

26-010.

MAYOR JEFF LANIGAN
Mayor



MARK DOMENICO
Director

DEPARTMENT OF CODE ENFORCEMENT

ROME CITY HALL, 198 N. WASHINGTON STREET
ROME, NEW YORK 13440-5815

Telephone: (315) 339-7642 Fax: (315) 339-7638

www.romenewyork.com

Notice of Denial of a Building Permit

Date: 5/21/2026

1. Applicant

- a. Name: Indus Hospitality Group (John Ott)
- b. Address: 950 Panorama Trail S., Rochester, NY 14625
- c. Telephone: (585)-248-2440 / (585) 313-3380
- d. Interest in Premises: Owner/Owners rep
- e. Email: jott@indushg.com

2. Property description

- a. Address: Geiger Road/Hill Road
- b. Zone District: GB-SC
- c. Current use of property: Vacant land
- d. Zoning standing : conforming
- e. Tax id: 243.00-1-1.2

3. Type of Action Requested- Area Variance

The applicant is seeking to construct a 4 story Home 2 Suites Hotel at 55'+- in height. This will exceed the allowable maximum building height by 20'+- and 1 story.

Applicable Zoning Code Section 80-8.4 Dimensional Standards, Table 80-8.2 GB District Dimensional Standards, GB-SC Maximum Building Height 35' and 3 stories.

CITY OF ROME ZONING BOARD OF APPEALS

Area Variance Application

IN THE MATTER OF THE APPEAL, OF Indus Hospitality Group, Appellant (s):
for an Area Variance pursuant to Article VIII, Section 56 (b) of the Code of Ordinances of the City of Rome, Chapter 80 and Article 5-A, Section 81-b of the New York State General City Law

TO THE CITY OF ROME ZONING BOARD OF APPEALS:

SECTION I (SECTION I TO BE COMPLETED BY ZONING OFFICER AND REVIEWED BY APPLICANT):

- A. The appellant (s) hereby appeals to the Zoning Board of Appeals of the City of Rome, New York from a determination of the Zoning Officer who, on the ____ day of _____, 20__, did deny the application of the Appellant, said application affecting property at Geiger Road/Hill Rd - #243.00-1-1.2 in a GB-SC zoning district, in the City of Rome, and having been submitted to the Zoning Officer for the purpose of constructing a 4-story Home2 Suites hotel at +/- 55' in height

that such application was denied by the Zoning Officer insofar as it contained a proposed use not permitted or authorized and constituting a violation of Section _____, Schedule _____ of the Rome Code of Ordinances, Chapter 80.

- B. Area Variance Standard: Appellant recognizes that, pursuant to Article 5-A of the General City Law, §81-b(4), the Zoning Board of Appeals shall take into consideration the benefit to the appellant if the Area Variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the Zoning Board of Appeals shall also consider:

- (i) 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;
- (ii) whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance;
- (iii) whether the requested area variance is substantial;
- (iv) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
- (v) whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.

The Appellant recognizes that the Zoning Board of Appeals, in the granting of Area Variances, shall grant the minimum variance that it shall deem necessary and adequate to address the unnecessary hardship proven by the applicant, and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community by such conditions as it may deem reasonable under the circumstances.

SECTION II (SECTION II TO BE COMPLETED BY APPELLANT(S)---attach additional sheets and/or addendums as necessary)

* It may be in your best interest to seek the assistance of an attorney in filling out this Section.

**Explanatory Note(s) are for the sole purpose of helping you, as Appellant, understand the requirements necessary to obtain the Variance and shall not have any significance to your application or any denial thereof. These Notes are not intended as legal advice, nor are they to be relied on as the current state of the law.

A. Having fully reviewed the above requirements for the granting of an Area Variance, I hereby request such Area Variance in order to supersede the determination of the Zoning Officer denying my application for the following reasons (complete each paragraph below):

Note: In making application to the Zoning Board of Appeals for an Area Variance, the Zoning Board of Appeals must take into consideration the benefit of the Area Variance to the Appellant and weigh it against the detriment to the community. In weighing said factors, the Zoning Board of Appeals must consider the five factors enumerated above. The Appellant requests the variance and presents information to substantiate the variance; however, it is the job of the Zoning Board to implement the test.

