BARCLAY DAMON^{LD}

Corey A. Auerbach Partner

March 22, 2021

BY HAND DELIVERY VIA OVERNIGHT MAIL VIA ELECTRONIC MAIL

Town of West Seneca Planning Board c/o Jeffrey Schieber Code Enforcement Officer West Seneca Town Hall 1250 Union Road, Room 210 West Seneca, NY 14224

> Re: 1465 Union Road Royal Car Wash

> > Zoning Amendment, Special User Permit, and Site Plan Approval

Dear Members of the Planning Board:

On behalf of the Royal Car Wash Holdings, LLC and Daniele Family Companies ("Applicant"), please accept this letter and enclosed documents as its letter of intent for the proposed development of 1465 Union Road, 1471 Union Road, and 798 Center Road (collectively "Site") as the Town's second Royal Car Wash ("Development").

To facilitate the Development, Applicant requests a rezoning to C-2S with a Special Use Permit to authorize the car wash use. A portion of the Site (1471 Union) is already zoned C-2S. The Development will be improved by a 4,096 square foot brick structure with windows and peaked roof which gives the building an attractive colonial style look fronting on Union Road in furtherance of 120-70 of the Town's Zoning Code. The Site totals approximately 1.06 acres, and the Development will disturb less than one acre. The Development will be buffered from abutting residential dwellings by a six-foot vinyl fence. Green infrastructure methods will be employed to meet New York State's strict stormwater quality and quantity standards. The car wash itself utilizes water saving features that use 40% less water than the typical wash. Vacuums will be available as a customer amenity. A concept plan prepared by Passero Associates and representative photos are enclosed.

Traffic impacts are not anticipated from the Development. A car wash use is low impact compared to other land uses when considering traffic because a car wash captures "pass by traffic." The vast majority of people who will use the car wash are already on the road and will use the wash as a convenience, rather than a destination, similar to a gas station (which existed historically on 1465 Union). The Development results in less traffic than presently permitted commercial or retail uses. The Development will also eliminate all three curb cuts on 1465 Union Road, and

Town of West Seneca Planning Board 1465 Union Road Car Wash Page 2

consolidate access to the existing curb cuts at 1471 Union Road and 798 Center Road. The Center Road curb cut will be improved by a curbed entrance with greenspace. Vehicle stacking far in excess of DOT recommendations will prevent conflicts with Union Road or Center Road and an automated process to control queuing into the wash tunnel will move vehicles through the site quickly and efficiently. The Development will promote safer, more efficient circulation along Union Road in furtherance of the goals of Section 120-70 of the Town Zoning Code.

This Development will be the Applicant's fifth car wash in Erie County and second in the Town of West Seneca. With more than 15 washes in operation throughout Western New York, Applicant's facilities are carefully designed to avoid traffic conflicts, maximize efficiency, and minimize impact to neighboring properties.

Enclosed, please find the following:

- 1. Rezoning Special Use Permit Application
- 2. Property Survey
- 3. Legal Description
- 4. Basemap and Concept Plan
- 5. Photographs of Other Royal Car Wash Facilities
- 6. Environmental Assessment Form
- 7. Owner Authorization

