

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 25, 2023 AT 6:00 P.M.

RESOLUTION #22-353/2023 To approve Special Use Permit No. 2023-035 to allow a motor vehicle service, repair, and supply facility at 137 Clay Road.

On Motion of Councilmember Bolzner

Seconded by Councilmember Sefranek

WHEREAS, W.P. Hobbies and More has applied for a Special Use Permit, Application No. 2023-035, to allow a motor vehicle service, repair, and supply station (the "Application") to be located in an Industrial Zoning District at 137 Clay Road, Rochester, New York 14623, Tax ID #162.05-1-1./B, (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; and

WHEREAS, the Town Board has considered the Special Use Permit factors for Application No. 2023-035 to allow a motor vehicle service, repair, and supply station, in an Industrial Zoning District, 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.

THEREFORE, BE IT RESOLVED, that the Town Board approves Special Use Permit Application No. 2023-035 to allow a motor vehicle service, repair, and supply facility on said parcel in an Industrial Zoning District, subject to the following condition:

- 1) There can be no motor vehicle sales on the premises, save for motor scooters as previously approved.
- 2) There can be no filling station, gas pumps, or other such services on the premises.
- 3) There can be no unlicensed vehicles parked or otherwise stored on the premises.
- 4) There can be no storage of junk vehicles on the premises.
- 5) Prior to construction and occupancy for this newly approved use, the applicant must obtain all required governmental approvals, including but not limited to building codes, fire prevention codes, and sign codes.
- 6) The service station is limited to servicing passenger vehicles only.

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-2023-035
 Date 9/18/23

Applicant: Wigberto Perez/Wigberto Perez LLC/WP Hobbies&More [Redacted]
Name Email

137 Clay Rd Rochester NY 14623
No. & Street City State Zip Code Phone Number

Business Owner: Wigberto & Holly Perez [Redacted]
Name Email

137 Clay Rd Rochester NY 14623
No. & Street City State Zip Code Phone Number

Business Name: W.P. Hobbies and More, Wigberto Perez LLC, & Teds Economy Office Furniture

Business Address: 137 Clay Road Rochester NY 14623

Property Owner: Wigberto & Holly Perez [Redacted]
No. & Street City State Zip Code

PO Box 90618 Rochester NY 14609
Name Email No. & Street City State Zip Code Phone Number

Architect/Engineer: _____
Name Email

No. & Street City State Zip Code Phone Number

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

137 Clay Road Rochester New York 14623
No. & Street City State Zip Code

162.05-1-1./B Industrial
Tax Map No. Zoning District

If property is under a purchase option, indicate date option expires: N/A

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

Article: 295 Section: 25 Subsection: A Paragraph: 21 of the Zoning Ordinance.

Description of Proposal: Motor vehicle service/repair and supply station All motor vehicles

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: Wigberto & Holly Perez
T Wenzel
Received By

Signature: [Signature]
October 25, 2023
Date of Meeting*
TBD
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.

Letter of Intent

Service / Repair shop in Rochester Ny at 137 Clay Road Roch., NY 14623

September 15, 2023

Attn: Town of Henrietta Ny

475 Calkins Rd

Roch Ny 14623

We have submitted a application to the town to become a service / repair shop at our building located 137 Clay Road Rochester New York 14623. Our intention of the repair shop is to be a service / repair shop.

