

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 MARCH 23, 2022 AT 6:00 P.M.

RESOLUTION #7-127/2022

To issue a Negative Declaration and approve Special Use Permit Application No. 2022-005 for West Herr Automotive Group to utilize the property at 4635 West Henrietta Road as a dealership vehicle storage lot for West Herr Automotive Group.

On Motion of
Councilmember Bolzner

Seconded by
Councilmember Page

WHEREAS, West Herr Automotive Group has applied for a Special Use Permit to allow a vehicle storage lot for a dealership (the "Application") to be located in a Commercially Zoned District at 4635 West Henrietta Road, Rochester, New York 14623 (the "Property"), or as more particularly described in plans on file in the Town Clerk's Office; and

WHEREAS, a public hearing was duly advertised and held relative to the same.

THEREFORE, BE IT RESOLVED, that pursuant to the State Environmental Quality Review Act, in accordance with the EAFs Parts 1, 2, and 3, attached hereto and accepted and approved, the Application will not have a significant environmental impact and the Town Board issues a Negative Declaration relative to the Application.

BE IT FURTHER RESOLVED, that the Town Board has considered the Special Use Permit factors, and, based upon the record, including all materials submitted related to such Application, and based upon those reasons discussed at the public meeting related to the same, and so long as compliant with the conditions set forth herein, finds that said Special Use Permit factors favor approval of the application.

BE IT FURTHER RESOLVED, that the Town Board thus approves the Application, subject to the following conditions:

1. The use shall remain compliant with all applicable Federal, State, and Local Laws;
2. The vehicles may be stored only on those portions of the property specifically indicated on the drawings associated with and approved via the Application;
3. Pursuant to the Town Code at Chapter 295, the storage lot may only be utilized for storing new vehicles to be offered for sale through the West Herr Automotive Group in the Town of Henrietta; and
4. Pursuant to the Town Code at Chapter 295, there is to be no customer activity and no sales activity taking place on the storage lot.

Duly put to a vote:

Councilmember Sefranek	Aye
Councilmember Bolzner	Aye
Councilmember Page	Aye
Councilmember Bellanca	Aye
Supervisor Schultz	Aye

RESOLUTION ADOPTED



February 24, 2022

Town of Henrietta
Attn: Supervisor Schultz/Town Board
475 Calkins Road
Henrietta, NY 14467

**RE: 4635 West Henrietta Rd (Tax ID: 175.10-2-82)
West Herr Sprinter Dealership & Service Center
Letter of Intent – Request for Special Use Permit**

Dear Supervisor Schultz/Town Board:

On behalf of our client, West Herr Automotive Group, we respectfully submit the attached materials for your consideration at the March 23, 2022, Town Board meeting in the review of a Special Use Permit to establish a vehicle storage and future building development at 4634 West Henrietta Road.

Existing Conditions

The project site is located along the west side off West Henrietta Road between Methodist Hill Road to the north and Lehigh Station Road to the south. This commercial corridor is characterized by large scale commercial development including vehicle dealerships, offices, hotels, institutional uses, and suburban apartments. The existing site includes the concrete slab footprint of a former building, drive aisles, and tow-way access connections along an existing private road that runs behind the project site, connecting West Henrietta Road and Lehigh Station Road.

Project Proposal

The project includes utilizing the existing parking lot for vehicle storage, with future development of the lot which includes revised site improvements, parking, and a new building. There is capacity within the existing Town infrastructure to support the current proposed project, and the future development. The future building will be serviced with public utilities located along West Henrietta Road.

Special Permit Review

The parcel is located primarily in the B-1 Commercial District where a vehicle dealership is allowed by code pursuant to a Special Use Permit granted by the Town of Henrietta Town Board. A small section of the parcel at the west side of the site is in the R-1 Residential District. This portion of the site will not be utilized for parking, showroom, or service space as part of this site development.

State Environmental Quality Review (SEQRA)

Our team has completed an environmental analysis finding that this project will not have an adverse environmental impact to the site, neighborhood, or community in accordance with the standards of SEQRA. The proposed project is an Unlisted Action under SEQRA.

