

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 FEBRUARY 8, 2023 AT 6:00 P.M.

RESOLUTION #3-72/2023

To issue a Negative Declaration and approve Special Use Permit Application No. 2023-004 for Quattro Development, LLC for a new Take 5 Oil Change along Hylan Drive.

On Motion of
Councilmember Page

Seconded by
Councilmember Bellanca

WHEREAS, Quattro Development, LLC has applied for a Special Use Permit for a Take 5 Oil Change facility (the "Application") to be located in a Planned Commercial Development District along Hylan Drive, 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 such that a Special Use Permit for a Motor Vehicle Service facility is approved.

BE IT FURTHER RESOLVED, that such approval is subject to the following condition:

1. Easements / other agreements providing for sufficient parking for the Take 5 Oil Change are provided and acceptable to the Town; and
2. Easements / other agreements providing for sufficient access to the Take 5 Oil Change across adjacent parcels are provided and acceptable to the Town.

Duly put to a vote:

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

RESOLUTION ADOPTED



TOWN OF HENRIETTA
 County of Monroe
 State of New York
 475 Calkins Road, Rochester, NY 14623
 (585) 334-7700 • www.henrietta.org

TOWN OF HENRIETTA
 APPLICATION TO TOWN BOARD
 - SPECIAL USE PERMIT -

Appeal No. SP-2023-004
 Date 1/4/23

Applicant: Quattro Development LLC (Evan Gefell, Costich)

Name: 110 Jorie Blvd Suite 140 City: Oakbrook State: IL Email: 60523
No. & Street City State Zip Code Phone Number

Business Owner: Quattro Development LLC (Peter Pover)
 Name: 1100 Jorie Blvd. City: Oak Brook State: IL Email: 60523
No. & Street City State Zip Code Phone Number

Business Name: Take 5 Oil Change

Business Address: 2450 Severn Ave City: Metairie State: LA Zip Code: 70001
No. & Street City State Zip Code

Property Owner: Wee Willie Winkle, LLC
 Name: 1000 Hylan Drive City: Rochester State: NY Email: 14623
No. & Street City State Zip Code Phone Number

Architect/Engineer: Costich Engineering, DPE
 Name: 217 Lake Ave City: Rochester State: NY Email: 14608
No. & Street City State Zip Code Phone Number

Hereby request from the Town Board for a Special Use Permit for the property located at:

1300 Hylan Drive City: Rochester State: NY Zip Code: 14623
No. & Street City State Zip Code
 Tax Map No. 161.16 - 1 - 2.12 Zoning District Planned Commercial Developer

If property is under a purchase option, indicate date option expires: _____

Under the Zoning Ordinance, a Special Permit is requested pursuant to:

Article: VI Section: 295 Subsection: 20 Paragraph: B(3) of the Zoning Ordinance.

Description of Proposal: Development of new 1,610 +/- sqft building + site improvements to provide motor vehicle service

Multiple Dwelling Applications – Dwelling Units per Acre: N/A

Does this exceed allowed amount per Henrietta Code §295-13[E](1)(b) Yes No

Printed Name: Evan Gefell Signature: [Signature]
J. Fried 2/8/23 TBD
Received By Date of Meeting* Time
 (unless rescheduled)

*A meeting date will be assigned when applications are turned in but if the application is deemed incomplete, it will not be scheduled and the Applicant will be notified.

January 10, 2023

Town Board of the Town of Henrietta
475 Calkins Road
Henrietta, NY 14467

Re: Take 5 Oil Change
1300 Hylan Drive (TA# 161.16-1-2.12)

Dear Board Members:

This office has been retained by Wee Willie Winkle, LLC, and affiliate of Scutti Enterprises the owner of 1300 Hylan Drive, to obtain municipal approvals to construct a new building for motor vehicle service. The property is zoned Planned Commercial District (PD) and a special permit is required.

The existing parcel contains a parking lot. The developer is proposing to construct a 1,600 sf +/- building for the use of motor vehicle service.

