

December 20, 2022

Town of Penfield
Zoning Board
Attn: Daniel DeLaus, Chairman
3100 Atlantic Avenue
Penfield, NY 14526

**Re: Penfield Car Wash
1922 Empire Boulevard
Letter of Intent – Area Variance Application**

Dear Chairman DeLaus and Members of the Board:

On behalf of our client, Royal Wash Development, LLC (The Daniele's), we respectfully request to be placed on January 19, 2023, meeting of the Zoning Board of Appeals for review.

Existing Conditions

The subject property is a 0.82-acre parcel at the east side of Empire Boulevard, just north of the intersection of Bay Road and Creek Street in the Town of Penfield. The property is in the GB – General Business District and is currently being used as a drive through restaurant. The existing site has a single two-way public access from Empire Boulevard to the west, and a private two-way access from the neighboring commercial property to the south. There is mature landscaping along the perimeter of the property, which provides a visual buffer from adjacent commercial properties and the right-of-way.

Empire Boulevard is a fully developed commercial corridor, and is characterized by a mix of retail stores, banks, medical offices, and restaurants in a vehicle oriented suburban setting. There is very little undeveloped land in the immediate area.

Proposal

The proposal is to construct a single-bay, 4,100 +/- square foot automatic car wash. The development includes the reuse of two existing two-way access driveways along Empire Boulevard and at the south side of the property along a private road. The site includes queuing lanes for entry into the automatic car wash; surface parking; vacuum stations; perimeter landscaping; and site lighting. The existing drive-through restaurant will cease operation by the end of 2022 and will be demolished for the construction of the car wash facility. The site includes eight parking spaces for employee use, and 10 vacuum parking

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spaces for customer use. The hours of operation are Monday through Saturday 7:00 AM to 9:00 PM and Sunday from 8:00 AM to 8:00 PM.

There will be two to six employees on the site at any given time to assist customers with a maximum of eight employees during Saturday hours. There is no retail on site, no detailing, hand dressing, or drying of the vehicles. Everything is done in the car washing process.

The traffic created at a car wash is similar in nature to gas station traffic. These uses are not considered to be regional destinations, and therefore rely on pass-by traffic that already exists within the street network. The proposed car wash will generate similar traffic as a drive through restaurant, and less traffic than other uses permitted in the GB – General Business District. The site has been designed with ample stacking for up to 29 cars before reaching the pay booths, and on-site stacking of up to 41 vehicles. Ample stacking will prevent traffic backups onto Empire Boulevard or into the neighboring property to the south. It has been our experience that when the line is long, customers will choose to come back when the line is shorter.

The cleanliness and appearance of our properties conveys to our customers that we will care for their vehicle with the same level of detail that we care about our business. Our car wash design uses the latest advanced technology in car care, as well as green cleaning products. The car wash utilizes water-saving features that use 40% less water than the typical car wash, and some of the water used in the car washing process is reclaimed and used for under carriage wash. Another added benefit to the community is free vacuum stations.

Area Variance & Review Standards

There are five (5) area variances anticipated for this project. These will need to be obtained as part of this application. These anticipated area variances include:

- §250-5.7D(2): A lot that provides 23% of area as open space where 35% is required.
- §250-5.7D(3): A side property line setback of 5 feet at the north side of the property, where 20 feet is required.
- §250-7.7D: A total of 18 parking spaces where 21 parking spaces (5 spaces for each 1,000 SF of gross floor area) is required.
- §250-10.12A: The proposed freestanding sign is 15' and 10' from the west and south property lines, respectively, where a minimum of 35' from all property lines is required. All other size and design requirements of signage will comply with Zoning Code requirements.

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- §250-10.13C: Two building signs are proposed on the west and south face of the building where only one building mounted sign per building is permitted.

The above area variances requested as part of this application are reviewed in accordance with the applicable area variance review standards. These standards, and responses to these standards are listed below:

1. *Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance*

Lot Coverage – Considering that this is a vehicle-oriented commercial area, and that surrounding properties have little, if any, green space, the minor reduction in greenspace on the site due to the minor increase of impervious materials will have little undesirable impact to the character of the commercial area. Increased paving is required for the proper maneuverability and safety of vehicles on site.

Side Setback (North) – The north setback abuts a landscaping strip and parking lot at the neighboring property which has a landscape buffer between both properties. Given that the site is within a commercial area, and that the building located on the property to the north is significantly more than 20’ from the proposed car wash building, the proposed setback will not have an undesirable impact to the character of the commercial area.

Parking Spaces – Unlike other similar types of commercial retail uses, including drive through restaurants and banks, car washes do not have foot traffic for retail services. While 21 spaces are required for the site, no customers will need to utilize parking to get their car washed. Of the parking on site, 8 parking spaces, including a single handicap accessible space, are allocated for employee parking, and 10 spaces are allocated to free vacuum stations for customers. Given that no customer foot traffic will exist as part of this use, the 18 spaces proposed are more than sufficient for the car wash operation. The proposed parking will not pose an undesirable change to the commercial area.

