



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-2022-020
 Date 5/16/22

Applicant: Numotion [Redacted]
Name Email

155 Franklin Road, Suite 300 Brentwood TN 37027
No. & Street City State Zip Code Phone Number

Business Owner: Numotion
Name Email

155 Franklin Road, Suite 300 Brentwood TN 37027
No. & Street City State Zip Code Phone Number

Business Name: Numotion

Business Address: 2165 Brighton-Henrietta Town Line Road, Henrietta, NY 14623
No. & Street City State Zip Code

Property Owner: 2165 BHTL Road, LLC
Name Email

400 Andrews St Rochester NY 14604
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:
2165 Brighton-Henrietta Town Line Road, ^{Rochester}Henrietta, NY 14623
No. & Street City State Zip Code
149.17-1-14.2 INDUSTRIAL
Tax Map No. Zoning District

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

Under the Zoning Ordinance, a Special Permit is requested pursuant to:
 Article: VIII Section: 295 Subsection: 25 Paragraph: A (16) *as amended by 46-2022* of the Zoning Ordinance.

Description of Proposal: Approval to operate a wheelchair accessible van ("WAV") dealership and service facility within an industrial zone.

Multiple Dwelling Applications -- Dwelling Units per Acre: _____

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

Printed Name: Doug Westerdahl Signature: [Signature]

J. Fried 6/9/22 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.

May 3, 2022

Town of Henrietta
Attn: Kevin Wilson, Director of Building and Fire
Prevention
475 Calkins Road
Rochester, NY 14623

Re: Numotion Special Use Permit Application for
2165 Brighton-Henrietta Town Line Road

Dear Mr. Wilson,

Thank you for taking the time to discuss with Numotion the process of obtaining approval to sell wheelchair accessible vans (WAVs) from the Numotion retail store located at 2165 Brighton-Henrietta Town Line Road. In furtherance of that effort, please find enclosed a Special Use Permit application, four copies of the site plan, and an owner letter of authorization.

For many years, I owned and operated Monroe Wheelchair at this same location, serving the mobility needs of customers in the broader Rochester area. More recently, I sold the business to Numotion, and now serve as Numotion's Regional Vice President for Upstate New York. In that capacity, I continue to manage the Monroe Wheelchair Henrietta store under its new name, Numotion.

In order to better serve the mobility needs of our community, Numotion intends to sell WAVs from this location. Doing so requires a dealer license from New York, which in-turn requires local zoning approvals. Because the location is not currently zoned for dealership activity, Numotion is submitting the enclosed Special Use Permit application, in order to obtain approval for this limited use.

Consistent with our discussion, Numotion will not operate a typical "dealership." This location will not look like a car dealership. In fact, it will look no different than it looks right now. The need for this approval, and the licensing, is a quirk of state dealer laws.

The majority of WAV sales by Numotion in Henrietta will be "special order" in nature—ordered online for delivery to the customer through the Henrietta location. Accordingly, there will be little-to-no inventory of new WAVs maintained on the lot. At any given time, a small number of new WAVs may be on the lot, but they will merely be the specially ordered vehicles, already bought and paid for, awaiting customer pickup.

As part of selling new WAVs, Numotion will also accept trade-ins. Accordingly, there will also on occasion be a small number of WAVs located on the lot as a result of a customer trade-in. Like new WAVs, Numotion offers used WAVs through its retail locations nationally. Accordingly, most trade-in vehicles will not remain on the Numotion lot, and instead be transferred to national warehouses or other delivery waypoints outside Henrietta.

Numotion will typically maintain two or three vehicles on the lot for demonstration purposes. Altogether, Numotion does not anticipate more than ten (10) vehicles stored on the lot at any

one time—a combination of already-sold WAVs awaiting pickup; trade-in WAVs for sale or awaiting transfer to the national warehouse; and, demonstration vehicles.