**West Herr Sprinter Dealership & Service Center
4635 West Henrietta Rd (Tax ID: 175.10-2-82)
Letter of Intent – Request for Special Use Permit**

In support of our request, attached please find:

- (1) Check for \$150.00 (previously submitted)
- (1) Application/ Statement of Applicant & Owner w/Respect of Professional & Consulting Fees
- (1) Letter of Intent, Special Use Permit
- (1) Short EAF, Part 1
- (1) Letter of Authorization

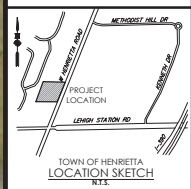
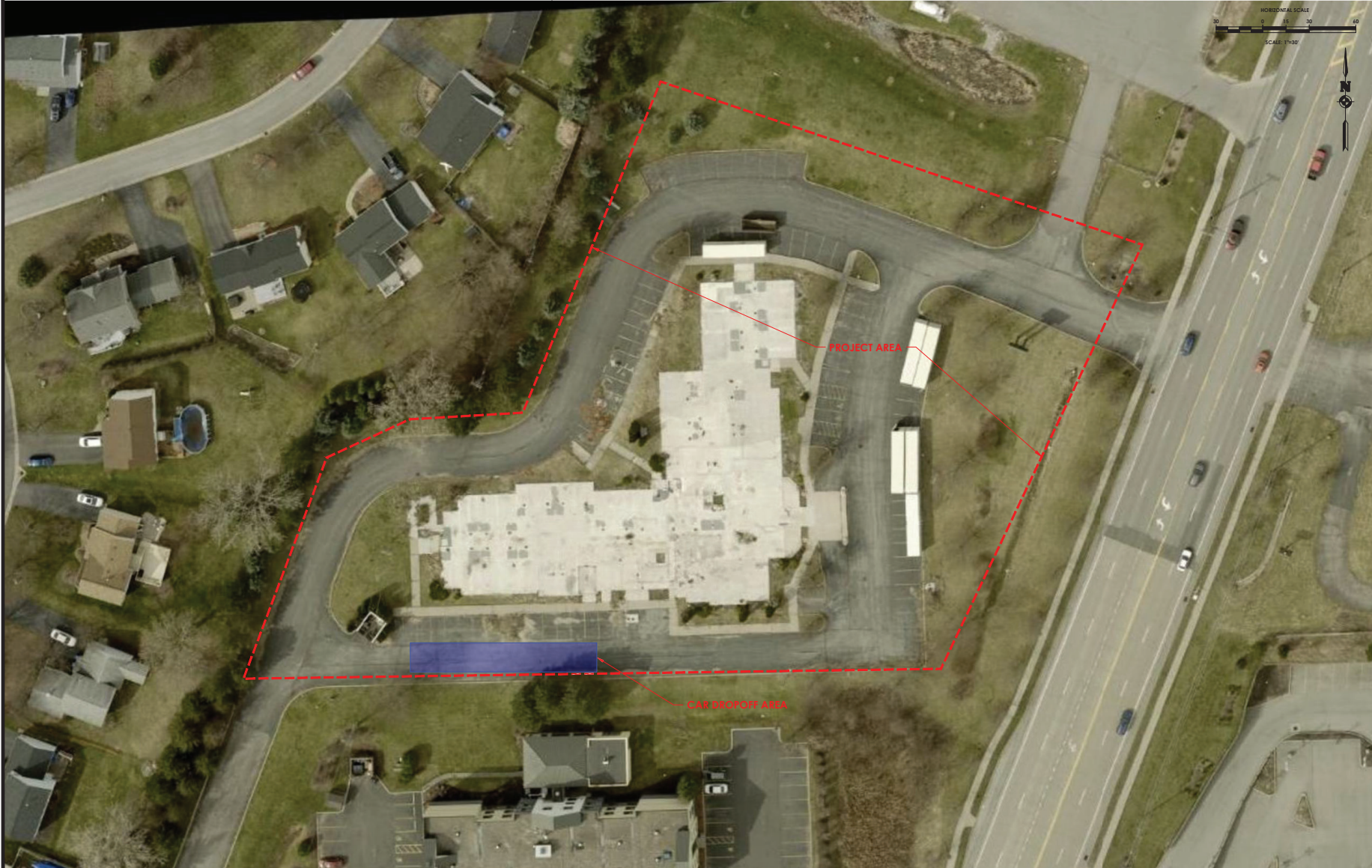
If you have any questions or require additional information regarding this matter, please do not hesitate to contact me at any time at (585) 325-1000. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Matthew Newcomb". The signature is written in a cursive style with a large, stylized initial 'M'.