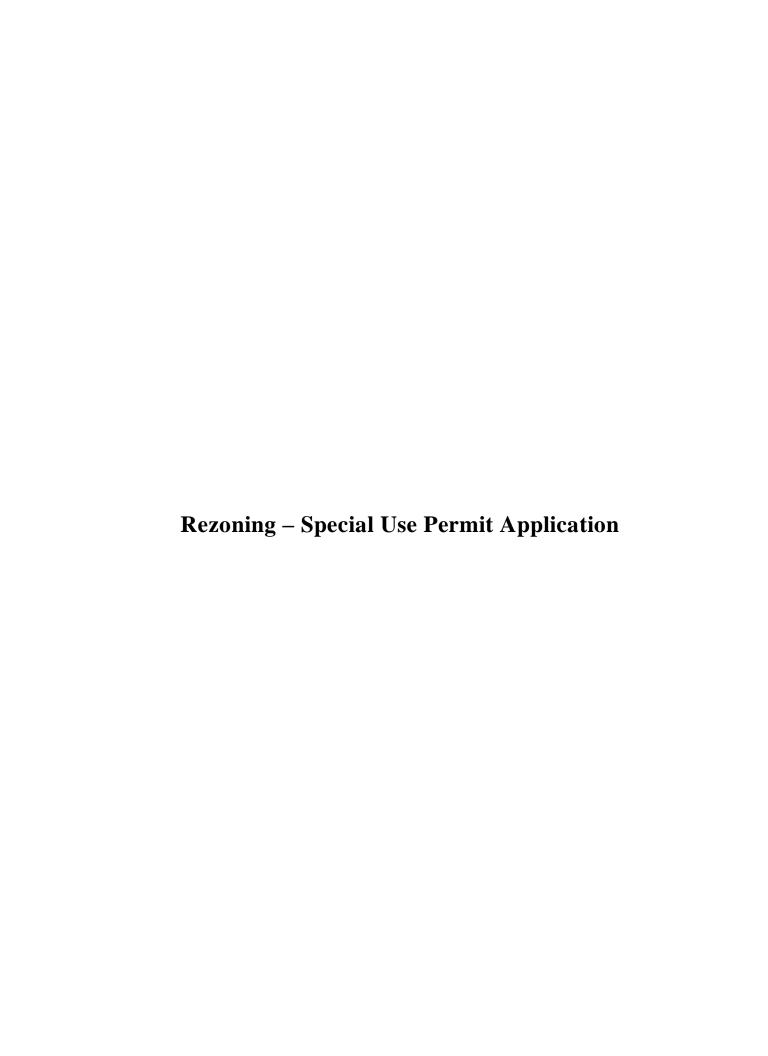
We look forward to presenting this Development to you at the April 8, 2021 Planning Board meeting. Should you require anything additional, please do not hesitate to contact me. Thank you for your consideration.