Freestanding Sign Setback – Existing freestanding signs within the commercial district do not appear to be setback at 35’ on all property lines. There are four existing signs along Empire Boulevard, including the existing Taco Bell freestanding sign located at the project site, which do not appear to meet this setback requirement. Given that other signage within proximity of the site does not meet this requirement, the proposed freestanding sign is in character with the surrounding commercial district and does not produce a detriment to nearby properties.

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Additional Building Sign – Multiple existing properties along the Empire Boulevard corridor have more than one building mounted sign which is similar in size and direction as the proposed signage. These include the adjacent Verizon building and a McDonalds drive through in the Bay Towne Plaza. Given that the additional building signs on other properties in the district have similar signage to that which is proposed at the project site, the two proposed building mounted signs will not cause any undesirable change to the neighborhood.

2. *Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance.*

Lot Coverage – Our engineering team has evaluated the site to develop the most efficient and safe plan possible given the existing site conditions and car wash operation. No alternative to the proposed plan would reduce the additional paving required to ensure the safe maneuverability of vehicles and the prevention of vehicle backups into the public right-of-way.

Side Setback (North) – The proposed placement of the building is required to allow the stacking of vehicles, and a safe and efficient turning distance from the queuing isles. This placement also permits the most parking spaces on site with proper lane widths and vehicle maneuvering area on site.

Parking Spaces – The overall design of the site has been oriented to maximize parking spaces while also providing proper maneuverability and stacking for vehicles. This is based on studying the operation of previously developed, existing car washes, and their queuing and maneuverability needs. The maximum number of parking spaces have been provided without sacrificing open space and landscaping.

Freestanding Sign Setback – Existing freestanding signs within the commercial district do not appear to be setback at the 35' required setback from all property lines. There are four existing signs, including the existing Taco Bell freestanding sign located at the project site, which do not appear to meet this setback requirement. Given that other signage within proximity of the site does not meet this requirement, the proposed freestanding sign is in character to the surrounding commercial district and does not produce a detriment to nearby properties. Placing the proposed freestanding sign further into the property at a 35' setback from all property lines would sacrifice existing proposed parking and vehicle maneuverability areas and would pose a vehicle safety hazard.

Additional Building Sign – Existing properties along Empire Boulevard do not conform with the one building mounted sign requirement. By having multiple building mounted signs, these buildings are able to provide additional marketing along Empire Boulevard. The proposed additional sign would allow marketing and

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display of the business to reach both sides of traffic similar in character to other properties in the area. The proposed additional sign does not pose any detriment to adjacent properties.

3. *Whether the requested area variance is substantial.*

Lot Coverage – The existing site does not meet the lot coverage requirements of the Penfield Zoning Code. Where 35% open space is required, the existing site is only 25.7% greenspace. The redevelopment of the site proposes additional impervious material, reducing greenspace by 2.7% to 23% greenspace. Additionally, this minor reduction in greenspace is at the rear of the site and does not impact the landscaping strip between the parking lot and the street right-of-way. The reduction of greenspace on site is not substantial.

Side Setback (North) – The proposed building setback to the north is 5' where 20' is required. Beyond the northern property line is a 4-5' landscaping strip on the property to the north, then a row of 90-degree parking spaces, with stalls approximately 18' long. This provides a buffer of 22-23' between the proposed car wash structure and the drive-aisles in the property to the north. Throughout this commercial district there are similarly situated properties along Empire Boulevard that do not appear to have 20' setback along the side property lines but do have a delineating landscaping strip and a buffer of parking along the property lines. This is characteristic of the commercial district and is therefore not a substantial deviation from the development patterns along this section of Empire Boulevard.

Parking Spaces – While the zoning code requires 21 parking spaces for the proposed car wash use, the only parking spaces that will be utilized for long term stay are those for employees on shift, which is never more than 8 employees at a time. Vacuum stations turnover every 15-30 minutes and are an ancillary service to customers. Most customers utilize the car wash only, a fully automated experience that does not require customers to leave or park their vehicle.

Freestanding Sign Setback – Based on the location of the existing freestanding sign on the site, and the location of free-standing signs on at least three other properties within proximity to the project site, the proposed placement of the freestanding sign at this property is characteristic of the commercial district and is therefore not a substantial deviation from the development patterns along this section of Empire Boulevard.

Additional Building Sign – Considering the placement of existing signage on adjacent properties. There will be no impact to nearby properties. The proposed placement of an additional building sign as proposed is characteristic of the commercial district and is therefore not a substantial deviation from the development patterns along this section of Empire Boulevard.

4. *Whether the proposed area variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.*

Lot Coverage – The commercial district is largely a paved auto-oriented area with ample parking areas and impervious sites. The minor reduction of greenspace on site is nominal and will not adversely impact the environment. Additional impervious water runoff will be easily handled by existing stormwater infrastructure. The proposed greenspace on site is typical of the Empire Boulevard commercial corridor and is characteristic of the physical conditions of the district.

Side Setback (North) – The proposed building setback will have no impact on the environment. The physical impact of the building setback location is minor, and further mitigated by a landscaping strip and the existing building setback on the property to the north. Even in consideration to potential changes to the site to the north through future potential redevelopment this physical impact is minor due to the small and compact size of the car wash facility (~4,100 SF).

Parking Spaces – The proposed parking will not have any physical or environmental impacts on the conditions in the neighborhood or district. Since this is a redevelopment project no new area for parking is proposed, and the potential for environmental impacts to the site have not changed from previous development of the property.