(i) 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;

See attached letter of intent for response.

(ii) whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance;

See attached letter of intent for response.

(iii) whether the requested area variance is substantial;

See attached letter of intent for response.

(iv) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

See attached letter of intent for response.

(v) whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.

See attached letter of intent for response.

B. I hereby attest that no previous appeal has been made for the Area Variance requested herein.

Sworn to before me this _____ Day of _____, 20_____.

Notary Public

Appellant

BME ASSOCIATES

ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS

May 13, 2026

Zoning Board of Appeals
City of Rome
198 N Washington Street
Rome, NY 13440

**Re: Geiger Hill Commercial Development
T.A. No. 243.00-1-1.2
Area Variance Applications – Building Heights**

3004

Dear Board Members:

On behalf of the applicant, Indus Hospitality Group Inc. (Indus), we submit the enclosed Area Variance applications for review and approval from the City of Rome Zoning Board of Appeals (ZBA). We request to be placed on the ZBA's next available agenda to present the area variance request for the proposed Geiger Hill project, which is located on Geiger Road within the City's GB-SC Zoning District (Griffiss Business Redevelopment, Service Campus Sub-District). We enclose the following materials for your review:

- Letter of Intent (addressing Area Variance 5 factors for both variances)
- ZBA Application for Area Variance Form (Home2)
- ZBA Application for Area Variance Form (Woodspring Suites)
- 11"x17" Site Plan (BME Dwg. #3004-03)
- 11"x17" Context Aerial Photo
- 11"x17" Architectural Building Elevations & Renderings (Home2)
- 11"x17" Architectural Building Elevations & Renderings (Woodspring Suites)
- \$50 + \$50 (2 Area Variance Applications)

This application requests an area variance from Chapter 80, Article 8, Section 4, and Table 80-8-2 of the Code of the City of Rome to allow for 1) the proposed Home2 hotel building height to be up to $\pm 55'$ (4-stories), and 2) the proposed Woodspring Suites hotel building height up to $\pm 48'$ (4-stories) whereas a maximum of $35'$ (3-stories) is allowed in the GB-SC zoning district. Therefore, the applicant is requesting a $\pm 20'$ and $\pm 13'$ height variance respectively as part of this project.

The project site is located along the north side of Geiger Road and along the west side of Hill Road (NYS Route 825). The site is currently vacant, and Indus is proposing to construct a multi-building commercial development consisting of a $\pm 12,500$ sf, 4-story, ± 100 room hotel (Woodspring Suites, Lot 1), a $\pm 16,416$ sf, 4-story ± 91 room hotel (Home2, Lot 2), and a $\pm 9,900$ sf commercial multi-tenant building with a restaurant (Lot 3). The Oneida County IDA is the owner of the ± 71.9 acre and is looking to subdivide ± 5.9 acres of the vacant parcel to sell to Indus for the purpose of the proposed commercial development and 3-lot subdivision.

The exterior hotel elevations have been provided with this application and illustrates the proposed maximum building height to the top of the parapet lines. The Home2 hotel brand has a flat roof design and the Woodspring Suites hotel brand is a pitched roof elevation design.

The Planning Board has completed their Site Plan Review and Minor Subdivision review and issued their approvals at their May 5, 2026 meeting conditioned upon the granting of the area variances. The Planning Board also acted as Lead Agency and completed their coordinated review under SEQRA and also issued their Negative Declaration at their May 5, 2026 meeting.

The requested variance to allow for four-story hotels is necessary to ensure the economic viability of the project given the site's physical constraints and the operating requirements of modern, branded hotels.

1. Minimum Room Count Required for Economic Feasibility

Hotel operating costs are driven largely by fixed expenses, including staffing, franchisor requirements, utilities, insurance, property taxes, and ongoing maintenance—which do not scale down proportionally with fewer rooms.

A three-story configuration materially reduces the total room count to a level that does not generate sufficient revenue to:

- Cover ongoing operating expenses
- Meet required debt service coverage ratios
- Support long-term reinvestment into the asset

Without the additional rooms provided by a fourth floor, the project would not meet minimum underwriting standards and would be economically infeasible, risking underperformance or long-term instability.