Mon - Sun 9-5

Thank you,



Wigberto and Holly Perez

Owners

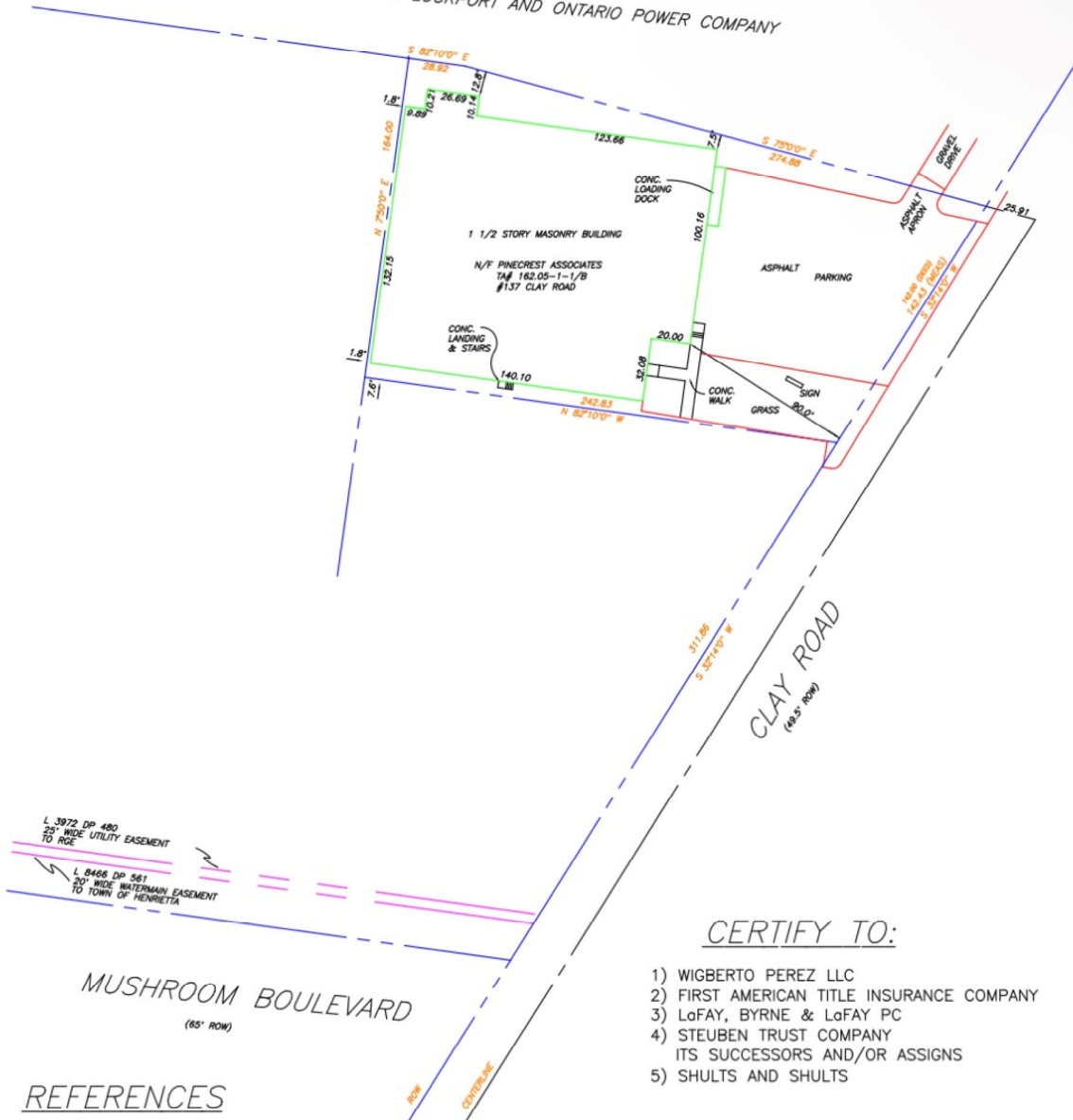
137 Clay Rd Roch Ny 14623

tel



SCALE: 1" = 60'

NIAGARA LOCKPORT AND ONTARIO POWER COMPANY



L 3972 DP 480
25' WIDE UTILITY EASEMENT
TO RGE

L 8466 DP 581
20' WIDE WATERMAIN EASEMENT
TO TOWN OF HENRIETTA

MUSHROOM BOULEVARD
(65' ROW)

CLAY ROAD
(60.5' ROW)

CERTIFY TO:

- 1) WIGBERTO PEREZ LLC
- 2) FIRST AMERICAN TITLE INSURANCE COMPANY
- 3) LaFAY, BYRNE & LaFAY PC
- 4) STEUBEN TRUST COMPANY
ITS SUCCESSORS AND/OR ASSIGNS
- 5) SHULTS AND SHULTS