Freestanding Sign Setback – The proposed freestanding sign will not have any physical or environmental impacts on the existing conditions in the neighborhood or district. The current site has a freestanding sign in the same general location as that proposed. The proposed location of the new freestanding sign will not pose any new impacts to the physical or environmental conditions of the site.

Additional Building Sign – The proposed additional building sign will not have any physical or environmental impacts on the conditions of the neighborhood. Adjacent properties have similar additional building signs like the Verizon directly next to the project site. The proposed additional building sign will not pose any new impacts to the environment of the neighborhood.

5. *Whether the alleged difficulty was self-created. (In contrast to the context of a use variance, in the context of an area variance application, whether the alleged difficulty was self-created shall be relevant to the decision of the Board of Zoning Appeals but a finding that the difficulty was self-created shall not in and of itself preclude the granting of the area variance.)*

Lot Coverage – The pre-existing nonconformity of the existing site lot coverage limits our ability to redevelop the site without the need for an area variance for lot

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coverage. The existing site does not meet the lot-coverage requirements of 35% open space, as required in the Penfield Zoning Code. The site only provides 25.7% (9,749 SF) of open space where 35% (13,264 SF) is required. The proposal presents a nominal reduction of 1,125 SF additional open space to accommodate a safe turning radius for the queuing of vehicles.

Side Setback (North) – The proposed redevelopment lot is more narrow than other commercial lots along Empire Boulevard. The need for a larger turning radius for the safety and efficient mobility of stacked vehicles on site necessitates moving the building as close as possible to the northern property line. Car wash uses require a high level of stacking area internal to the site, and the building placement and site design has been specially designed with this consideration. Moving the building further south would require a more substantial variance for parking by reducing the number of parking spaces provided, and would create maneuverability issues on site, possibly resulting in compromised vehicular safety and stacking into the street right-of-way.

Parking Spaces – While the zoning code requires 21 parking spaces for this use, only 8 parking spaces are necessary for employee parking. The operation is completely automated with no need for customers to leave their vehicles during the car washing process. 10 parking spaces have been provided for the convenience of customers in further detailing the interior of their vehicles with the free vacuum stations available on site. Vacuum stations are ancillary to the car washing operation and are only used by some of the car wash customer.

Freestanding Sign Setback – The existing freestanding sign on site does not meet the sign setback requirements. The new freestanding sign is proposed in a similar location for safe vehicular mobility on site. The location of the pole mounted sign does not obstruct important vehicle viewsheds in the right-of-way.

Additional Building Sign – The proposed additional building sign reflects the quality of the building's overall design. The added sign combined with the external goose-neck lighting contributes to high quality design that is important to the brand. The sign is made of high-quality materials and is not only used as a display but as a focus point for the building. The appearance of our buildings reflects to our customers that we will care for their vehicle with the same level of detail that we care for our business.

In support of our application, we have enclosed the following:

- (1) Copy of the Application form, signed by the applicant
- (1) Letter of Intent, Including Zoning Board Review Considerations
- (1) Copy of a Permission Letter
- (1) Copy of Site Plans, 11" x 17"

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- (1) Copy of Building Elevations, 11" x 17"
- (1) Copy of Signage Information, 11" x 17"
- (1) Copy of Short EAF
- (1) Checks: \$110.00, Application Fee
- (1) Digital Copy of the Complete Application, emailed to:
building@penfield.org

We look forward to presenting this application to the Zoning Board on January 19, 2023 meeting. If you have any questions or require additional information, please contact me at dcox@passero.com or (585) 325-1000.

Thank you for your consideration.

Sincerely,



David Cox, P.E.
Associate | Civil Department Manager

Sign: 32.5 sq ft

10'-10"

36"



Location: 1922 Empire Boulevard
Penfield, New York

Total Signage:
(1) 32.5 sq ft sign
(1) 77.3 sq ft sign

Sign: 77.3 sq ft

16'-0"

48"



Description:

(1) each non-illuminated 2" deep pan-formed aluminum panel with 1/4' flat cut out acrylic letters and logo.

Letters & logo to be stud mounted to panel.
Logo to have vinyl graphics applied.

6'-8"

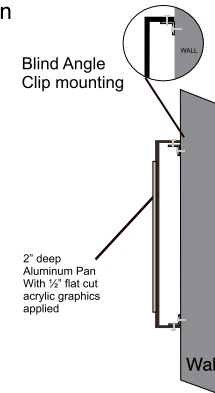


Typical



Typical

Pan formed aluminum sign



Type of sign/s	Exterior building sign
Date	10/28/2022
Customer Name	Go Car Wash
Address	1922 Empire Boulevard Penfield, NY 14580
Sign Location	

This original, conceptual, and or shop drawing has been created by SKYLIGHT SIGNS INC.

It is submitted for use within the above stated organization ONLY and/or other parties necessary to make signage decisions.

This drawing is not to be shown, e-mailed or transmitted in anyway to anyone outside of your organization, nor is it to be used, reproduced or exhibited in any way, without expressed written consent.

This custom artwork is for representational purposes only. Colors will not exactly match the paint or materials to be used.