2. Site Constraints Prevent Horizontal Expansion

The property's lot size and configuration limit the ability to expand the building footprint beyond what is currently proposed. Expanding horizontally is not feasible due to:

- Setback and site layout limitations
- Required parking, fire access, and circulation
- Stormwater and utility constraints

As a result, the only practical way to achieve a viable room count without exceeding site limits is vertical development.

3. Four Stories Is the Least-Impactful Solution

The proposed fourth story represents the minimum adjustment necessary to make the project viable:

- No change to the building footprint
- No reduction in required parking or site functionality
- No shift in use or intensity beyond what is already contemplated

From a land-use perspective, the variance allows the project to function as intended while maximizing efficiency on a constrained site.

4. Public Benefit and Risk Mitigation

Granting the variance enables:

- A financially sustainable hotel that supports long-term employment
- Stable property and sales tax generation
- Reduced risk of future distress, vacancy, or deferred maintenance

Conversely, forcing a three-story design would materially increase financial risk and could undermine the long-term success of the project.

Three stories do not produce enough hotel rooms to support operating costs, and the site cannot be expanded horizontally. The requested height variance is essential to delivering a viable, sustainable project that meets market, financial, and public-benefit objectives.

In addition to the above considerations, we offer the following information in response to the five (5) factors that the Zoning Board of Appeals must consider for area variance requests (Article 5-A of the General City Law, §81-b(4)):

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

The property is within the Griffiss Business Redevelopment, Service Campus Sub-District (GB-SC) zoning district and per Chapter 80, Article 8, Section 4, and Table 80-8-2 a hotel, 35' in height, is an allowed use within the district and thus not out of character to be proposed at the site.

Indus' Geiger Hill Development, which includes the proposed hotels, is located south of the Griffiss International Airport and north of the Thruway. The site is adjacent to the west from the Hill Road (NYS Rt 825)/Geiger Road/Ellsworth Road round-about. To the north is an existing railroad and to the west is an existing office building. South of the site is within the same zoning district, and north of the site is in the GB-RL zoning district, which allows up to 55', 5-story buildings.

Within the Griffiss Business and Technology Park there is an existing 4-story Fairfield by Marriott Inn & Suites south of the site as you enter the Park. In addition, the 4-story Air City Lofts mixed use development is north of the site. Within close proximity to the site are various large scale industrial buildings, an airport, and a mixture of commercial, office and residential uses.

By approving this variance to allow 4-story hotels, Indus will be able to construct a feasible number of guest rooms for the property and each brand and anticipated need for the community. New hotels will allow their guests to be within close proximity to the current business and services within the Park.

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

The applicant is proposing a Woodspring Suites and a Home2 Suites brand hotel with 91 and 100 rooms, respectively. To comply with the building height requirement, floors would need to be removed thus either reducing the total number of rooms proposed, which is not viable nor per the brands standards, or eliminate floors and increase the building footprint sizes to increase the number of rooms per floor. Given the configuration and size of the property, it is not feasible to introduce a larger hotel footprint in lieu of adding vertical floors to the hotel.

As described above, 4-story hotels will allow for the applicant to construct the desired hotel with the number of guest rooms adequate for the property size and anticipated need for the community.

- III. Whether the requested area variance is substantial.

While a ±20' and ±13' height variance may be considered substantial, the applicant is

proposing to reduce the overall development footprint by developing 4-story hotels. It is desired to increase the height versus increase the footprint size to meet the desired number of guest rooms for each brand.

By increasing the height of the hotels, it also offers space for amenities like a fitness center, breakfast for guests, and outdoor fire pit/patio areas. A 4-story hotel creates a more enjoyable experience for guests. For the Home2 hotel, which is closest to the round-about, the increased height of the hotel would allow for proper screening of HVAC equipment with parapets on the roof versus ground mounted units.

- IV. Whether the proposed variance will have an adverse effect or impact on the physical or environmental condition in the neighborhood or district.

The applicant is proposing to develop the vacant property as a benefit to the community as permitted on the site. A hotel up to 35' (3-stories) is an allowed use within the zoning district at this site. The addition of the proposed hotels, which offers all suites, extended stays and allows another option for visitors of the area to stay within the Griffiss Business Park and utilize the local amenities and businesses.

