

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 JUNE 15, 2023 AT 6:00 P.M.

RESOLUTION #13-216/2023 To issue a Negative Declaration for the Tru by Hilton.

On Motion of
Supervisor Schultz

Seconded by
Councilmember Page

WHEREAS, the Town of Henrietta received an application (the "Application") from Rudra Management (the "Applicant") requesting Special Use Permit approvals for the development of a hotel to be known as "Tru by Hilton," in an Industrial Zoned District, on a 2.051 +/- acre parcel having Tax Account No. 175.11-1-14.2 (the "Property"), as follows: (1) to construct a four-story hotel with approximately 81 rooms; and (2) to construct said hotel with a height of 56 feet whereas Town Code only permits a height of 40 feet, unless a greater height is permitted via Special Use Permit (the "Project"); and

WHEREAS, the Town Board has carefully reviewed and considered all documentary, testimonial, and other evidence presented to the Town Board prior to, at, and subsequent to a Public Hearing held on the Applications on June 15, 2023, together with input from Town staff, and other advisory Boards, and other agencies; and

WHEREAS, having considered carefully all relevant documentary, testimonial, and other evidence submitted, and the Town Board having 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 the Henrietta Town Board hereby approves the attached Part 2 of said EAF.

BE IT FURTHER RESOLVED, that the Town Board hereby finds that the proposal will not have any significant adverse environmental impacts, as more fully set forth in the record, and in Part 3 of the EAF, including in the attachment thereto.

BE IT FURTHER RESOLVED, that the Town Board hereby approves Part 3 of the EAF, including the narrative attached thereto, confirming its findings in Part 2 of the EAF, and setting forth its basis and reasoning for finding that there are no potential significant adverse environmental impacts.

BE IT FURTHER RESOLVED, that in accordance with its adoption of Part 3 of the EAF, the Town Board hereby issues a Negative Declaration with regard to the action, finding that the proposal will not have any significant adverse environmental impacts.

BE IT FURTHER RESOLVED, that the Town Board directs that the Negative Declaration be filed in accordance with SEQR Regulations, that the Supervisor is authorized to execute such necessary documents and to take such other actions as will facilitate an orderly and proper SEQR process.

Duly put to a vote:

