

**Town of Rotterdam Planning Commission
Minutes of March 4, 2025 Meeting**

The Rotterdam Planning Commission held a meeting on Tuesday, March 4, 2025, at 7:30 p.m. at the Rotterdam Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York 12306.

Present:	Kimberly Ricker Scannell, Chairman Lynn Flansburg, Vice Chairman Clark Collins Wayne Calder Joseph Signore Joseph Miglucci Danielle Ciampino Peter Comenzo, Town Planner Stephen Valiquette, Attorney Lisa Gallo for Marlo Urowsky, Secretary	Excused:
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Chairman Scannell called the workshop to order at 7:00 p.m.

Waivers:

- 1. Stewarts Shops Inc. – 647 Mariaville Road.** The applicant requests a Waiver of Site Plan review for the sale of liquor in existing tenant space, ±2,500 square foot, on a ±2.91-acre parcel.

Motion was made by Mr. Calder to approve the Waiver conditioned on the following:

1. Compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Inspector/Code Enforcement Officer prior to operation.
3. Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.
4. Owner/applicant shall install Knox box for emergency personnel. Please contact Fire District #6 for specifications.
5. Owner/applicant shall receive all necessary approvals from the NYS Liquor Authority.
6. All water usage shall be metered. A water meter shall be installed that reads in gallons with an outside reader that does not require a wand to read.

Mr. Collins seconded the motion and vote resulted in unanimous approval of the motion.

- 2. Salvatore DePasquale (Sally D's) – 1045 Community Road.** The applicant requests a Waiver of Site Plan for the operation of a pizzeria/bakery in an existing ±2,400 square foot building (former Nikki P's) located on a ±0.44-acre parcel.

Motion was made by Mr. Miglucci to approve the Waiver conditioned on the following:

1. Approvals are contingent upon compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Inspector/Code Enforcement Officer prior to operation.
3. Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.
4. Owner/applicant shall install Knox box for emergency personnel. Please contact Fire District #3 for specifications.
5. Owner/applicant shall install a water meter that reads in gallons with an outside reader without a wand to read. Please check with DPW for retailers.
6. Applicant shall obtain Schenectady County Health Department approval.

Mrs. Ciampino seconded the motion and vote resulted in unanimous approval of the motion.

3. **Pallet Treasures LLC – 93 W. Campbell Road.** The applicant requests a Waiver of Site Plan review to sell pallets of items along with single purchasing of items in tenant space G-104, ±2,716 square feet from March 1, 2025 to April 30, 2026 in ViaPort Rotterdam.

Motion was made by Mrs. Flansburg to approve the Waiver conditioned on the following:

1. Compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the Building Inspector/Code Enforcement Officer prior to operation.
3. Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.
4. Owner/applicant shall install Knox box for emergency personnel. Please contact Fire District #6 and/or #7 for specifics.

Mr. Collins seconded the motion and vote resulted in unanimous approval of the motion.

4. **Leggins USA – 93 W. Campbell Road.** The applicant requests a Waiver of Site Plan review for the retail sale of items in tenant space B-112, former Lids, ±1,250 square feet from February 10, 2025 to February 9, 2026 in ViaPort Rotterdam.

Motion was made by Mr. Calder to approve the Waiver conditioned on the following:

1. Compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the Building Inspector/Code Enforcement Officer prior to operation.
3. Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.
4. Owner/applicant shall install Knox box for emergency personnel. Please contact Fire District #6 and/or #7 for specifics.

Mr. Miglucci seconded the motion and vote resulted in unanimous approval of the motion.

5. **Preserving Yesterday – 93 W. Campbell Road.** The applicant requests a Waiver of Site Plan review for antique sales in tenant space D-114, former Deb Shops, ±3,658 square feet from March 1, 2025 to April 30, 2026 in ViaPort Rotterdam.

Motion was made by Mrs. Flansburg to approve the Waiver conditioned on the following:

1. Compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the Building Inspector/Code Enforcement Officer prior to operation.
3. Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.
4. Owner/applicant shall install Knox box for emergency personnel. Please contact Fire District #6 and/or #7 for specifics.

Mr. Calder seconded the motion and vote resulted in unanimous approval of the motion.

Agenda:

Attendance was taken and a determined there is a quorum.

Ms. Scannell: We need a motion to approve the summary minutes of February 18, 2025. Please remember if you were not at our last meeting, you should be abstaining from the vote. I will entertain a motion.

Mr. Collins: I will make that motion.

Ms. Scannell: Thank you, Mr. Collins.

Mr. Calder: I second the motion.

Ms. Scannell: Thank you, Mr. Calder. Lisa, please call the vote.

Ms. Gallo: Mr. Collins?

Mr. Collins: Yes.

Ms. Gallo: Mrs. Flansburg?

Mrs. Flansburg: Abstain.

Ms. Gallo: Mr. Calder?

Mr. Calder: Yes.

Ms. Gallo: Mr. Signore?

Mr. Signore: Yes.

Ms. Gallo: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Gallo: Ms. Ciampino?