The proposed height variance allows for a smaller development footprint and thus reduces impervious cover on the proposed lot and reduced amount of land needed for the development. The smaller footprints allow for the vacant property to be developed. The project is not within a FEMA floodplain nor are any regulated water bodies on the site.

The additional height does not physically alter the physical or environmental condition of the district as the district is populated with similar structures or larger building massing, and thus the proposal will not be altering the physical appearance, but enhancing it, of the Griffiss Business & Technology Park area.

- V. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals but shall not necessarily preclude the granting of the area variance.

While the variance could be considered self-created, the applicant/developer (Indus) is looking to propose hotels that will best serve this community, be economically sustainable and minimize the development footprint. It is desired to construct 4-story hotels to provide greater amenities within the hotels and a greater experience for visitors to the area. In addition, the requested height variance allows for a more efficient and economical building relating to the mechanical and structural aspects of the design.

Indus is working with the Woodspring Suites and Home2 brands that utilizes specific prototypes that developers are allowed to build. The decision on which prototype to build is discussed and chosen with the developer and brand based on various aspects. The prototypes used here cannot be altered without significantly changing the look of the hotel, building footprint, and floor plate separations. The 35' height limitation of the district does present a hardship for the multi-story construction within the mixed use district.

We look forward to our appearance before the Zoning Board of Appeals to present these appeals. Please contact our office at 585-377-7360 or by email at rspurr@bmepec.com to confirm our appearance before the Board.

If you require any additional information prior to then, please contact our office.