Finally, Numotion also plans to accommodate a “service bay” in our existing warehouse space. This space will be utilized for the purposes of conducting small mechanical repairs, the installation of additional accessories required by the purchaser of the van (e.g. tie downs, hand-controls), light body touch up, and general interior and exterior clean-up to make the WAV ready for delivery

Numotion customers have special and unique needs, and therefore do not shop for WAVs in the same manner most individuals shop for used cars. Customers order specific vehicles to meet their specific mobility needs, where such vehicles are upfitted with, e.g., hand controls, before delivery to the customer. Customers do not seek out lots of inventory to “kick the tires.” Numotion does not require a lot full of inventory, brightly lit for passers-by, like one sees for a typical used car dealership. In many ways, the WAV sales are incidental to the existing business that has been located there for years.

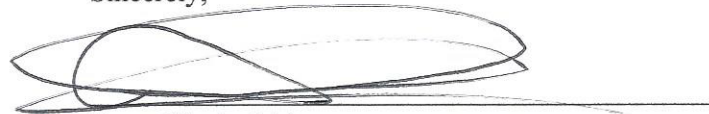
If the Special Use Permit is approved, Numotion does not expect anyone in Henrietta to notice any material change to its current operations. The average observer will have no idea the location is even technically a “dealership.” The existing hours of operation (8:30 a.m. – 5:00 p.m., Monday through Friday) will remain unchanged.

Numotion is amenable to putting any necessary restrictions on the use permit to assist with passage—such as expressly limiting use to WAVs as opposed to passenger motor vehicles. We welcome your input. Our hope is to remain in the community and continue to serve the needs of our customers, with the expanded ability to sell WAVs.

Please do not hesitate to reach out with any questions. I am available to discuss at your convenience, and will attend any public hearings required for this application in order to answer additional questions and address any concerns.

Thank you for your time.