ALL ELECTRICAL SIGNS REQUIRE 120V ELECTRIC, UNLESS OTHERWISE STATED

skylight signs inc.

60 Industrial Park Circle
Rochester NY 14624
Phone 585 594-2500
Fax 585 594-2525

I have reviewed this drawing and accept it as shown. Any changes made to this drawing at any time will affect the contract price. Any and all changes to this drawing must be accompanied by written explanation and approved by both parties prior to production.

Customer Signature: _____

Date: _____

Landlord Signature: _____

Date: _____

TYPICAL

Sign: 20 SF per face (2 sign faces)



1
9
2
2

4 " White reflective numbers

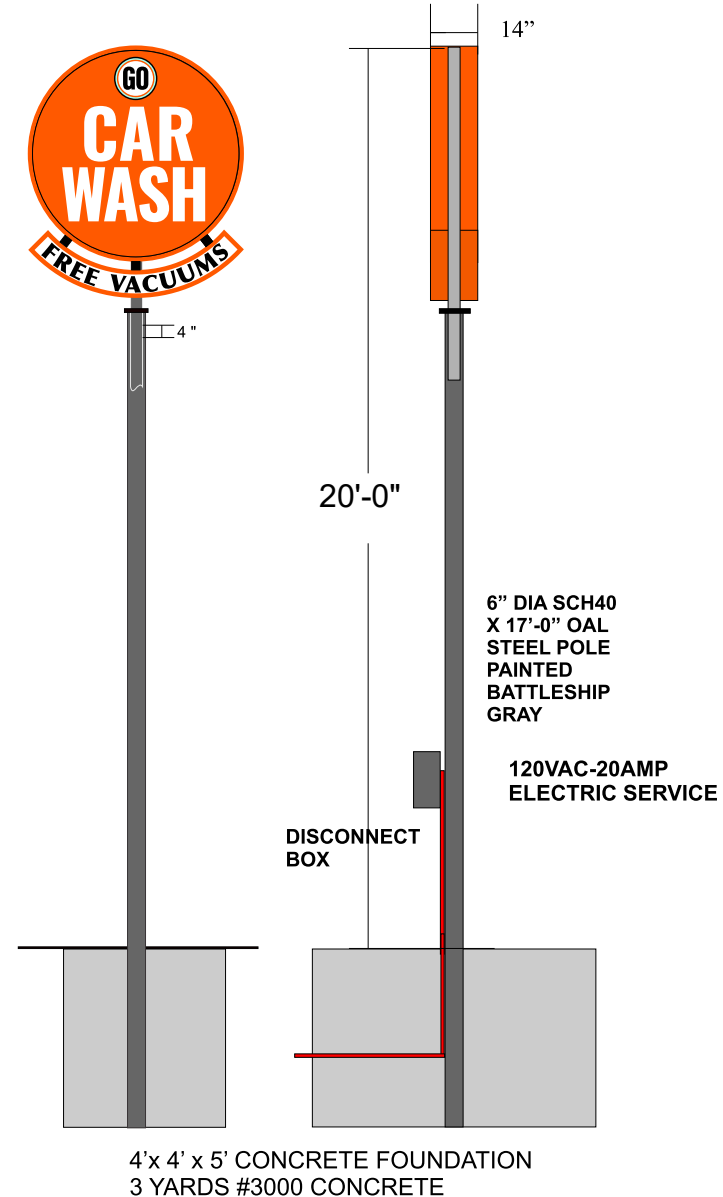
4" STUB IN SIGN
SLEEVE INTO 6" POLE

6" ROUND POLE
Painted DEC797 Battleship Gray

Colors:
Orange: Trans. 3M Burnt Orange (#3630-124)
GOCW Blue: Pantone 2985C -Vacuum Blue
Black & White
Cabinet: SW 6884 Orange

Description:

(1) Double-Sided Internally Illuminated Cabinet Sign
Fabricated Aluminum cabinet w/ Aluminum Retainers
Lexan Faces with digital and applied vinyl graphics.
4" dia Steel stub pipe thru pole to upper cabinet
Bright White LED illumination.
Sign mounted to new 6" round pole painted.



Type of sign/s	Exterior pole sign
Date	10/28/2022
Customer Name	Go Car Wash
Address	Typical
Sign Location	

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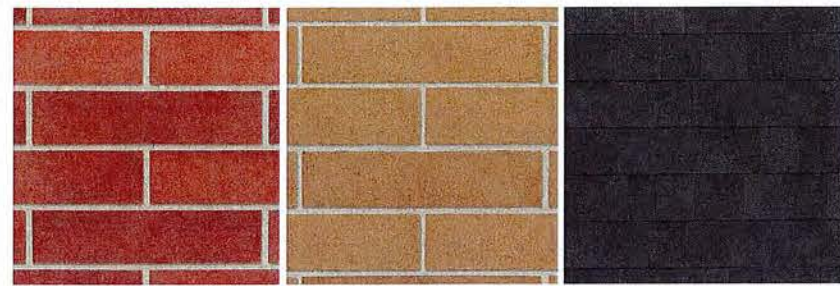
skylight signs inc.