Very truly yours,

Corey A. Auerbach

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CAA:amg Enclosures

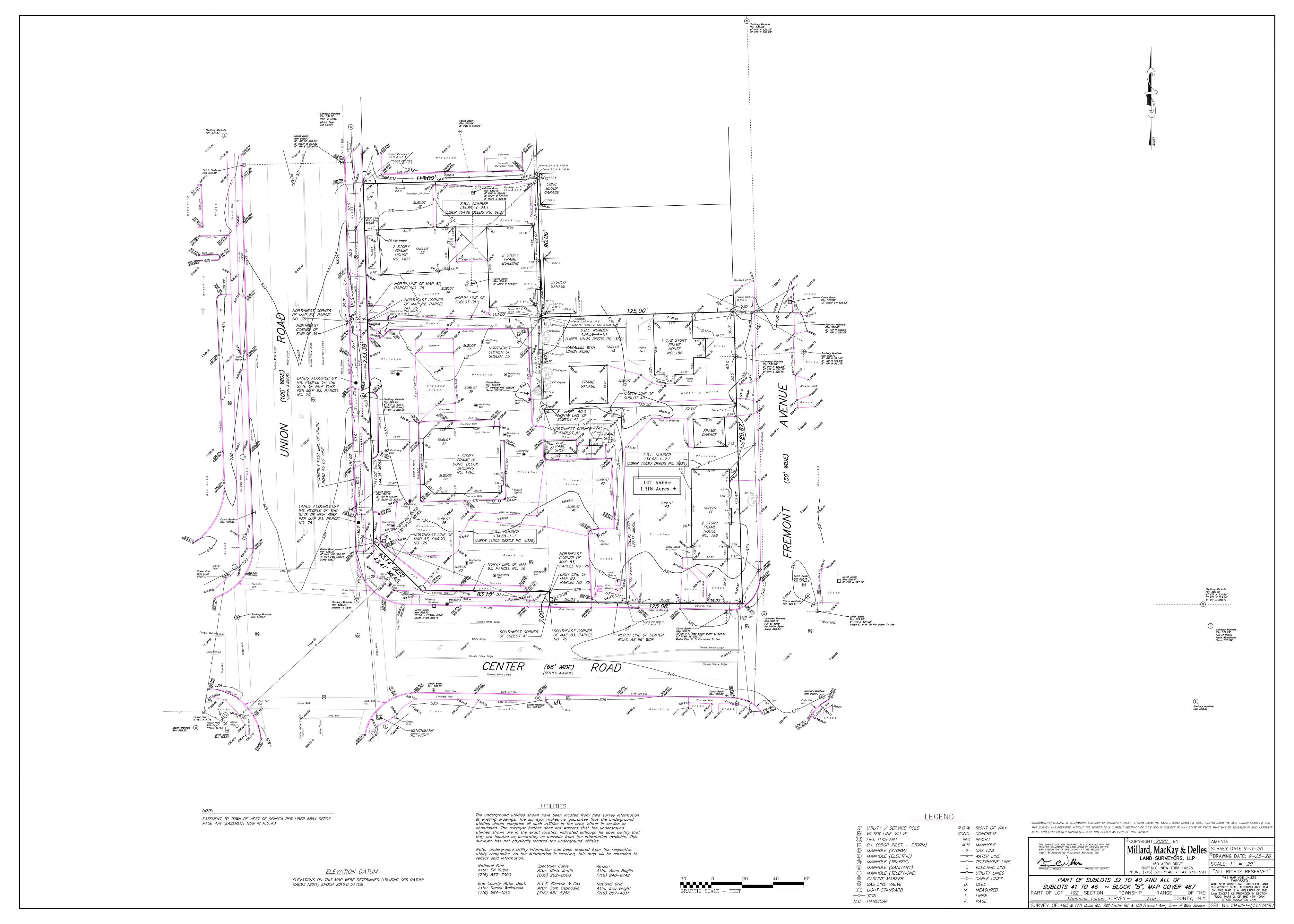


TOWN OF WEST SENECA

<u>APPLICATION FOR REZONING - SPECIAL PERMIT</u>

TO BE COMPLETED BY API	PLICANI
DATE March 22, 2021	FILE#
PROJECT NAME Union Road Royal Car Wash	
PROJECT LOCATION (Include address and distance to pearest intersection) 1465, 1471 Union Road and 789 Center Road	
APPLICANT Daniele Family Companies	_{PH/FAX} (585) 271-1111
ADDRESS 2851 Monroe Avenue, Rocehster, NY 14618	
PROPERTY OWNER Aebly & Associates LLC	PH/FAX
ADDRESS 3638 Seneca Street, West Seneca, NY 142	224
ENGINEER/ ARCHITECT Passero Associates	_{PH/FAX} (585) 235-1000
ADDRESS 242 West Main Street, Suite 100, Rochester,	, NY 14614
SBL# 1465 Union (134.68-1-1), 1471 Union Road (134.59-4	4-28.1), 789 Center Road (134.68-2.1)
PROJECT DESCRIPTION (Include all uses and any required construction)	
Automated car wash facility with vacuum	stations
SIZE OF LOT (acres) 1.06 ACREAGE TO BE	REZONED 0.83
ADJACENT ROAD NAMES AND AMOUNT OF FRONTAGE ON EACH	
Union Road +/- 265 feet Center Roa	ad +/- 230 feet
EXISTING ZONING C-1 and C-2(s) PROPOSED ZONING	C-2(s)
EXISTING USE(S) ON PROPERTY vacant gas station; dwellings	modified as office space
PROPOSED USE(S) ON PROPERTY Automated Car Was	sh ·
EXISTING USE(S) AND ZONING ON ALL PROPERTY WITHIN 500 FEET retail pharmacy, gas station, auto shop/oil change, florist; R-65	i, C-1, C-2(s)
V	
	WATER YES X NO
VARIANCES AND OTHER APPROVALS OR PERMITS REQUIRED Site Plan Approval, Planning Board	
APPLICATIONS WILL NOT BE ACCEPTED WITHOUT COMPLETION	N OF ALL REQUIREMENTS LISTED HEREIN
TO BE COMPLETED BY THE TOWN OF	WEST SENECA
DATE RECEIVEDBY	
PLANNING BOARD MEETING DATE	
TOWN BOARD MEETING DATE	
TOWN BOARD RESOLUTION DATE	







LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of West Seneca, County of Erie and State of New York, being part of Lot 192 of the Ebenezer lands, so called, bounded and described as follows:

BEGINNING at the point of intersection of the north line of Center Road (as a 66 foot road) and the west line of Freemont Avenue (as a 50 foot road);