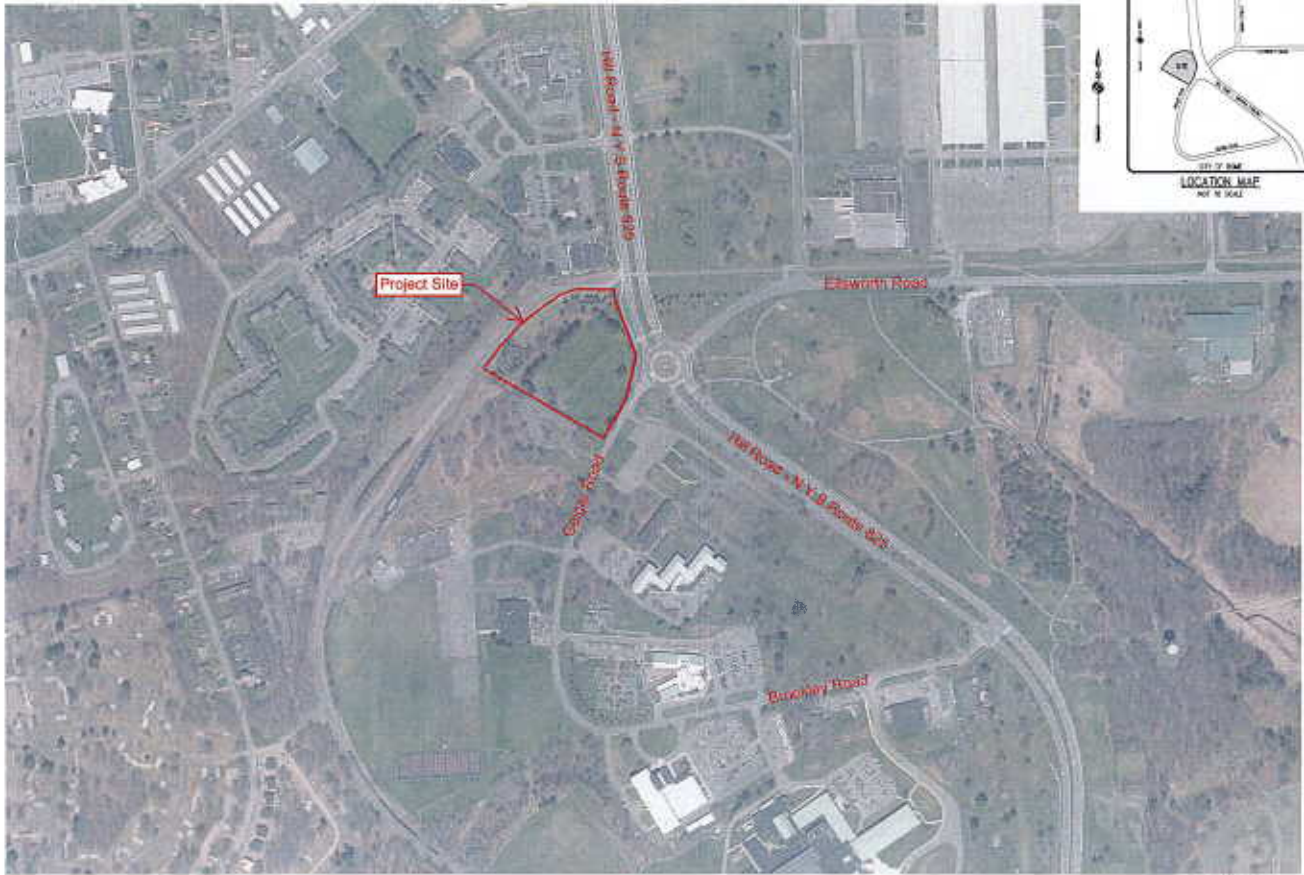
Sincerely,
BME ASSOCIATES



Rebecca R. Spurr, P.E.

Encl.

c: Jett Mehta & John Ott; Indus Hospitality Group Inc. (e-mail)
Robert J. Brenner; Mahoney Brenner



Project Site

Edsworth Road

Casper Road

Buckley Road

Van Hook - N.Y. & Route 212



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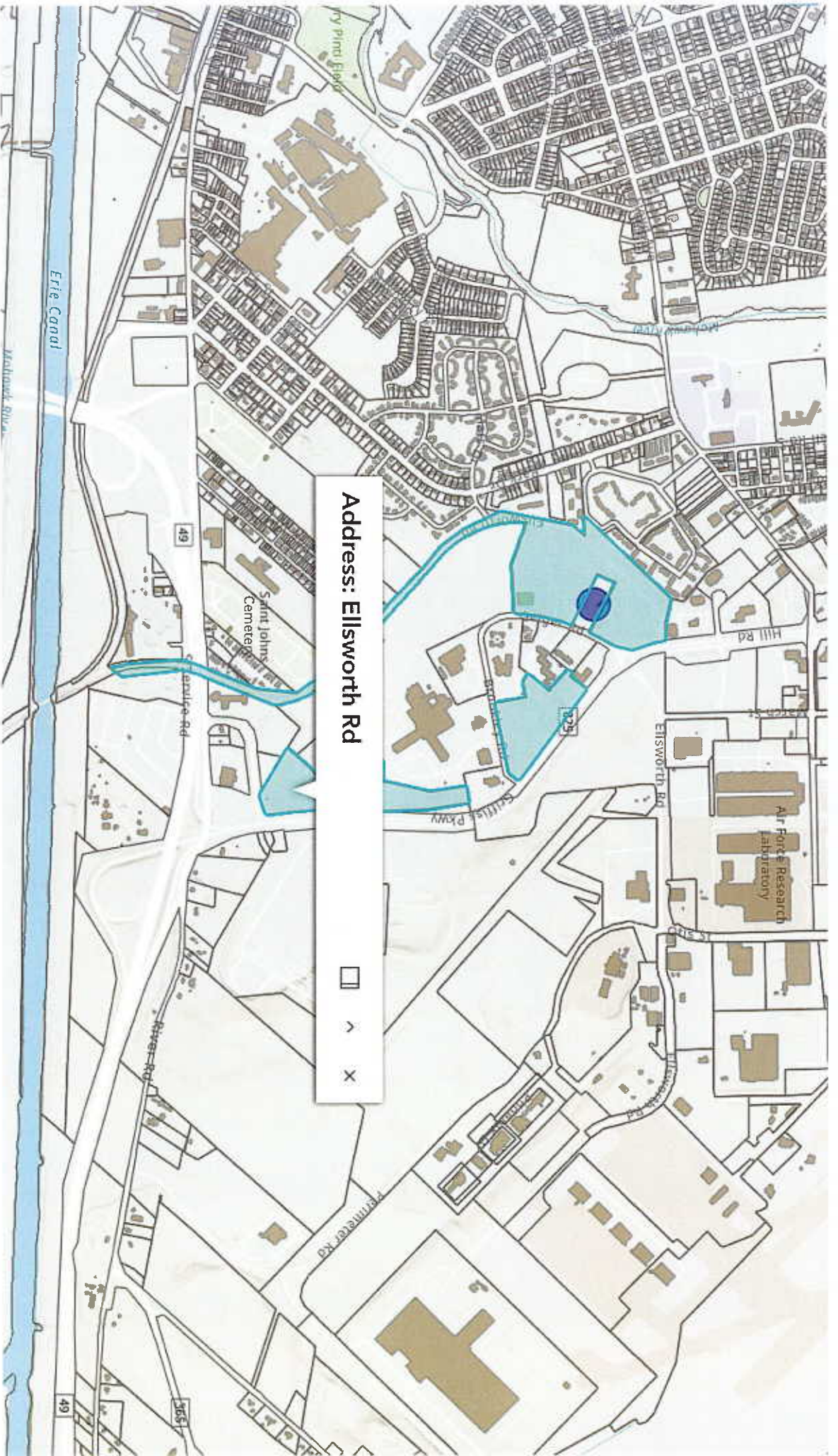
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BME ASSOCIATES
 ENGINEERING • ARCHITECTURE • LANDSCAPE ARCHITECTURE
 1000 15TH AVENUE, SUITE 200
 BIRMINGHAM, AL 35203
 (205) 975-1100