60 Industrial Park Circle
 Rochester NY 14624
 Phone 585 594-2500
 Fax 585 594-2525

I have reviewed this drawing and accept it as shown. Any changes made to this drawing at any time will affect the contract price. Any and all changes to this drawing must be accompanied by written explanation and approved by both parties prior to production.

Customer Signature: _____

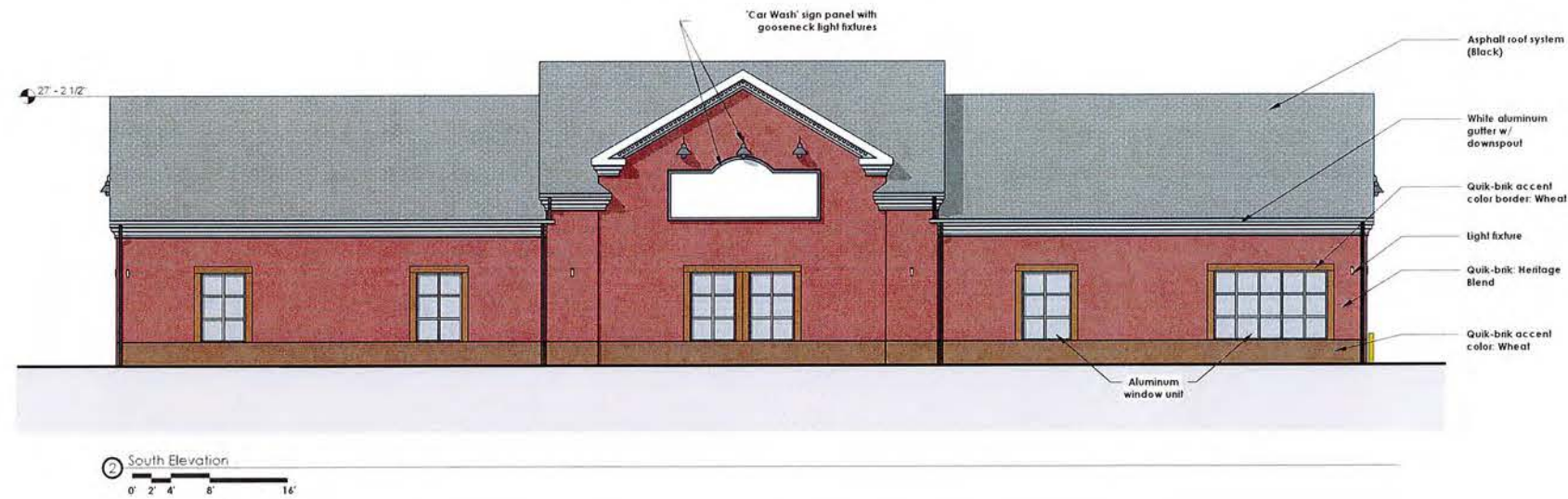
Landlord Signature: _____



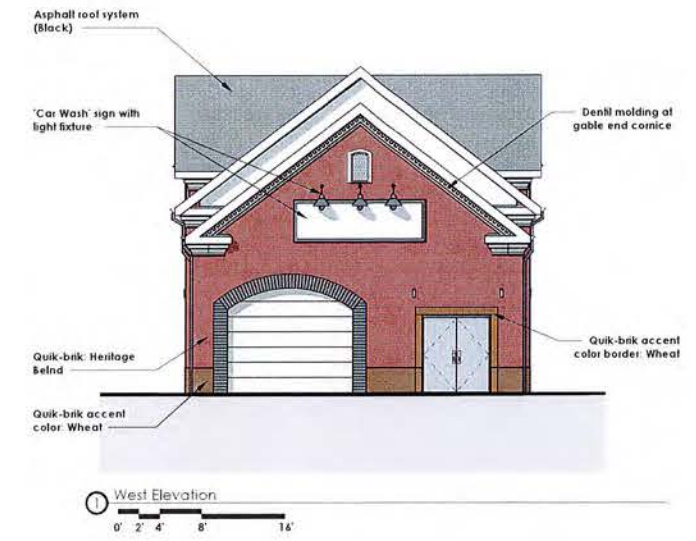
Heritage Blend

Earhtone Wheat

Shingle Roof



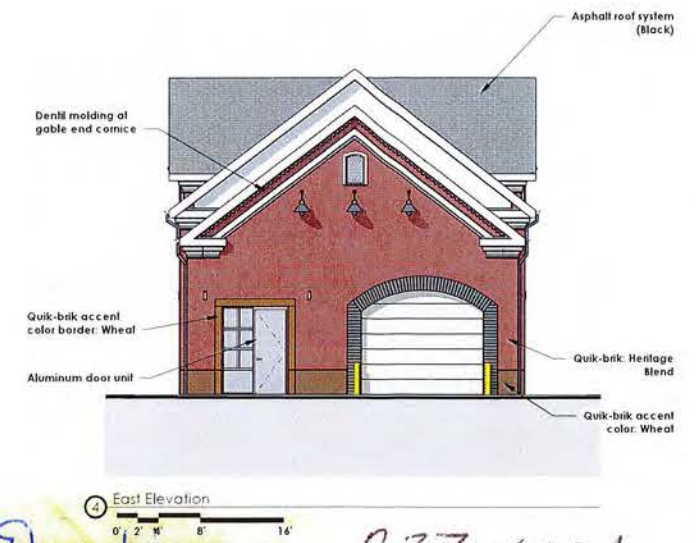