Thence westerly along the said north line of Center Road, a distance of 125.08' to a point being the southeast corner of lands Appropriated by New York State per Map 83 Parcel 76;

Thence northerly along the east line of lands Appropriated by New York State per Map 83 Parcel 76, and at an interior angle of 92 degrees 06'39", a distance of 7.00 feet to the northeast corner of lands Appropriated by New York State per Map 83 Parcel 76;

Thence westerly along the north line of lands Appropriated by New York State per Map 83 Parcel 76, a distance of 83.10 feet to an angle point therein;

Thence northwesterly and continuing along lands Appropriated by New York State per Map 83 Parcel 76, and at an interior angle of 136 degrees 05'29", a distance of 43.41 feet to the east line of Union Road (as presently laid out 100 foot wide);

Thence northerly along the east line of said Union Road, at an interior angle of 136219'10", a distance of 233.38 feet to a point in the north line of subdivision Lot No. 32, Block "B" per map filed in the Erie County Clerk's Office in Map Cover Number 467;

Thence east at right angles and along the said north line of subdivision Lot No. 32, a distance of 113.00 feet to the northeast corner of said Subdivision Lot No. 32;

Thence southerly parallel with said Union Road and along the easterly line of Subdivision Lots No. 32, 33 and 34, Block "B" as field on Map Cover Number 467, a distance of 90.00 feet to a point being the northeast corner of Subdivision Lot No. 35, Block "B" as field on Map Cover Number 467;

Thence easterly along the north line of Subdivision Lot No. 46, Block "B" per map filed in the Erie County Clerk's Office in Map Cover Number 467, a distance of 125.00 feet to a point in the west line of said Freemont Avenue;

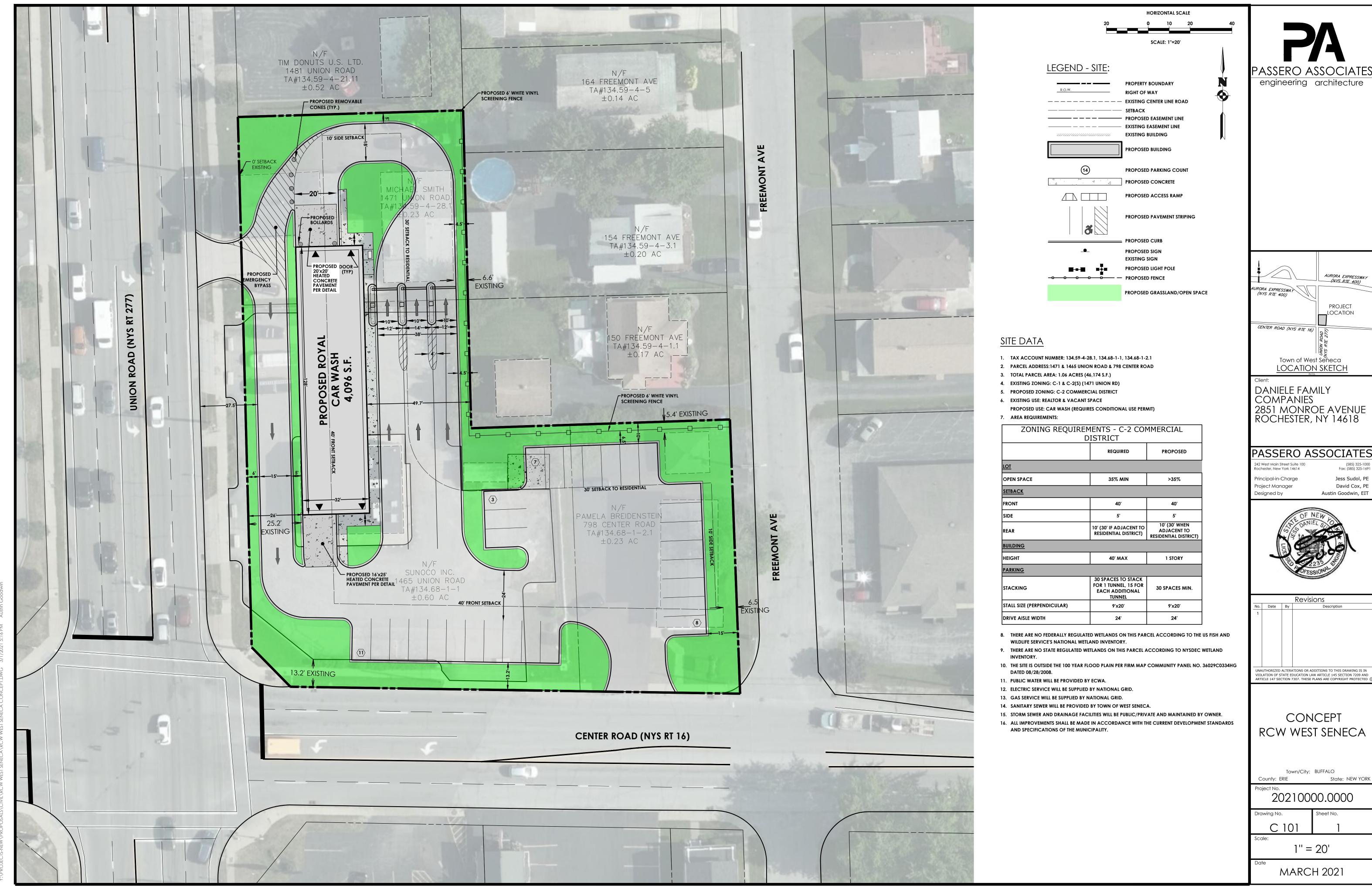
Thence southerly at right angles, and along the said west line of Freemont Street, a distance of 189.87 feet to the Point and Place of Beginning.