REFERENCES

- 1) STEWART TITLE ABSTRACT NO. 51450B, APRIL 26, 2018
- 2) LIBER 10898 DEEDS, PAGE 456
- 3) LIBER 3250 DEEDS PAGE 361
EASEMENT TO RGE & RTC FOR
POLES & WIRES ON WEST SIDE CLAY ROAD

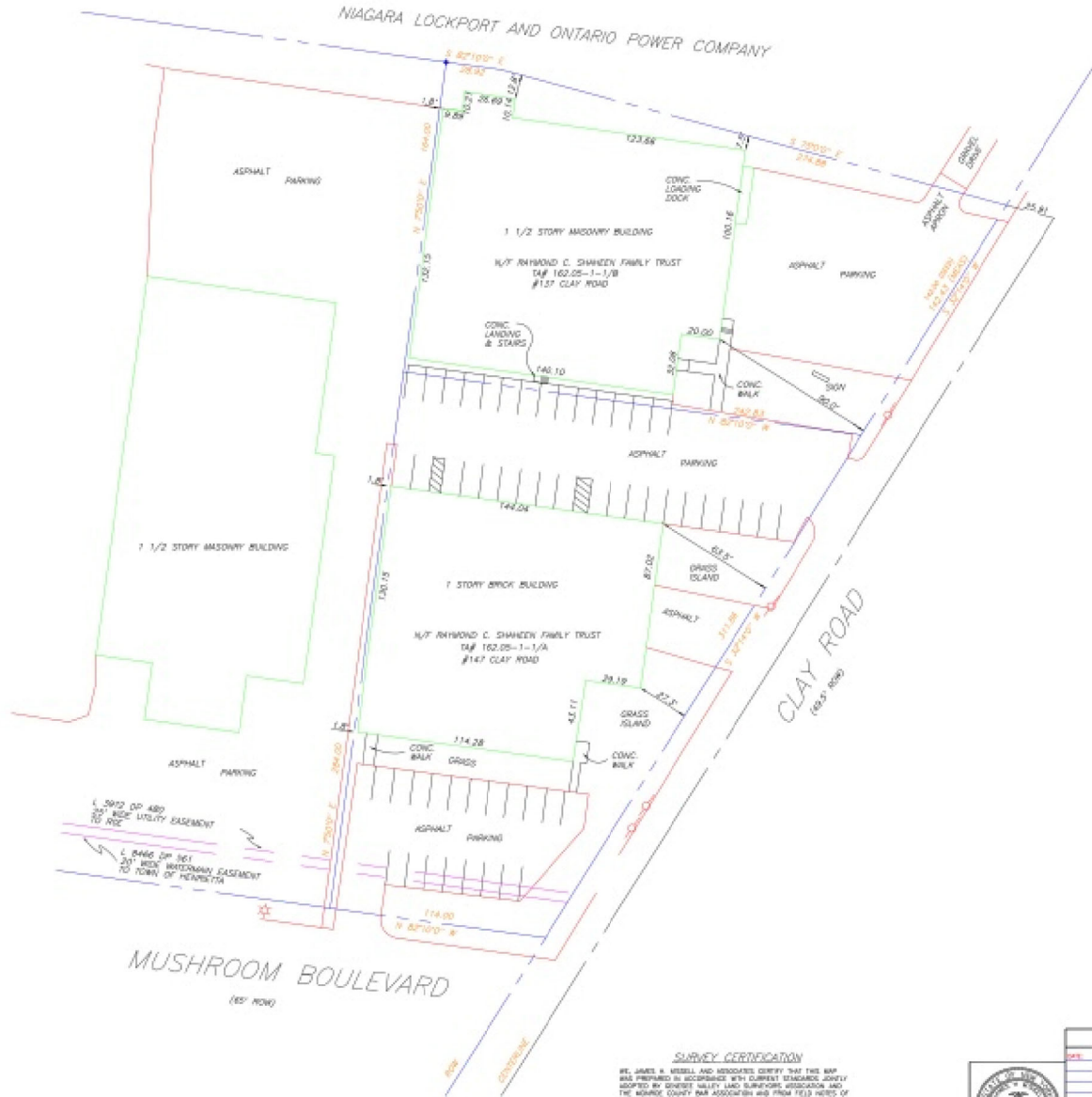
SURVEY CERTIFICATION

WE, JAMES H. MISSELL AND ASSOCIATES CERTIFY THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH CURRENT STANDARDS JOINTLY ADOPTED BY GENESEE VALLEY LAND SURVEYORS ASSOCIATION AND THE MONROE COUNTY BAR ASSOCIATION AND FROM FIELD NOTES OF AN INSTRUMENT SURVEY COMPLETED ON DECEMBER 20, 2018.

#137 CLAY ROAD

REVISIONS			INSTRUMENT LOCATION SURVEY MAP				
DATE:	BY:	REVISION:	SHOWING A PARCEL OF LAND BEING PART OF TOWN LOT 4, RANGE 4, TOWNSHIP 12, RANGE 7, SITUATED IN THE TOWN OF HENRIETTA, MONROE COUNTY, NEW YORK				
			JAMES H. MISSELL AND ASSOCIATES 900 JEFFERSON ROAD, ADMIN. BLDG. ROCHESTER, NEW YORK 14623 TEL. 585-340-2315 FAX. 585-340-2316			CLIENT: WOODS OVATT GILMAN 2 STATE STREET ROCHESTER, NY	
						TAX ACCOUNT NUMBER	
						DATE: JAN. 8, 2019 DRAWN BY: J.H.M. SURVEYOR: J.H.M. SCALE: 1" = 60'	SHEET NO.: 1 OF 1 DRAWING NO.: 147GVR12





SCALE: 1" = 30'