South Elevation



West Elevation



North Elevation



East Elevation

Exterior Elevations 23Z-0001

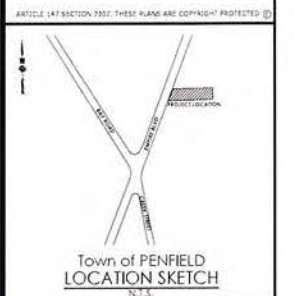
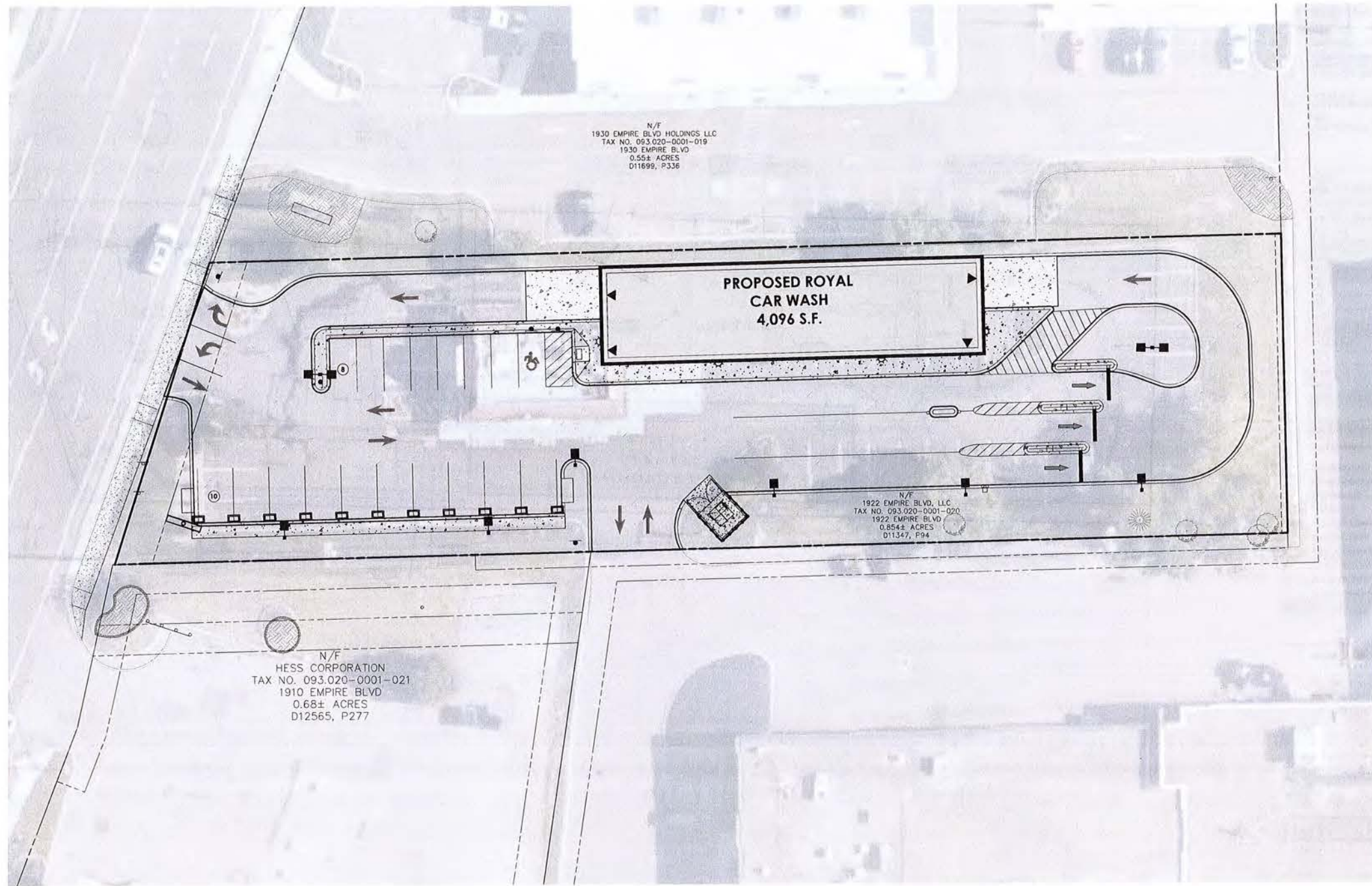
SCANNED

SITE PLANS FOR GO CAR WASH

1922 Empire Blvd

TOWN OF PENFIELD, MONROE COUNTY, NEW YORK
P.N. 20223426.0001

HORIZONTAL SCALE
SCALE: 1"=20'



Client:
DANIELE FAMILY COMPANY
2851 MONROE AVENUE
ROCHESTER, NY 14618

PASSERO ASSOCIATES
242 West Main Street, Suite 100
Rochester, New York 14614
Principal-in-Charge: Jess Sudol, PE
Project Manager: David Cox, PE
Designed by: Andrew Burns, EIT