This parcel containing 1.218 acres of land more or less.

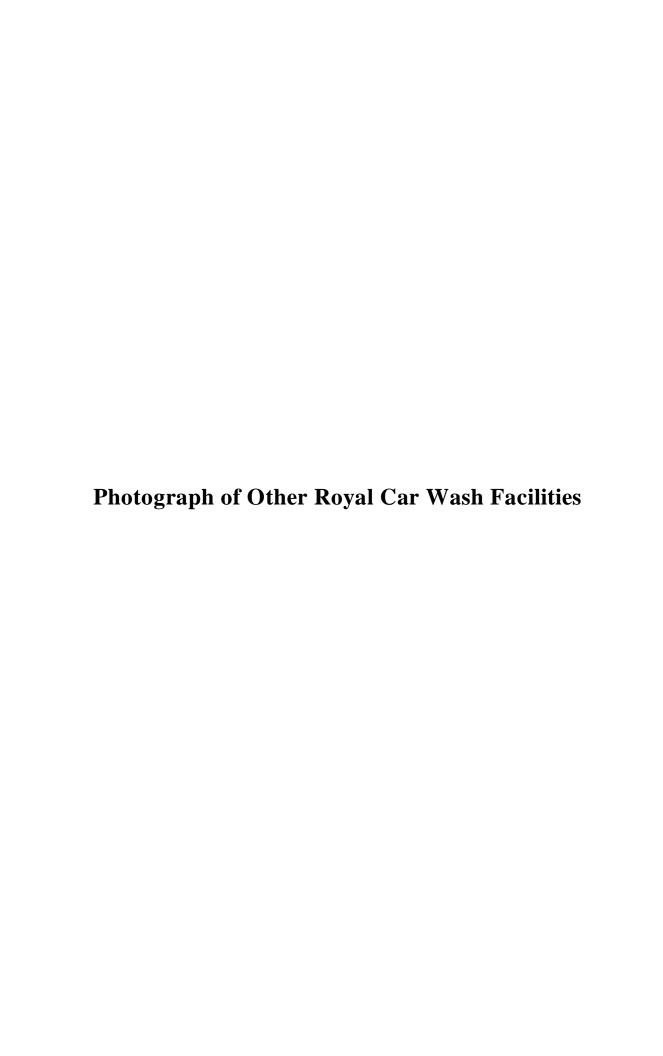




NOT FOR CONSTRUCTION



NOT FOR CONSTRUCTION













Short Environmental Assessment Form Part 1 - Project Information

Instructions for Completing

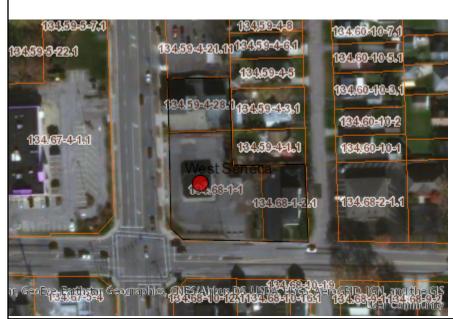
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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			
1465 Union Road Rezoning and Special Use Permit			
Name of Action or Project:			
Project Location (describe, and attach a location map): 1465 Union Road (SBL 134.68-1-1), 1471 Union Road (134.59-4-28.1), and 798 Center Street	et (SBL 134.68-1-2.1)		
Brief Description of Proposed Action: Rezone 1465 Union and 798 Center from C-1 to C-2, and seek a special use permit authorizi infrastructure including vacuums and pay stations. The action has been defined broadly to in rezoning development of site.	ng an automated car wash fac clude all site activities and imp	cility with associated provements including post-	
Name of Applicant or Sponsor:	Telephone: (716) 858-380	01	
Daniele Family Companies by Barclay Damon LLP, Corey Auerbach, as agent/attorney	E-Mail: cauerbach@barcalydamon.com		
Address: 9276 Main Street, Suite 3	,		
City/PO: Clarence	State: NY	Zip Code: 14031	
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. 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: Site Plan Approval - Planning Board			
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	+/-1.06 acres 0.98 acres 1.23 acres		
4. Check all land uses that occur on, are adjoining or near the proposed action: 5. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☑ Commercial ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Special ☐ Parkland	al Residential (subur	rban)	

5.	Is the proposed action,	NO	YES	N/A
;	a. A permitted use under the zoning regulations?		V	
1	b. Consistent with the adopted comprehensive plan?		~	
6.	Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES
0.	is the proposed action consistent with the predominant character of the existing built of natural landscape.			~
7.	Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES
If Ye	es, identify:		~	
8.	a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
1	b. Are public transportation services available at or near the site of the proposed action?		V	
	c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?		V	
9.	Does the proposed action meet or exceed the state energy code requirements?		NO	YES
If the	e proposed action will exceed requirements, describe design features and technologies:			
				~
10.	Will the proposed action connect to an existing public/private water supply?		NO	YES
	If No, describe method for providing potable water:			