Submitted with this letter of intent are:

1. The Town's special permit application form
2. Our site plan depicting the building and parking
3. Authorization letters
4. The Town's application fee.

If you have any questions or comments, please feel free to contact our office.

Respectfully,

COSTICH ENGINEERING, D.P.C.



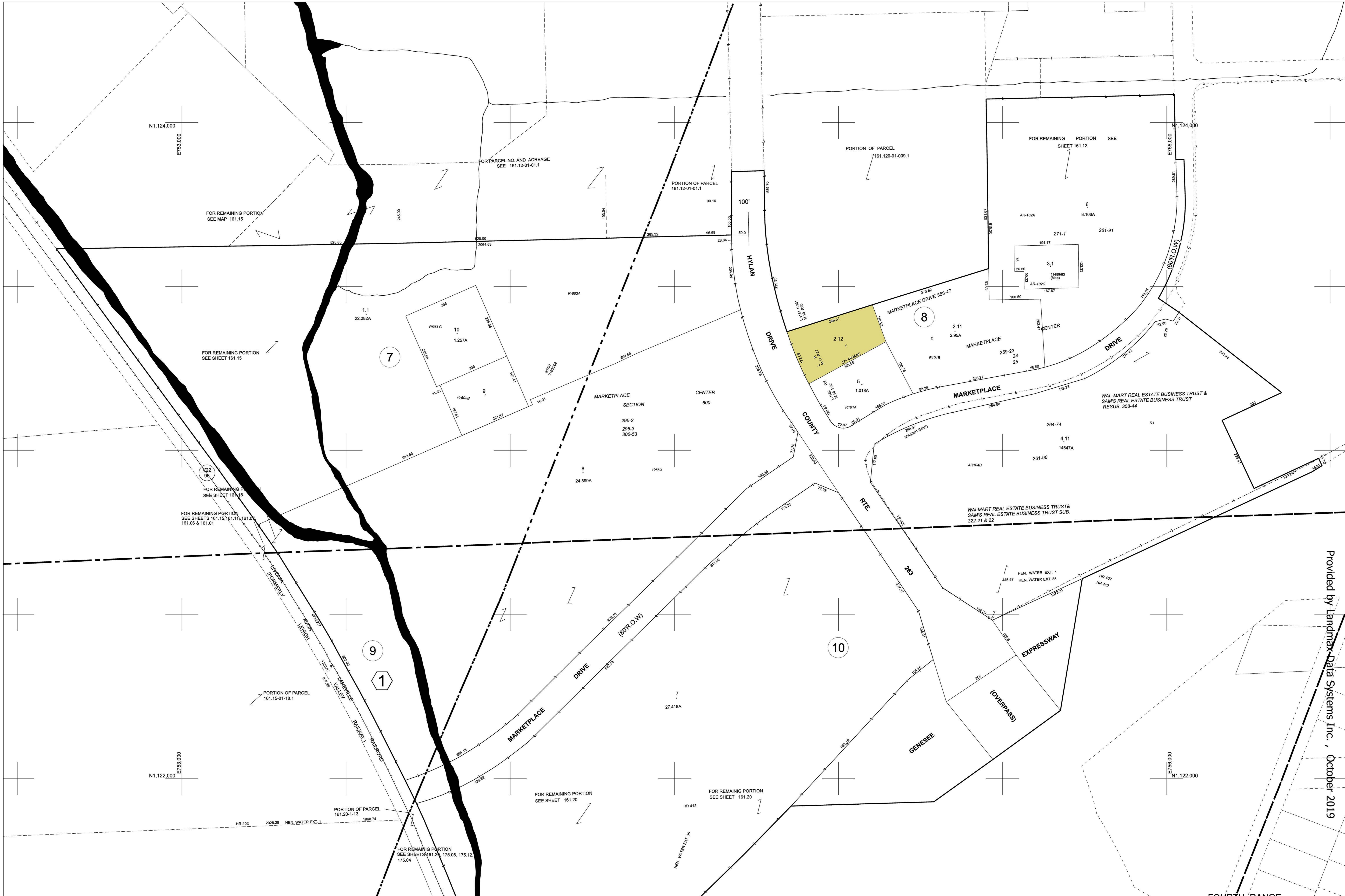


SITE DATA

- TAX PARCEL NO. ---
- TOTAL PARCEL AREA: 0.91± ACRES (39,655 S.F.)
- ZONING: PLANNED COMMERCIAL DEVELOPMENT DISTRICT
AUTOMOTIVE REPAIR - SPECIAL USE PERMIT REQUIRED
BUILDING FRONTS HYLAN DRIVE
- PROPOSED BUILDING S.F. AREA: 1,610±
- DISTRICT REGULATIONS:

REQUIREMENTS	REQUIRED	PROPOSED
FRONT	80'	80'
SIDE	20'	39'
REAR	60'	157'
LANDSCAPING (SIDE YARD)	5'	5' (MIN.)
- PARKING SPACE REQUIREMENT:
AUTOMOTIVE REPAIR: 1 SPACE/400 S.F. FLOOR AREA = 1/400 x 1,610 = 5 SPACES
TOTAL PARKING REQUIRED = 5 PARKING SPACES
PARKING PROVIDED:

ADA/HANDICAP	2 SPACES
TOTAL PARKING SPACES	40 SPACES

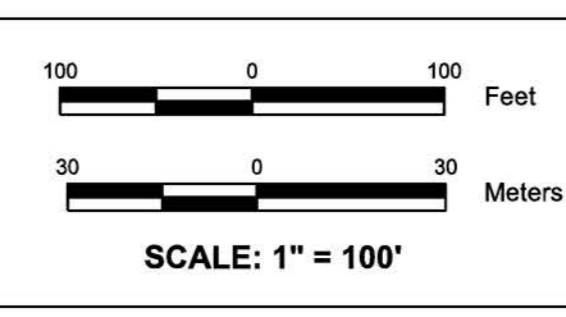


MAP REVISIONS					
DATE	MADE BY	DATE	MADE BY	DATE	MADE BY
12/2/2004	SM				
12/2/2004	SM				
12/2/2004	SM				
1/18/2005	SM				

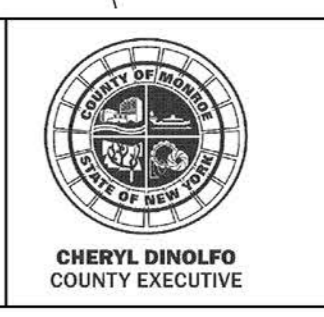
SPECIAL DISTRICTS					