Revisions		
No.	Date	Description
1		

- DRAWING INDEX**
- C 101 COVER
 - C 102 SITE PLAN
 - C 103 EXISTING CONDITIONS/DEMOLITION PLAN
 - C 104 UTILITY PLAN
 - C 105 GRADING & EROSION CONTROL PLAN
 - C 106 LANDSCAPE & LIGHTING PLAN
 - C 201-203 DETAILS

COVER PLAN

GO CAR WASH
1922 EMPIRE BLVD
PENFIELD

Town/City: PENFIELD
County: MONROE State: NY

Project No.: 20223436.0001

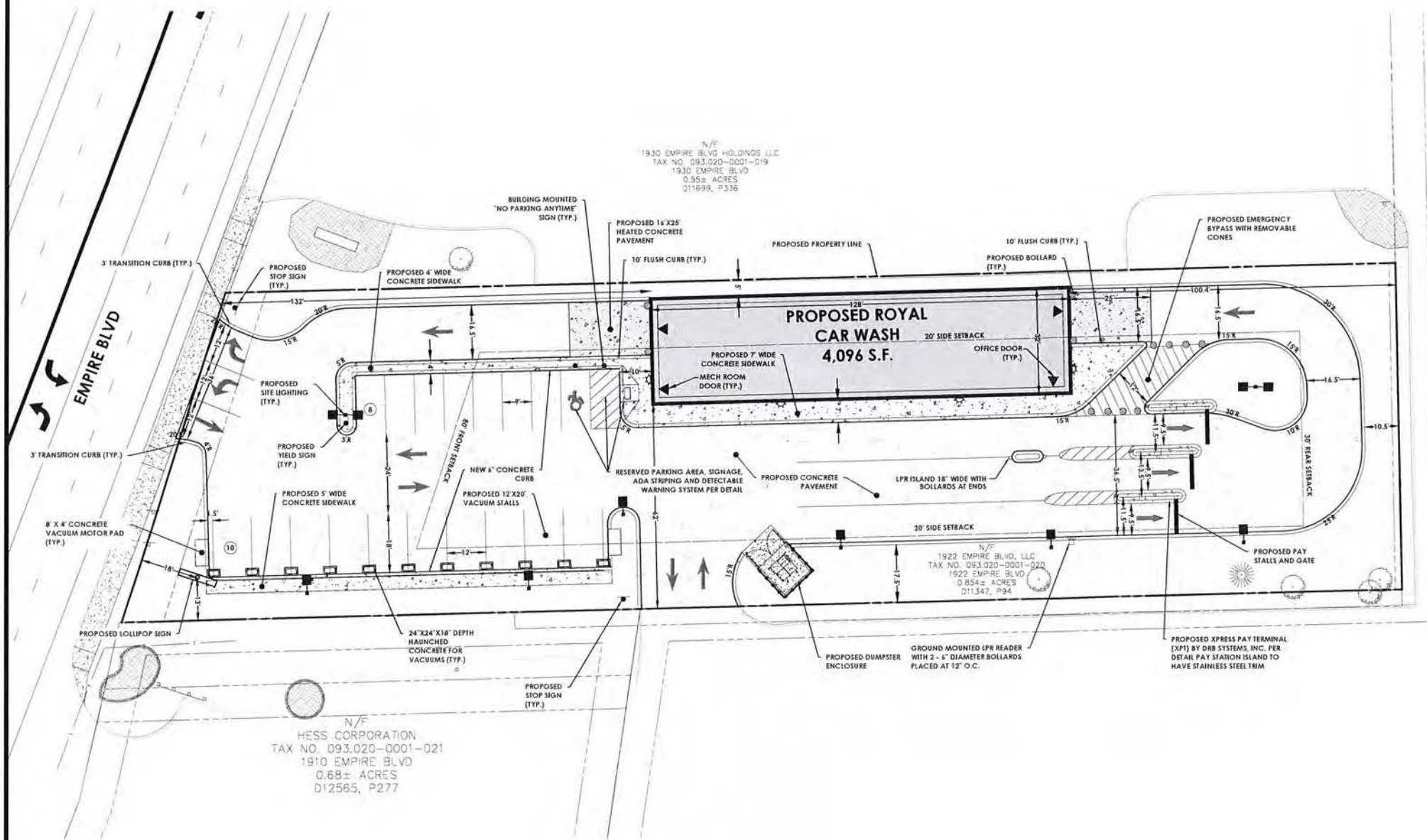
Drawing No.: C 101 Sheet No.: 1

Scale: 1" = 20'

Date: OCTOBER 2022
NOT FOR CONSTRUCTION

SCANNED

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LEGEND - SITE:

- PROPERTY BOUNDARY
- RIGHT OF WAY
- EXISTING CENTER LINE ROAD
- SETBACK
- PROPOSED EASEMENT LINE
- EXISTING EASEMENT LINE
- EXISTING BUILDING
- PROPOSED BUILDING
- PROPOSED PARKING COUNT
- PROPOSED CONCRETE
- PROPOSED ACCESS RAMP
- PROPOSED PAVEMENT STRIPING
- PROPOSED CURB
- PROPOSED SIGN
- EXISTING SIGN
- PROPOSED LIGHT POLE
- PROPOSED FENCE
- PROPOSED BUILDING MOUNTED LIGHT

