

AS ACTED UPON DURING A DULY NOTICED OPEN 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 OCTOBER 27, 2021 AT 6:00 P.M.

RESOLUTION #22-296/2021 To issue a Negative Declaration and approve Special Use Permit Application No. 2021-058 for West Herr Automotive Group to build and operate a Car Dealership at 4600 West Henrietta Road.

On Motion of Supervisor Schultz

Seconded by Councilmember Stafford

WHEREAS, an application has been submitted by West Herr Automotive Group seeking a Special Use Permit (Application No. 2021-058) for the development and operation of a motor vehicle showroom, sales, and service facility, on a lot fronting West Henrietta Road between Jefferson Road and Lehigh Station Road (the "Application"), including the construction of a 25,000 SF dealership building, all on property at 4600 West Henrietta Road, Henrietta, New York 14467 (the "Property"); and

WHEREAS, the application is an Unlisted Action pursuant to SEQR, to which the Town Board is conducting an uncoordinated review; and

WHEREAS, a public hearing on said application was duly advertised and held on October 27, 2021.

THEREFORE, BE IT RESOLVED, that, pursuant to Parts 1, 2 and 3 of the EAF, which are hereby accepted and approved, the Town Board issues a Negative Declaration relative to the Application.

BE IT FURTHER RESOLVED, that upon consideration of all those factors relative to Special Use Permits in the Henrietta Town Code, as discussed on the record, the Town Board hereby approves the Application, including issuance of a Special Use Permit for a motor vehicle showroom, sales, and service facility, subject to the following conditions:

1. That any structures present on the Property at the time of this approval be demolished and their debris removed;
2. That the development of the building is subject to Site Plan review by the Planning Board;
3. Dealership vehicles may be stored at the Property prior to completing construction of the dealership building, but: 1) only after the existing buildings have been demolished and debris removed, 2) only so long as they are parked on paved surfaces, and 3) only for up to 24 months after issuance of this permit; and
4. All vehicle loading and unloading must occur on the premises and not on the road.

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			
West Herr Car Dealership			
Name of Action or Project: 4600 West Henrietta Road			
Project Location (describe, and attach a location map): The Project is located on the west side of West Henrietta Road, North of Lehigh Station Road.			
Brief Description of Proposed Action: The project will be constructed in 2 phases. The first phase includes the demolition of 2 existing hotel buildings, and the construction of an overflow parking facility for a car dealership. The Second phase of the project will be to construct a 25,000 sf +/- building to service the car lot.			
Name of Applicant or Sponsor: Team FSI		Telephone: [REDACTED]	
Address: 90 Goodway Dr.		E-Mail: [REDACTED]	
City/PO: Rochester		State: NY	Zip Code: 14623
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"/>
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:			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 4.82 acres b. Total acreage to be physically disturbed? _____ 4 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 4.82 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 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,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<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 type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/> Urban <input checked="" 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:		

Pond and Storm Sewers		

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: _____		
Stormwater Pond	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Matthew Newcomb</u> Date: <u>9/22/21</u>		
Signature: <u></u> Title: <u>Project Manager</u>		



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]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
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]	No

Project: SUP 2021-058

Date: October 25, 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 type="checkbox"/>	<input checked="" 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"/>

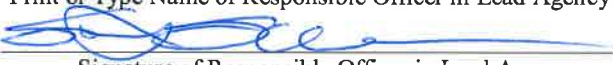
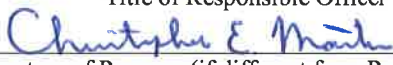
Project: SUP 2021-058

Date: October 25, 2021

**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 West Herr Car Dealership, 4600 West Henrietta Road" Special Permit supplement dated October 25, 2021.

<input type="checkbox"/>	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.
<input checked="" type="checkbox"/>	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	10/28/2021
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)

PRINT FORM

**EAF Part 3 for West Herr Car Dealership
4600 West Henrietta Road
Tax Account No. 175.10-2-77**

October 25, 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-2021-058 for the West Herr Car Dealership, prepared by Team FSI and Passero Associates, PC, dated September 24, 2021;
- b. Short Environmental Assessment Form, Part 1, prepared by Passero Associates, PC, dated September 22, 2021;
- c. Concept Site Plan for West Herr, 4600 West Henrietta Road, prepared by Passero Associates, PC, dated September, 2021.

1. Material Conflict with Adopted Land Use Plan or Zoning

The property is zoned Commercial, B-1, and car dealerships are a permitted use in this district and section of West Henrietta Road as long as a special permit is obtained from the Henrietta Town Board. Since there are many car dealerships located along this section of West Henrietta Road in the vicinity of this project, the proposal for another car dealership 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 motel surrounded by commercial land uses including an existing car dealership to the south, so the proposal to add another car dealership 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 vicinity of 4600 West Henrietta Road. Also, an existing car dealership is located directly south of this project. As a result, the proposal to add another car dealership to the area 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

Moderate impact. Due to the amount of existing traffic using the West 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 dealership will be during off peak hours. Trip generations as well as a traffic impact study may be required by the New York State Department of Transportation since they will have to approve the location of the driveway entrance.

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

Small impact; the proposed West Herr Car Dealership is located within a designated archeologically sensitive area, but the land has been previously disturbed by the construction of the former motel.

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 dealership 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 proposed 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. An oil separator may be required for the car dealership if any service is provided inside the building in order to reduce the amount of sediment from going into the Town's sanitary sewer system. Overall though, the project should not have any environmental conditions that could result in an impact to human health.