Matthew Newcomb
Project Manager

CC: Jim Mulka, AIA



Client:

PASSERO ASSOCIATES
 340 West Main Street, Suite 100
 Rochester, New York 14614
 Phone: (585) 325-1491
 Fax: (585) 325-1491

Principal-in-Charge: **Jess Sudol, PE**
 Project Manager: **Hadi Newaz, EIT**
 Designed by: **Joshua Saxton, EIT**



Revisions		
No.	Date	Description
1		

I HEREBY CERTIFY AS DESIGNER OR DESIGNER IN CHARGE OF THIS DRAWING TO BE A LICENSED PROFESSIONAL ENGINEER OR ARCHITECT AS REQUIRED BY THE EDUCATION LAW AND ARTICLE 144-B, SECTION 1709 AND 1709-A OF THE EDUCATION LAW. THESE PLANS ARE COPYRIGHTED PROTECTED.

SITE PLAN

Town/City: Henrietta
 County: Monroe State: NEW YORK

Project No: **20223316.0001**

Drawing No. **C 101** Sheet No. **1**

Scale: **1" = 30'**

Date: **FEBRUARY 2022**

NOT FOR CONSTRUCTION

Short Environmental Assessment Form

Part 1 - Project Information

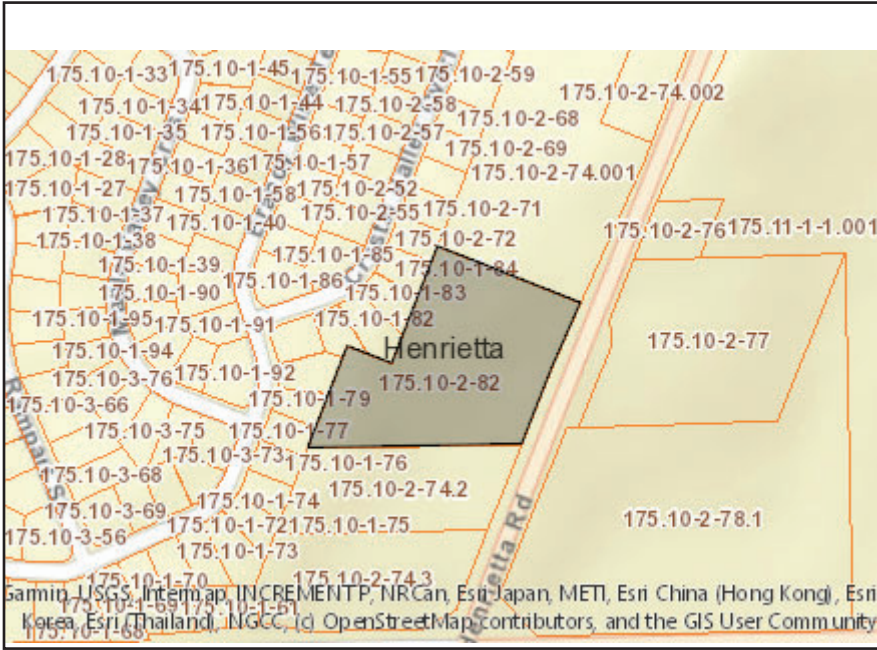
Instructions for Completing

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: West Herr Sprinter Dealership & Service Center			
Project Location (describe, and attach a location map): 4635 W Henrietta Road, Henrietta, NY 14467 (Tax ID: 175.10-2-82)			
Brief Description of Proposed Action: The project includes the utilization of an existing parking lot for vehicle storage. Also future development of a building and site development, which includes a new parking lot, infrastructure, and utilities. The building will have a use of vehicle storage, repair, or sellign depending on the final use.			
Name of Applicant or Sponsor: Christopher Snyder/Passero Associates		Telephone: 585-325-1000 E-Mail: csnyder@passero.com	
Address: 242 W. Main St. S100			
City/PO: Rochester		State: NY	Zip Code: 14614
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: NYSDOT, MCWA, MCPW, MCDPH (Monroe County) Approvals		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		4.34 acres	
b. Total acreage to be physically disturbed?		+/- 4.0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		4.34 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,	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 <input type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <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 <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	YES <input 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 <input type="checkbox"/>	YES <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 <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <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? <small>Construction and site work as part of this project only includes the redevelopment of previously developed suburban land.</small>	NO <input checked="" type="checkbox"/> <input type="checkbox"/>	YES <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 <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	



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]	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 2022-005

Date: March 23 2022

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"/>

Project:	SUP 2022-005
Date:	March 23, 2022

**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.

Not applicable.


- 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.

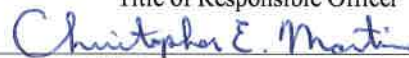
Henrietta Town Board
Name of Lead Agency

3/23/2022
Date

Stephen L. Schultz
Print or Type Name of Responsible Officer in Lead Agency

Town Supervisor
Title of Responsible Officer


Signature of Responsible Officer in Lead Agency


Signature of Preparer (if different from Responsible Officer)