supply of water and sanitary sewer systems present in the area.

8. Impact on Historic And Archeological Resources

No impact; the Frontier Car Wash is not located within a designated archeologically sensitive area.

9. Impact on Natural Resources

No impact; there are no scenic or aesthetic resources in the vicinity of the site.

10. Impact on Erosion, Flooding or Drainage

Small impact. The proposed site work for the car wash has the potential to create turbidity and sediment in the adjacent water bodies if the proper erosion control devices are not implemented or maintained. The grading plan shall use a stabilized construction entrance, silt fence, concrete wash out area, and other erosion control devices to control site erosion. Also, site inspections will be performed until the site is stabilized to ensure that erosion is not leaving the site.

The site is not located within a floodplain so there should be no issue with flooding.

The proposed storm sewer system and existing stormwater management facility will reduce the amount of runoff leaving the site so there should be no impact on the adjacent drainage system.

11. Impact on Human Health

Small impact. The parcel is located within a New York State Department of Environmental Conservation (NYSDEC) Easement and any work shall be subject to the Site Management Plan that was issued for the parcel and any other NYSDEC restrictions.

An oil separator will be required for the car wash in order to reduce the amount of sediment from going into the Town's sanitary sewer system, but overall, the project should not have any environmental conditions that could result in an impact to human health.