GERBER HILL
 6715 15TH AVENUE, SUITE 200
 BIRMINGHAM, AL 35203
 (205) 975-1100

AERIAL EXHIBIT

PROJECT NO. 3304
 SHEET NO. EXHIBIT



Geiger Rd | Hill Rd



BUILDING RENDERING

NOTE:
THIS IS A PROTOTYPICAL RENDERING COMPLETED BY HILTON TO REFLECT THE PROPOSED DESIGN OF
THE BUILDING EXTERIOR AND MAY NOT ACCURATELY REFLECT PROPOSED PROJECT.

- 1 Support**
Base that symbolizes a strong foundation, strength and durability. Authentic and substantial material occurring at the building entry and occupied outdoor spaces.
- 2 Core**
Backdrop for all other materials to layer onto.
Cost-effective material with strong directionality and high relief to create enhanced shadow lines, while providing texture and contrast to the Wrap and Accent Band.
- 3 Wrap**
Monolithic wrap that encapsulates the Core.
Visually acts as a continuous plane around the building and terminates the building to the sky.
- 4 Link**
Connecting piece that breaks up large segments of the building design.
- 5 Beacon**
Emerges from the Keep in the required Brand Green (PMS 383C / BVI 398 Flower Power) to cap the iconic entry tower and bring hierarchic to the main entrance.
- 6 Keep**
The brand's iconic tower.
Placed prominently on the primary building entry.
- 7 Beam**
The Beam, in the Brand's iconic green, sets back in plane and extends from the ground up through the Keep to blend with the Beacon.
- 8 Porte Cochere**
A memorable welcome at the building entry.
Provides shelter and shading from the elements.
Transitions to public spaces.
- 9 Accent Band**
Strong horizontal, 3-dimensional banding providing articulation to the Core of the building.
Depth creates a distinct shadow line.
- 10 Screen Wall / Trellis**
Provides physical and visual screening for the outdoor lobby extension.
Warm color and materiality.
Trellis over seating at lounge.