FIRE: Henrietta Ambulance District					
FIRE: Henrietta Fire District					
LIGHT: Henrietta Street Light					
SCHOOL: Rush Henrietta Central					

WARNING: Use of monument and penalty for destruction thereof is established by law. Contact the Monroe County Surveyors for exact monument location.
 Copyright 1989. All rights reserved by the County of Monroe. Maintenance, alteration, sale, or distribution of this map, or any portion thereof, is prohibited without written permission of the Monroe County Director of Finance.
 THIS MAP IS FOR TAX PURPOSES ONLY

- Property Line
- Right of Way
- Original Sublot Line
- Railroad
- Easement
- Water Course
- Town/County Boundary
- Village Boundary
- Block Limit Line
- Great Lot or Tract Line
- Monument
- Great Lot or Tract No
- Tax Map Block No
- Centroid Position
- Wetland Marker
- S Sewer District
- F Fire District
- W Water District
- L Light District
- R Refuse District
- P Park District
- M Snow Removal District
- K Sidewalk District
- W Pure Waters District
- SCH School District
- D Development District
- 2 Tax Map Parcel No
- 4 Original Sublot No
- 17.5A Acreage
- 225.54 Lot Dimension
- 173.35(D) Deed Dimension
- 500(S) Scaled Dimension
- Denotes Parcel Continuation