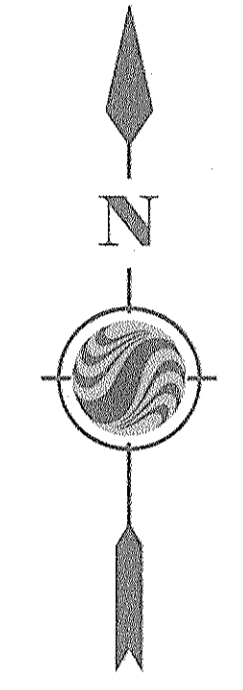
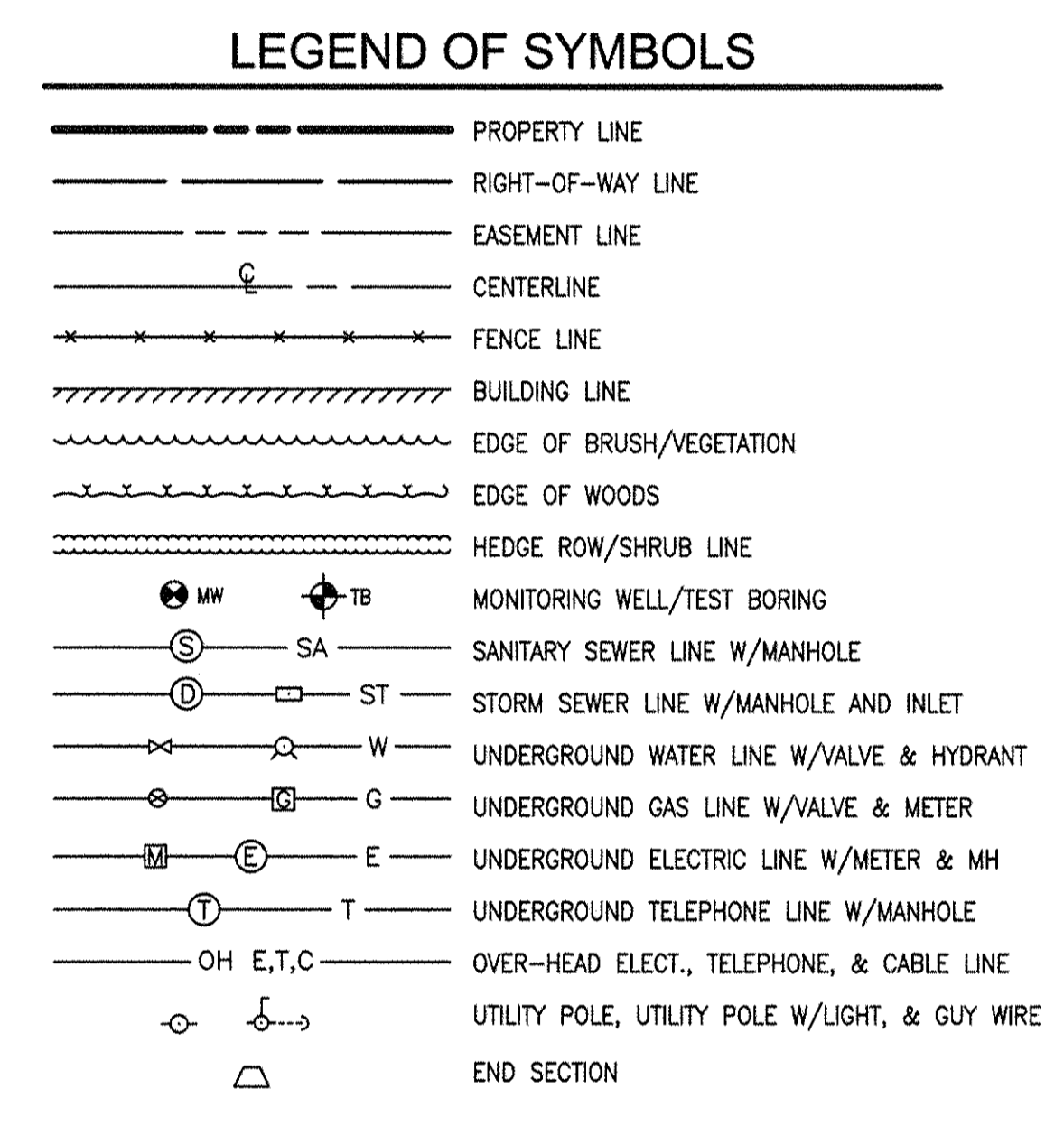
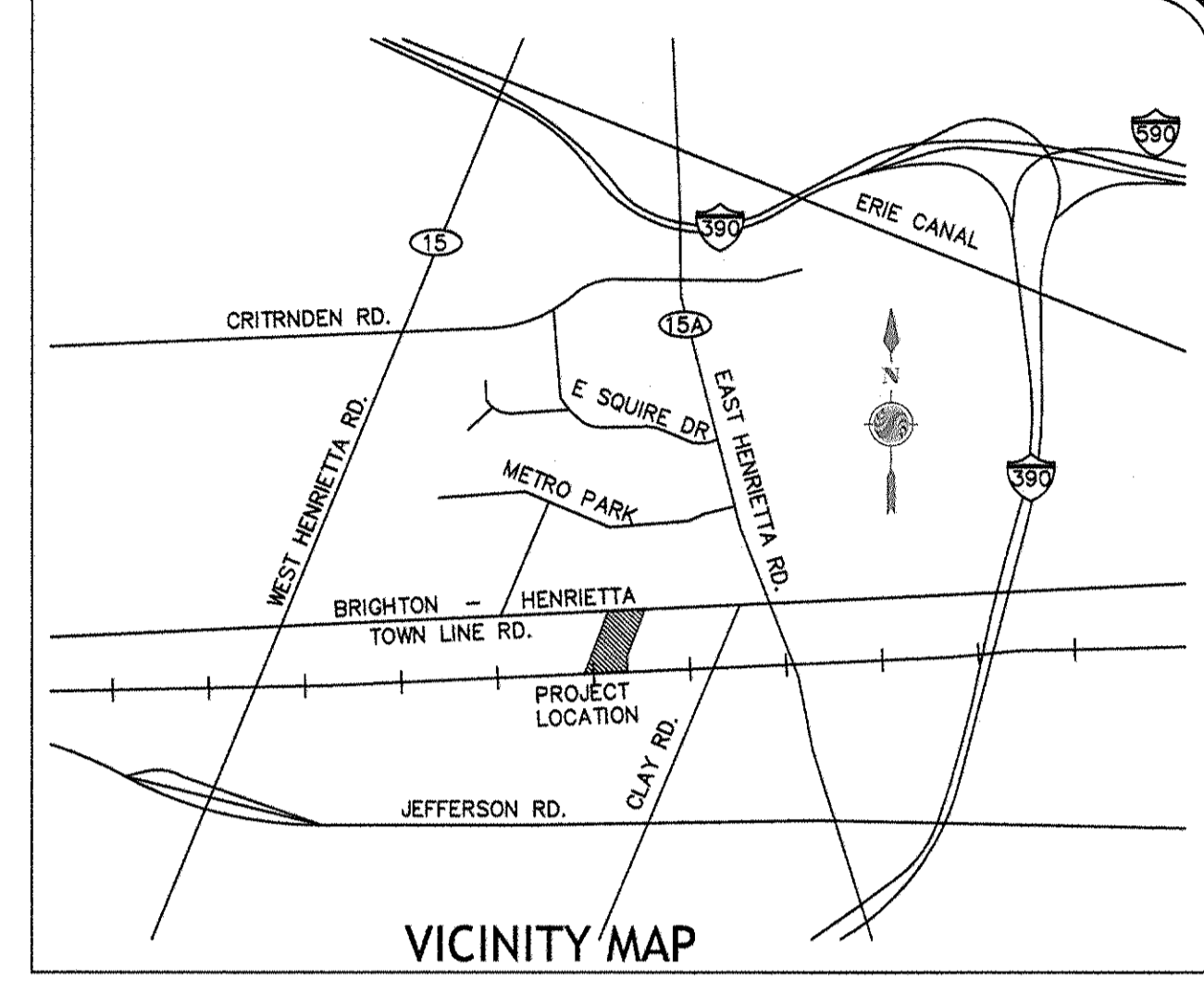