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

RESOLUTION ADOPTED

Short Environmental Assessment Form

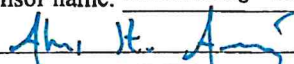
Part 1 - Project Information

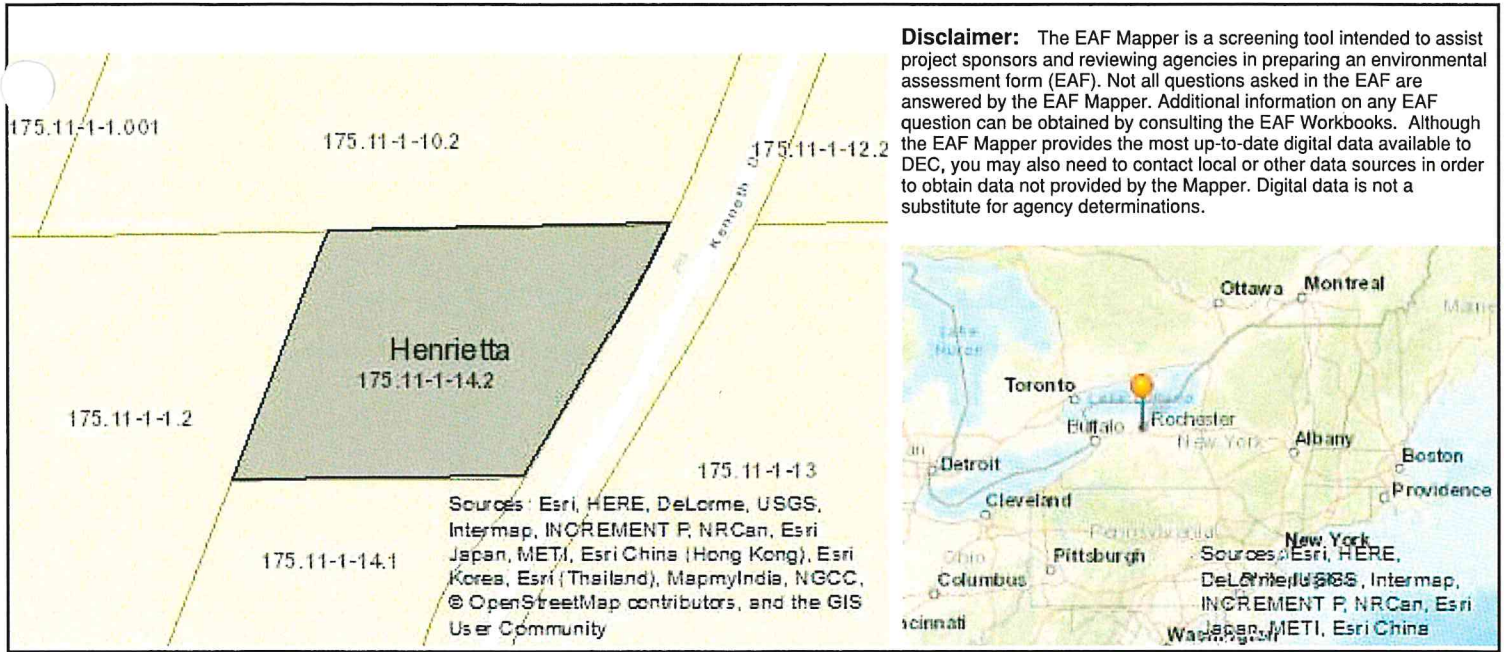
Instructions for Completing

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: Tru By Hilton (Henrietta, NY)				
Project Location (describe, and attach a location map): 355 Kenneth Drive Rochester, NY 14623				
Brief Description of Proposed Action: Associated municipal approvals for development parcel located at 355 Kenneth Road in the Town of Henrietta. The project entails the development of a four story eighty-one (81) room Tru By Hilton hotel on an existing 2.051 acre lot located at 335 Kenneth Drive. Access for the facility will be provided via two proposed ingress/egress points to Kenneth Drive. The site is zoned Industrial (with Specifics). The Town's Zoning Ordinance permits hotels within the Industrial (with Specifics). The proposed development plan complies with the parking, area and setback requirements as established in the district. Sanitary and storm sewer connections will utilize existing on-site systems previously installed for development of the parcel. The water service for the building will connect to public (MCWA) watermain located on the west side Kenneth Drive.				
Name of Applicant or Sponsor: Rudra Management		Telephone: [REDACTED]		
		E-Mail: jay@vkkmgmt.com		
Address: 51 Anderson Road				
City/PO: Cheektowaga		State: New York	Zip Code: 14225	
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 governmental Agency? If Yes, list agency(s) name and permit or approval: NYSDEC - SPDES Permit, MCWA - Backflow & Watermain Connection, MCDOH-Backflow			NO	YES
			<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		2.051 acres		
b. Total acreage to be physically disturbed?		2.0 +/- acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2.051 acres		
4. Check all land uses that occur on, adjoining and near the proposed action.				
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input checked="" 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				

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ <u>Underground chamber systems for purposes of stormwater attenuation in accordance with NYSDEC Phase II requirements.</u></p>	<p>NO</p> <input type="checkbox"/>	<p>YES</p> <input checked="" type="checkbox"/>
<p>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: _____</p>	<p>NO</p> <input checked="" type="checkbox"/>	<p>YES</p> <input type="checkbox"/>
<p>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: _____</p>	<p>NO</p> <input checked="" type="checkbox"/>	<p>YES</p> <input type="checkbox"/>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Alex Amering - Costich Engineering (Agent for Applicant)</u> Date: <u>1/26/2017</u></p> <p>Signature: <u></u></p>		



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 Register of Historic Places]	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 2023-025 and 2023-026

Date: June 6, 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"/>


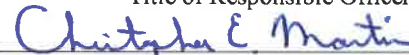
Project: SUP 2023-025 & - 026

Date: June 6, 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 Tru by Hilton, 355 Kenneth Drive" Special Permit supplement dated June 6, 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>6/15/2023</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 Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM

**EAF Part 3 for Tru By Hilton
355 Kenneth Drive
Tax Account No. 175.11-1-14.2**

June 6, 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 SUP 2023-025 for the development of a four story, eighty-one room hotel in an Industrial District, prepared by Rudra Management, dated May 10, 2023;
- b. Town Board Special Use Permit Application SUP 2023-026 for to construct a hotel at a building height of fifty-six feet in an Industrial District, prepared by the Rudra Development, dated May 10, 2023;
- c. Short Environmental Assessment Form, Part 1, prepared by Costich Engineering, dated January 26, 2017;
- d. Site Plan for Tru By Hilton, 355 Kenneth Drive, prepared by Costich Engineering, dated January 26, 2017.
- e. Schedule A to Draft Resolution #13-217/2023, to approve Special Use Permit Nos. 2023-025/026 for Tru by Hilton to allow the development of a 4-story hotel with an increased maximum building height.

1. Material Conflict with Adopted Land Use Plan or Zoning

The property is zoned Industrial and a hotel with a proposed height of fifty-six feet are a permitted use in this district as long as the applicant obtains special use permits from the Town Board.

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

The parcel is located within an Industrial and Commercial zoned area where there are currently other hotels and restaurants.

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

There are currently existing commercial uses such as other hotels and restaurants within the vicinity of 355 Kenneth Drive and along the Lehigh Station Road corridor. As a result, the proposal to add an eighty-one room hotel 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

Minor impact; the proposed hotel will not generate a lot of traffic during the peak morning and evening time frames so the traffic impact should be minimal.

6. Impacts on Energy

No impact; the energy system in this area is more than adequate to handle the demands from this project.

7. Impact on Existing Water Supplies and Wastewater Treatment Facilities

No impact; the water and sanitary sewer systems in this area are more than adequate to handle the demands from this project.

8. Impact on Historic And Archeological Resources

Minor impact; the parcel is located within an archeo-sensitive area. The applicant will have to provide documentation that there are no archeological issues prior to starting construction.

9. Impact on Natural Resources

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

10. Impact on Erosion, Flooding or Drainage

Minor impact. The proposed site work for the project 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 and a floodway.

11. Impact on Human Health

No impact.