Mrs. Ciampino: Yes.

Ms. Gallo: Chairman Scannell?

Ms. Scannell: Yes.

Motion carried.

1. **MAN Properties, LLC – Mariaville Road & Old Mariaville Road. Sketch Site Plan/Special Use Permit Consolidated Subdivision review for the construction of a ±6,000 square foot warehouse building for two (2) or more tenant spaces on a ±2.07-acre parcel. Engineer: ABD Engineers, LLC.**

Ms. Scannell: We've got MAN Properties, LLC, Mariaville Road and Old Mariaville Road.

Mr. Hitchcock: John Hitchcock with ABD Engineers representing the project. You guys might remember the project. I think it was back in December; we were here for a referral to the Town Board for a zoning change.

In January, the Town Board voted to change and rezone this from an A-1 to a B-2 zone, which would allow for what the applicants are proposing, which is a 6,000 square foot contractor warehouse storage building with a small office for the contractor when he's on site. The project will consist of like a lot combination and a lot line adjustment to create two (2) lots. Not create two (2) lots, to reduce the lots down to two (2) lots, lot one (1) and lot two (2).

The project is being proposed on lot two (2), which is 2.07 acres. We've got parking along the front, stormwater detention on the east side of the building, a small septic on the south side of the building, and a well proposed at the northwest side of the parking area. This type of use is a very low traffic generator. It's typically like a landscaper roofer will come in and they use it to store material, and he'll come get stuff in the morning and come back at night, drop off their stuff, and that's about it.

The existing site right now is, I don't have the existing conditions in front of me, but the large area here is just gravel. Here you have the Poentic Kill, which flows from west to east across the back of the site, and then eventually north where it crosses Old Mariaville Road. You've got the 100-year floodplain that borders the site. Well, not borders the site, but kind of goes through the back of the site.

We did get a chance to review the DPW comments that were submitted. Most of them are pretty straightforward. Stormwater pretreatment we do show on the plan. We have a stone drip edge along the side of the driveway here. If we run off the stone drip edge, we'll pretreat it before it filters into the detention area, then a spillway to control the runoff off the site. The steep slopes in the back of the building, the slopes only really come up to the two (2) back corners of the building. I wouldn't really say they're steep. It's about a five-foot (5') grade change down to the flat area. We could riprap that. It's not a big issue, but it's only those two (2) corners where it kind of comes up on our building a little bit.

Soil testing, you know, we obviously will do soil testing. We have to wait until the weather breaks here, which kind of looks like it might be doing that. And in the next couple weeks, hopefully get out there with the County and the Town, and we'll do infiltration tests at both the septic area and the stormwater area.

The project does disturb under an acre, so it's not subject to, you know, DEC stormwater regulations, but we still got to meet the town regulations. Lighting and landscaping, there is lighting shown on there. Building mounted lights along the front. There is no landscaping because obviously we had the whole front paved like that. We are going to look at removing a large section of that pavement and narrowing down an actual entrance.

I show a turning movement on there. That is a truck like an F-150 towing a trailer that can handle excavating equipment and stuff like that. So that actually maneuvers in there on the site without going into the road to back up into the building.

A dumpster, do you plan on having a dumpster on the site?

Mr. Nardini: If you want us to get one, we will set one up.

Mr. Hitchcock: It's really up to you.

Mr. Nardini: I have a dumpster at my shop. Most of us have four (4) dumpsters.

Ms. Scannell: No, I mean, if you're not going to use one (1), but if you have like an office, where are you going to, like, I don't know, do you take your garbage with you?

Mr. Nardini: I have a dumpster at my shop.

Mr. Hitchcock: What we could do is we can show a potential location just in case you ever wanted one (1) on there. There's room for it.

Ms. Scannell: Even with a little office, I mean, I guess you could just take it with you.

Mr. Hitchcock: Snow storage would be over on the west side. We're not pushing into the stormwater basin. I think that is it. I think we can take some questions.

Ms. Scannell: So, I know that when I asked you, you were able to show me on your map, but could you please show, it's not labeled, unless I'm really missing it. It's not identified on any of our plans where your septic is going.

Mr. Hitchcock: Yeah, so the septic is going to be right here in the rear. It's only two (2) laterals, I mean, about 50 feet. You guys just think of, you know, Wedgewood Heights and Consalus, those two (2) buildings. This is essentially the same thing. It's just double, I think, no, it's half the size. So, we kind of look at it as employees. That might be at the shop. So, we have two (2) employees, three (3) employees for something like this, and that's what we set the septic system for.

Ms. Scannell: Well, according to your notes, the septic system was for up to eight (8) employees. So, I guess I'm going to go with what I've got in writing.

Mr. Hitchcock: Yeah.

Ms. Scannell: And so also, we need to see it. You know what I mean?

Mr. Nardini: Rendering of the building?

Ms. Scannell: Well, yeah, that would be great. But I need to see that the septic is on here. I believe you, and I see little notes, 100 foot minimum to any septic, but when we're looking at something that's talking about a proposed septic system, we need to identify where it's going.