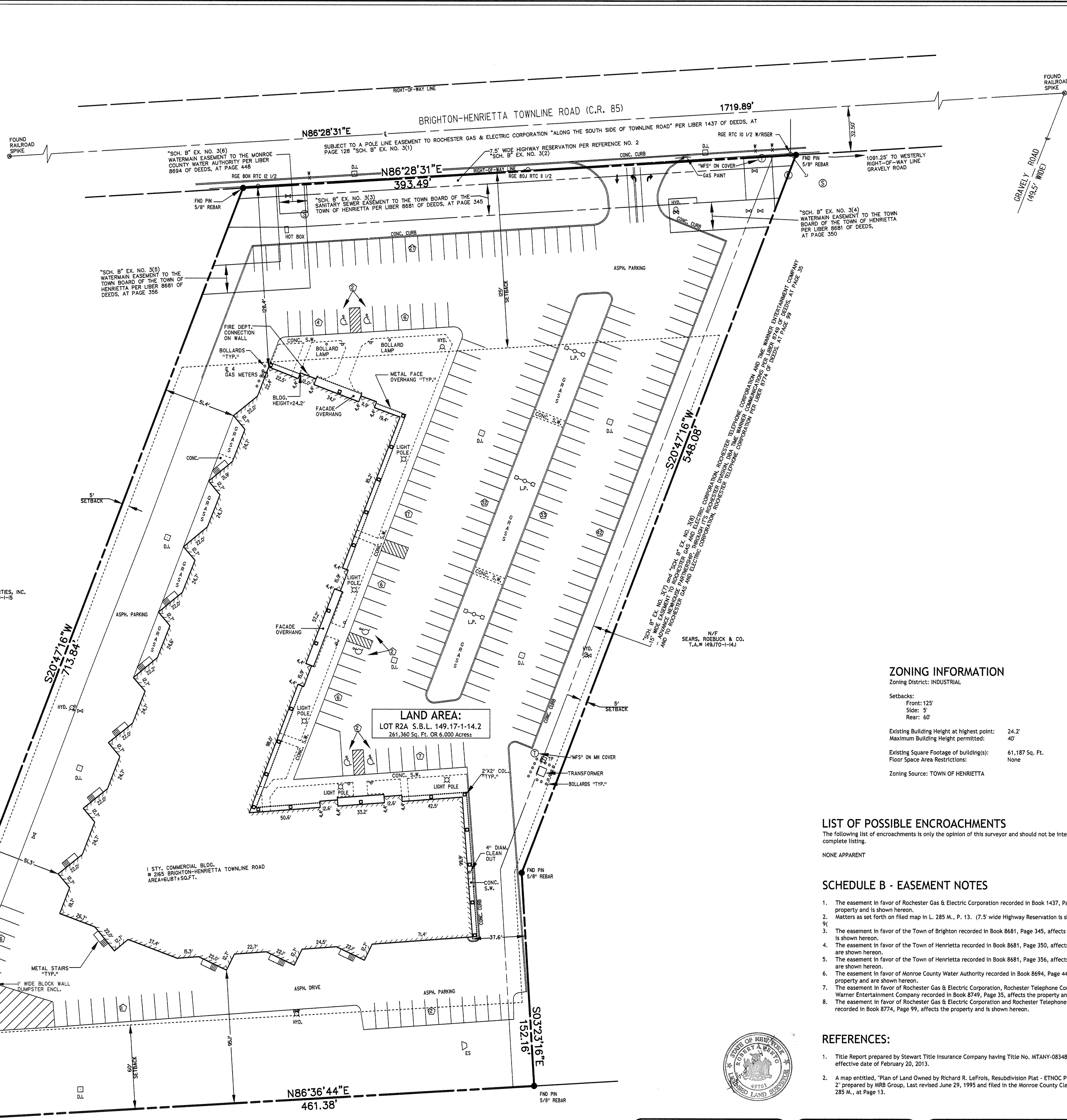
Sincerely,