SHEET INDEX		
161.11	161.12	162.09
161.15	161.16	162.13
161.19	161.20	162.17



TAX MAP **161.16**
 Town of Henrietta
 Monroe County, New York
 Prepared by
 REAL PROPERTY SERVICE AGENCY
 Map Date: July 08, 2019

Provided by Landmax Data Systems Inc., October 2019

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: Take 5 Oil Change			
Project Location (describe, and attach a location map): 1300 Hylan Drive Rochester, NY 14623			
Brief Description of Proposed Action: Development of a new 1,610 sqft building + site improvements to provide motor vehicle service.			
Name of Applicant or Sponsor: Quattro Development LLC, (Peter Pavcek)		Telephone: [REDACTED]	
Address: 110 Jorie Blvd Suite 140		E-Mail: [REDACTED]	
City/PO: Oakbrook		State: IL	Zip Code: 60523
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	YES
		<input checked="" type="checkbox"/>	<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: Town Board- Special Use, Planning Board- Site Plan Approval Pure Waters approval, Monroe County Health Department Approval		NO	YES
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 0.87 acres			
b. Total acreage to be physically disturbed? _____ 0.68 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 0.87 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input 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, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<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 type="checkbox"/>	<input checked="" 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"/>	
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 checked="" 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 <input type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO <input type="checkbox"/>	YES <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)? If Yes, briefly describe:	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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 <input checked="" type="checkbox"/>	YES <input 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? If Yes, describe:	NO <input checked="" type="checkbox"/>	YES <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? If Yes, describe:	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Evan Grefell (AGENT)</u> Date: <u>1/18/23</u>		
Signature: <u>Evan R Grefell</u> Title: <u>PM</u>		

Project: SUP 2023-004

Date: January 31, 2023

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 2023-0004
Date:	January 31, 2023

**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 Take 5 Oil Change, 1300 Hylan Drive" Special Permit supplement dated January 31, 2023.

<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	<u>2/8/2023</u>
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 Preparer (if different from Responsible Officer)
Signature of Responsible Officer in Lead Agency	

PRINT FORM

**EAF Part 3 for Take 5 Oil Change
1300 Hylan Drive
Part of Tax Account No. 161.16-1-2.12**

January 31, 2023

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-2023-004 for the Take 5 Oil Change, prepared by Costich, dated January 4, 2023;
- b. Short Environmental Assessment Form, Part 1, prepared by Costich Engineering, dated January 18, 2023;
- c. Site Plan for Take 5 Oil Change, prepared by Costich Engineering dated December 22, 2022.

1. Material Conflict with Adopted Land Use Plan or Zoning

The property is zoned as Planned Commercial Development, PCD, and an oil change facility is a permitted use in this district as long as a special use permit is obtained from the Henrietta Town Board. Since there are already numerous car care facilities located along Jefferson Road, West Henrietta Road, and Hylan Drive in the vicinity of this project, the proposal for a new oil change facility 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 so the new oil change facility 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 1300 Hylan Drive. Also, the area is surrounded by other car care facilities, restaurants and other retail uses. As a result, the proposal to add an oil change facility 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; the proposed oil change facility is being installed in an existing parking lot so the traffic impact should be slightly greater.

6. Impacts on Energy

No impact; the proposed oil change facility has a small electrical demand so the energy impact should be similar.

7. Impact on Existing Water Supplies and Wastewater Treatment Facilities

No impact; the water and sanitary sewer system in this area is more than adequate to handle the demands from this facility.

8. Impact on Historic And Archeological Resources

No impact; the oil change facility is located within an archeo-sensitive area, but this area has been previously disturbed when the previous parking lot was constructed.

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 oil change facility 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, 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 existing storm sewer system will control the drainage on the site so there should be no impact on the adjacent drainage system.

11. Impact on Human Health

No impact.