			Ш	'
11.	Will the proposed action connect to existing wastewater utilities?		NO	YES
	If No, describe method for providing wastewater treatment:			
12. a	a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district	:t	NO	YES
whic	ch is listed on the National or State Register of Historic Places, or that has been determined by the		V	
	amissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the Register of Historic Places?			
archa	b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for aeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?			
	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?		NO	YES
			'	
	b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		'	
If Ye	es, identify the wetland or waterbody and extent of alterations in square feet or acres:			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
☐Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional		
☐Wetland ☑ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or	NO	YES
Federal government as threatened or endangered?	~	
16. Is the project site located in the 100-year flood plan?	NO	YES
	~	
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,		~
a. Will storm water discharges flow to adjacent properties?	'	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:		~
Discharge to existing storm sewer		
10. Describe annual article include another time and the article of the control of the improved most of control	NO	MEG
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)?	NO	YES
If Yes, explain the purpose and size of the impoundment:	v	
49. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste	NO	YES
management facility? If Yes, describe:		
ii Tes, describe.	~	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or	NO	YES
completed) for hazardous waste? If Yes, describe:		
	~	Ш
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BE	ST OF	
MY KNOWLEDGE	. 	
Applicant/sponsor/name: Daniele Family Companies by Barclay Damon LLP as agent/attorney Date: March 22, 2021		
Signature: s/ Corey A. AuerbachTitle: Agent/attorney		



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



AUTHORIZATION

Aebly & Associates LLC, record property owner of real property commonly

known as 1465 Union Road, 1471 Union Road, 798 Center Road and 150 Fremont

Avenue, in the Town of West Seneca, NY, hereby authorizes Barclay Damon, LLP

to file an application, along with any other supporting documentation, with the

Town of West Seneca in connection with the approvals sought for the real property

corresponding to the following SBL number in the Town of West Seneca, State of

New York:

134.68-1-1

134.59-4-28.1

134.68-1-2.1

134.59-4-1.1

AEBLY & ASSOCIATES LLC

By: ____

Name:

Title:

Dated: March __11th ____, 2021