Doug Westerdahl
Regional Vice President - Upstate New York
Numotion

Cell: [REDACTED]

Email: [REDACTED]



LAND AREA:
LOT R2A S.B.L. 149-17-1-14.2
261,360 Sq. Ft. OR 6,000 Acres.

ZONING INFORMATION

Zoning District: INDUSTRIAL
 Setback: Front: 125'
 Side: 5'
 Rear: 60'
 Existing Building Height at highest point: 24.2'
 Maximum Building Height permitted: 40'
 Existing Square Footage of building(s): 61,187 Sq. Ft.
 Floor Space Area Restrictions: None
 Zoning Source: TOWN OF HENRIETTA

RECORD LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Henrietta, County of Monroe and State of New York, being part of Town Lot 4, Township 12, Range 4 and being Lot R2A as shown on a map entitled Resubdivision of ETNOC Properties, Inc. Lot 2 filed in Monroe County Clerk's Office in Map in Liber 285 of Maps, Page 13.

GENERAL SURVEY NOTES:

- The Basis of Bearings for this survey is the map indicated in Reference no. 2.
- Utility Note: The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities.
- This survey was made in accordance with laws and/or Minimum Standards of the State of New York.
- The property described herein is the same as the property described in Stewart Title Insurance Company Commitment No. MTANY-083483X with an effective date of February 20, 2013 and that all easements, covenants and restrictions referenced in said title commitment or apparent from a physical inspection of the site or otherwise known to me have been plotted hereon or otherwise noted as to their effect on the subject property.
- Said described property is located within an area having a Zone Designation "X" (areas determined to be outside the 0.2% annual chance floodplain) by the Federal Emergency Management Agency (FEMA), on Flood Insurance Rate Maps No. 36055C0315G & 36055C0333G, both with a date of identification of August 28, 2008, for Community No. 360419, in Monroe County, State of New York, which is the current Flood Insurance Rate Map for the community in which said premises is situated.
- The Property has direct access to Brighton-Henrietta Town Line Road, a dedicated public street or highway.
- The total number of striped parking spaces on the subject property is 215, including 6 designated handicap spaces.
- There is no observed evidence of current earth moving work, building construction or building additions.
- There are no proposed changes in street right of way lines, according to Monroe County. There is no observed evidence of recent street or sidewalk construction or repairs.
- There is no observed evidence of site use as a solid waste dump, sump or sanitary landfill.

LIST OF POSSIBLE ENCROACHMENTS

The following list of encroachments is only the opinion of this surveyor and should not be interpreted as a complete listing.
 NONE APPARENT

SCHEDULE B - EASEMENT NOTES

- The easement in favor of Rochester Gas & Electric Corporation recorded in Book 1437, Page 128 affects the property and is shown hereon.
- Matters as set forth on filed map in L. 285 M., P. 13. (7.5' wide Highway Reservation is shown hereon)
- The easement in favor of the Town of Brighton recorded in Book 8681, Page 345, affects the property and is shown hereon.
- The easement in favor of the Town of Henrietta recorded in Book 8681, Page 350, affects the property and is shown hereon.
- The easement in favor of the Town of Henrietta recorded in Book 8681, Page 356, affects the property and is shown hereon.
- The easement in favor of Monroe County Water Authority recorded in Book 8694, Page 448, affects the property and is shown hereon.
- The easement in favor of Rochester Gas & Electric Corporation, Rochester Telephone Corporation and Time Warner Entertainment Company recorded in Book 8749, Page 35, affects the property and is shown hereon.
- The easement in favor of Rochester Gas & Electric Corporation and Rochester Telephone Corporation recorded in Book 8774, Page 99, affects the property and is shown hereon.

REFERENCES:

- Title Report prepared by Stewart Title Insurance Company having Title No. MTANY-083483X with an effective date of February 20, 2013.
- A map entitled, "Plan of Land Owned by Richard R. LeFrais, Resubdivision Plat - ETNOC Properties, Inc.-Lot 2" prepared by MRB Group, Last revised June 29, 1995 and filed in the Monroe County Clerk's office in Liber 285 M., at Page 13.



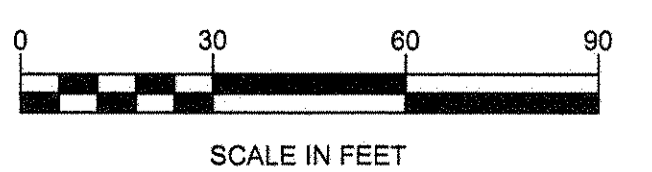
No.	REVISIONS	Date

COORDINATED BY:
 SMITH-ROBERTS
 NATIONAL CORPORATION
 100 NE 5th Street
 OKLAHOMA CITY, OK 73104
 800.411.2010
 www.smith-roberts.com

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 www.stantec.com

ALTA/ACSM LAND TITLE SURVEY
 HUB PROPERTIES TRUST
 2165 BRIGHTON-HENRIETTA TOWN LINE ROAD
 TOWN LOT 4, TOWNSHIP 12, RANGE 4
 TOWN OF HENRIETTA, MONROE COUNTY, NEW YORK



N/E NEW YORK CENTRAL LINES, LLC (FORMERLY NEW YORK CENTRAL RAILROAD) WEST SHORE BRANCH T.A. # 149-18-1-23