HOMER2 SUITES BY HILTON

GEIGER HILL - ROME, NY

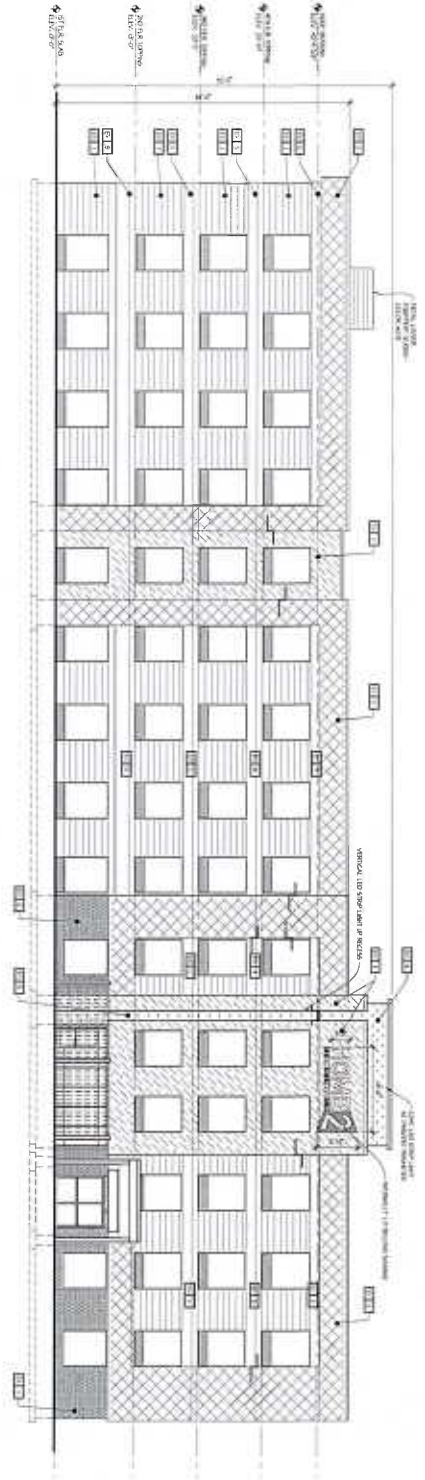
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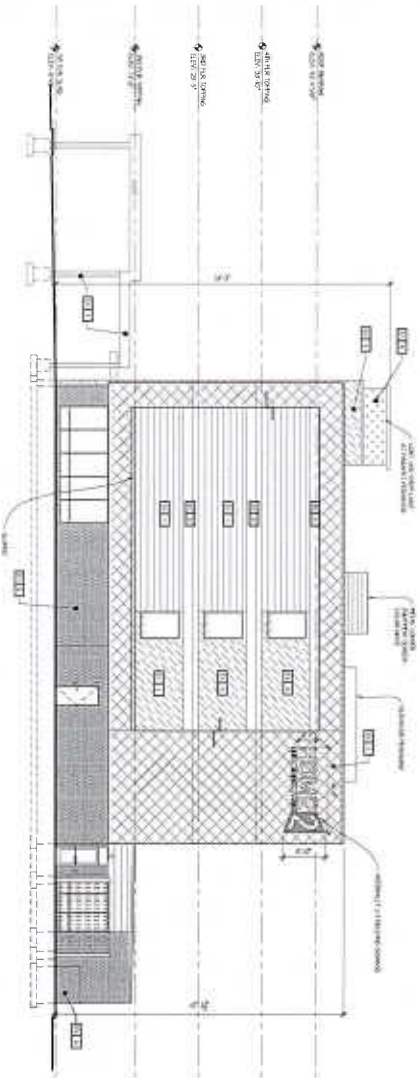
HOMER SUITES BY HILTON