REFERENCES

- 1) STEWART TITLE ABSTRACT NO. WSG-0-022, FEB. 24, 2017
 - 2) LIVER 10998 DEEDS, PAGE 456
 - 3) LIVER 3250 DEEDS, PAGE 361
- EASEMENT TO RISE & FIC FOR POLES & WIRES ON WEST SIDE CLAY ROAD

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DRAWING ALTERATION

THE FOLLOWING IS AN EXCERPT FROM THE NEW YORK CREATION LAW, ARTICLE 143, SECTION 700A AND APPLIED TO THIS DRAWING. IT IS A VIOLATION OF THIS LAW FOR ANY PERSON UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED ENGINEER OR LAND SURVEYOR TO ALTER AN INSTRUMENT. IF AN INSTRUMENT BEARING THE SEAL OF AN ENGINEER OR LAND SURVEYOR IS ALTERED, THE ALTERING ENGINEER OR LAND SURVEYOR SHALL AFFIX TO THE INSTRUMENT HIS SEAL AND THE WORDS "ALTERED BY", FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

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SURVEY CERTIFICATION

WE, JAMES H. MISSELL AND ASSOCIATES CERTIFY THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH CURRENT STANDARDS JOINTLY ADOPTED BY SENIOR SURVEYING AND LAND SURVEYING ASSOCIATION AND THE NYS SURVEYING BOARD AND FROM FIELD NOTES OF AN ACCURATE SURVEY COMPLETED ON APRIL 7, 2017.