SITE DATA

- TAX ACCOUNT NUMBER: 093.020-020
- PARCEL ADDRESS: 1922 EMPIRE BOULEVARD
- TOTAL PARCEL AREA: 0.87 AC (37,997 SF)
- AREA OF DISTURBANCE: 0.76 AC (32,946 SF)
- EXISTING ZONING: GENERAL BUSINESS DISTRICT (GB)
- PROPOSED ZONING: GENERAL BUSINESS DISTRICT (GB)
- EXISTING USE: RESTAURANT
- PROPOSED USE: AUTOMATIC CAR WASH
- EXISTING GREEN SPACE: 0.22 AC (9,749 SF)
- PROPOSED GREEN SPACE: 0.19 AC (8,412 SF)

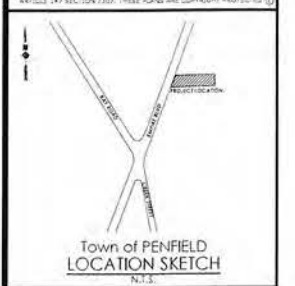
AREA REQUIREMENTS:

PROPOSED ZONING DISTRICT: GENERAL BUSINESS DISTRICT (GB)	REQUIRED	PROPOSED
LOT		
WIDTH	N/A	105
DEPTH	N/A	393
AREA	N/A	0.87 AC (37,997 SF)
OPEN SPACE	35%	3%
SETBACK		
FRONT	80	131.8
SIDE	20	S AND 50'
REAR	30	100.4'
BUILDING		
HEIGHT	20	36
PARKING		
STALLS QTY.	20	19
STALL SIZE - PERPENDICULAR	9'	9' AND 1/2'
STALL SIZE - PARALLEL	18	18
DRIVE AISLE WIDTH	24	24

- STATE REGULATED WETLANDS (NYSDEC ERM): NO
- FEDERALLY REGULATED WETLANDS (USFWS NW): YES
- FLOOD PLAIN (FEMA NFHL): NO
- FLOOD PLAIN (FEMA NFHL) FIRM PANEL: 34055C0209G DATED: 08/28/2009
- PUBLIC WATER PROVIDED BY: NYCWA
- ELECTRIC SERVICE PROVIDED BY: RG&E
- GAS SERVICE SUPPLIED BY: RG&E
- SANITARY SEWER PROVIDED BY: TOWN OF PENFIELD SEWER DISTRICT
- STORM SEWER & DRAINAGE WILL BE: PRIVATE
- ALL IMPROVEMENTS SHALL BE MADE IN ACCORDANCE WITH THE CURRENT DEVELOPMENT STANDARDS AND SPECIFICATIONS OF THE MUNICIPALITY

APPROVED BY: DIRECTOR OF PUBLIC WORKS DATE: _____
 APPROVED BY: TOWN SUPERVISOR DATE: _____
 APPROVED BY: DIRECTOR OF DEVELOPMENT SERVICES DATE: _____
 APPROVED BY: ENGINEERING & PLANNING DATE: _____
 APPROVED BY: TOWN CLERK DATE: _____

VEHICLE STACKING	
	AMOUNT
BEFORE THE PAY BOOTHS	29 VEHICLES
AFTER THE PAY BOOTHS	9 VEHICLES
AFTER TUNNEL EXIT	4 VEHICLES
TOTAL	41 VEHICLES



Client: DANIELE FAMILY COMPANY
 2851 MONROE AVENUE
 ROCHESTER, NY 14618

PASSERO ASSOCIATES
 243 West Main Street, Suite 100
 Rochester, New York 14614
 (846) 338-1000
 Fax: (585) 338-1447
 Principal/Charge: Jess Sudol, PE
 Project Manager: David Cox, PE
 Designed by: Andrew Burns, EIT



Revisions

No.	Date	By	Description
1			

SITE PLAN

GO CAR WASH
 1922 EMPIRE BLVD
 PENFIELD

Town/City: PENFIELD
 County: MONROE State: NY

Project No: 20223436.0001

Drawing No: C 102 Sheet No: 2

Scale: 1" = 20'

Date: OCTOBER 2022

NOT FOR CONSTRUCTION

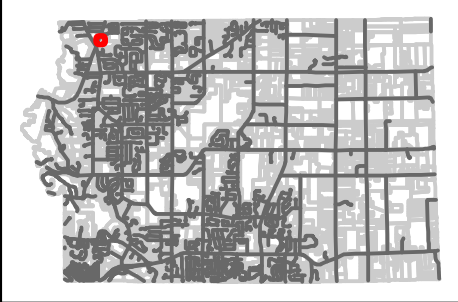
P:\PROJECTS\NEW\1922\19223436\19223436_001\19223436_001_01.dwg 10/28/2022 10:27 AM - Sheet Main

SCANNED SITE PLAN

1955

Empire Blvd

1930



70

X

1922

1910

1900

**1922 Empire Blvd.
Aerial Map**

The Town of Penfield certifies that this GIS document is a digital reproduction of a map or data collected in-house by the Town of Penfield for the convenience and use by the Public and Town Staff. The Town of Penfield does not make any representations, expressed or implied, as to the accuracy of such record(s).