GEIGER HILL - ROME, NY

NORTH ELEVATION

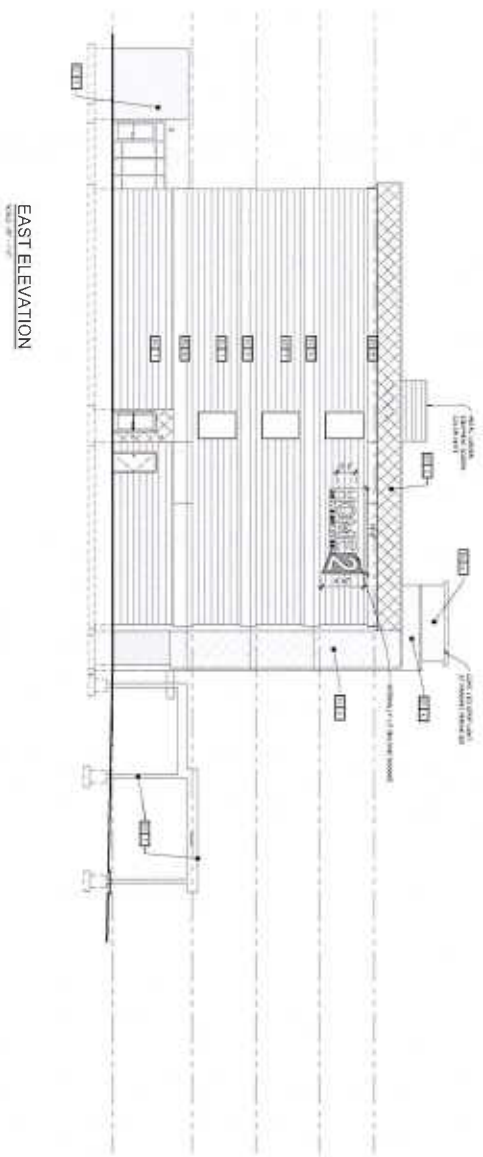
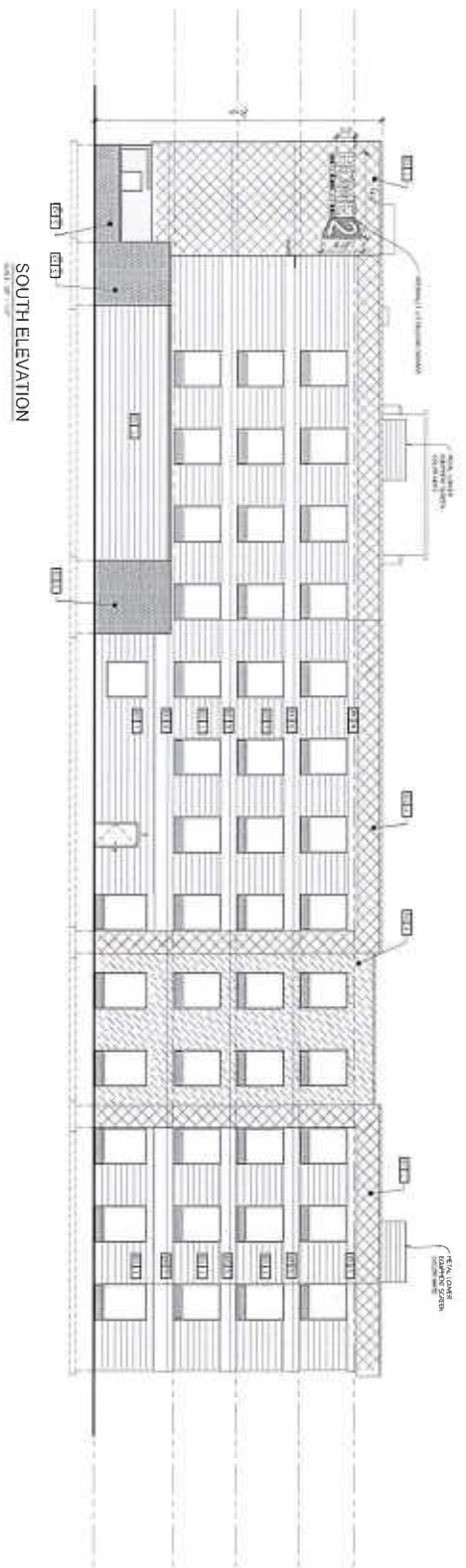


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MUSSACHIO ARCHITECTS
 1000 WEST 10TH AVENUE
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 DENVER, CO 80202
 (303) 733-1100
 WWW.MUSSACHIOARCHITECTS.COM



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101.92	WALL - EXTERIOR (CONCRETE) (100)
101.93	WALL - EXTERIOR (CONCRETE) (100)
101.94	WALL - EXTERIOR (CONCRETE) (100)
101.95	WALL - EXTERIOR (CONCRETE) (100)
101.96	WALL - EXTERIOR (CONCRETE) (100)
101.97	WALL - EXTERIOR (CONCRETE) (100)
101.98	WALL - EXTERIOR (CONCRETE) (100)
101.99	WALL - EXTERIOR (CONCRETE) (100)
101.100	WALL - EXTERIOR (CONCRETE) (100)

HOMER 2 SUIITES BY HILTON

HAIGER HILL - ROMIE, NY

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MUSAACHIO ARCHITECTS

100 EAST 11TH STREET, SUITE 200

NEW YORK, NY 10003

TEL: 212-512-1234

WWW.MUSAACHIOARCHITECTS.COM

Architectural drawing showing exterior elevations of the Homer 2 Suites by Hilton building. The drawing includes a legend for exterior finishes and is dated 2024.