LSM049177

#137 AND #147 CLAY ROAD

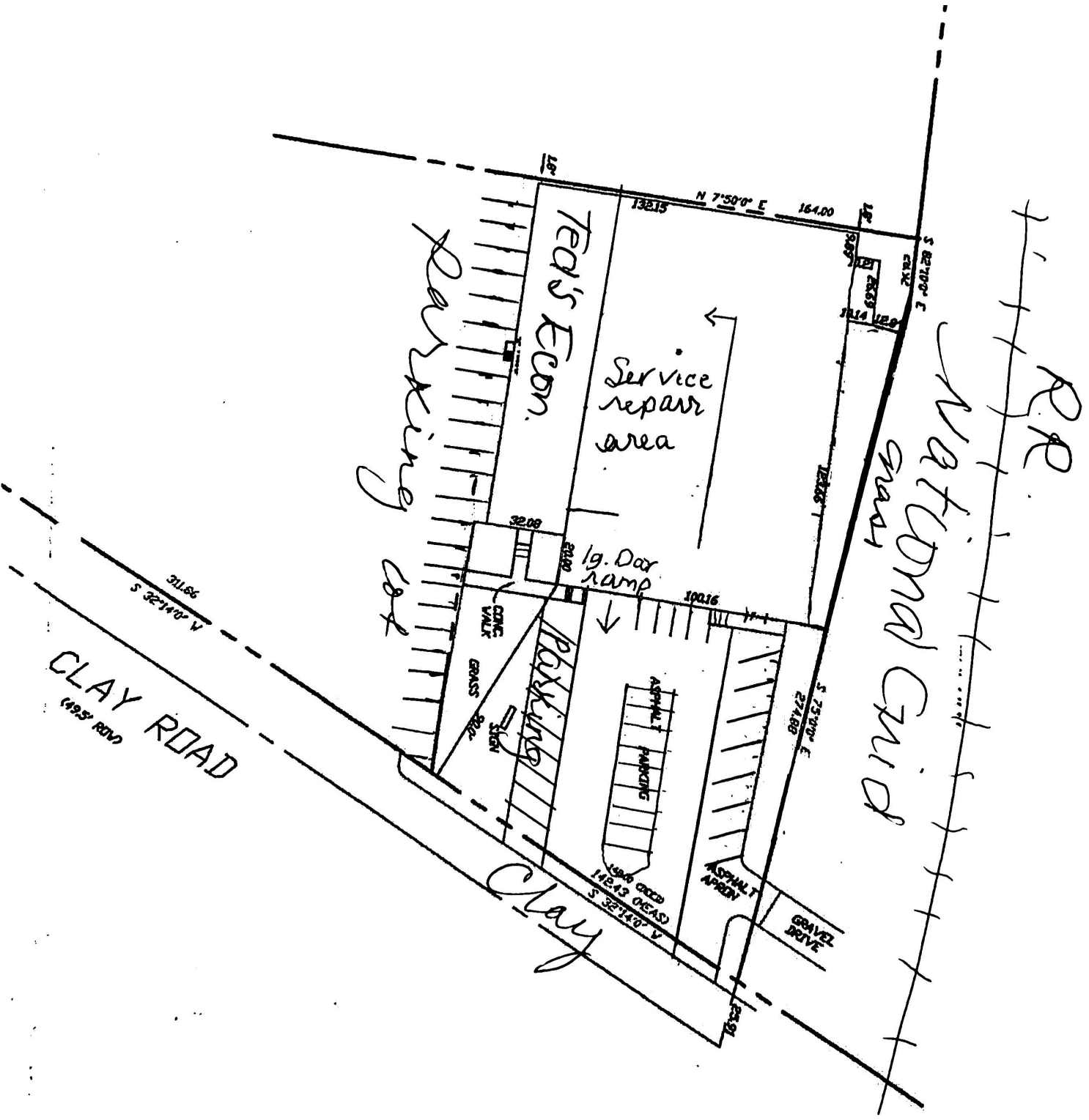
REVISIONS		INSTRUMENT LOCATION SURVEY MAP	
DATE	BY	DESCRIPTION	



JAMES H. MISSELL AND ASSOCIATES

800 JEFFERSON ROAD, AUBURN, N.Y. 14801
 TEL: 845-386-3378 FAX: 845-340-3338

DATE: JUNE 5, 2017 DRAWN BY: J.E.M. CHECKED BY: J.H.M. SCALE: 1" = 30' SHEET NO.: 1 OF 1 DRAWING NO.: 14853



CLAY ROAD
6895' ROAD

National Grid

Ted's Econ.

Service repair area

Parking

1g. Door ramp

Parking

Clay

RR