Mr. Miglucci: It's on the little map.

Ms. Scannell: I don't look at the little map, I look at the big map.

Mr. Hitchcock: Yeah, I'm not sure why it wasn't called out in the original plans, but I'll make sure the next set of plans that come in, it's all detailed out.

Ms. Scannell: Sounds good. Mr. Collins, I'm going to start with you.

Mr. Collins: I have a couple of questions. I think the last time you came, how many bathrooms did he have? Four (4)?

Mr. Hitchcock: No, it would be, if it's split into two (2), it would be two (2) tenants, it would be one (1) restroom in each tenant space. Small bathroom, small office.

Mr. Collins: I mean, I don't know if the County's going to let you put a septic so close to the river there. I mean, they do make incinerator toilets. I don't know if you're aware of that. That works very well. That could be an option if you don't have a lot of people. They do work very well. Sometimes, like in Niskayuna, their water plant was under the influence, so they had to have an incinerator toilet. Down on Rice Road, they have a sealed system, so you might have to go with something like that, where you just have one (1) big 1,000-gallon tank, and you get pumped every two (2) or three (3) months. That might get you over the hump with the health department.

Mr. Hitchcock: And I look at the distance, because we should be at least 100 feet away, but I'll make sure. That should have been noted on the plan as well.

Mr. Collins: Those are two (2) options. You have a sealed septic system and an incinerator toilet. And believe it or not, they don't stink. I mean, they work very efficiently.

Ms. Scannell: How are they affordability-wise? I'm just curious now.

Mr. Collins: It's probably not that bad, because by the time you put in a septic system or anything, I've had it pumped three (3) times. Where these, basically, it's all gone, and then there's just ashes. I mean, they work very well. They're efficient.

Ms. Scannell: Good. You tell your employees to go to the bathroom at home, and then...

Mr. Collins: I'm just saying a couple options that you might have to go to. But you're going to make that, you're not, that cut's going to be smaller, right?

Mr. Hitchcock: Yeah, in the asphalt.

Mr. Collins: Yeah.

Ms. Collins: I'll talk to Peter about that.

Ms. Scannell: So, Mrs. Flansburg found one (1) on her phone for, like, \$3,000.

Mrs. Flansburg: Well, you know, Google's going to tell us.

Mr. Collins: I was talking to Peter. Maybe to dress it up a little, you put, like, a canopy over the doors.

Mr. Nardini: That's what we plan on doing. Even a timber aspect.

Mr. Collins: Something to just clean up. But my concern is if they give you, and I don't know about the well water, if it's going to come back good or not. You never know. But that was my suggestion with the septic. You either do a closed system, or if you had to go to incinerated plans, you're not using it that much. And they're probably not that expensive overall. The price of the septic and getting it pumped and cleaned and going through all the permitting to do one. So that's all I have.

Ms. Scannell: That was excellent.

Mr. Signore: I had a question for Clark. Is that a Blue Emu system?

Mr. Collins: I don't know. They had one at Niskayuna that was pretty neat, you know. Whoosh.

Mr. Signore: Blue Emu that don't stink.

Mr. Collins: Yeah. No, but that was just my suggestion of two (2) things that you can do.

Ms. Scannell: It's really not a bad suggestion. Actually, it's a great suggestion to look into. It might even save you money.

Mr. Collins: That's all I have, Madam Chair.

Ms. Scannell: Well, thank you. That was excellent. I'm glad that we learned about that. Mrs. Ciampino?

Ms. Ciampino: I'm good, thanks.

Ms. Scannell: Mr. Calder.

Mr. Calder: You were just talking about three (3) toilets. You've got two (2). You're going to have three (3) toilets. Maximum, right?

Mr. Hitchcock: Two (2), but maybe three (3). I mean, if you've broken into a third space, you'd want a third one.

Mr. Nardini: And it's only half-bath, like a shower.

Mr. Calder: Right. You put that into a small shower?

Mr. Hitchcock: No. No showers.

Mr. Calder: There's no reason for it out there. I don't have any questions. Well, I do have one. The ground out there. Have you had any dealings with the type of soil you've got out there?

Mr. Nardini: There's some sand. There's some clay. There's some loam. Yeah, it's all mixed.

Mr. Calder: It's all mixed?

Mr. Hitchcock: We hope to get out there in the next couple of weeks.

Mr. Calder: So, if you're going to put a septic system in, it should work okay?

Mr. Nardini: Yes.

Mr. Calder: Okay. And you've got to wait until the weather gets better for a perc test.

Mr. Hitchcock: Right.

Mr. Calder: So, I have no other questions. Thank you.

Ms. Scannell: Thank you. Mrs. Flansburg?

Mrs. Flansburg: It may have been while we were looking for something, but did you address, I don't know if you were going down all of the comments, but specifically the one (1) I was just looking at, the proposed curb cut in excess of 140 feet vehicle maneuverability. You said it doesn't go into the roadway.

Mr. Hitchcock: Yeah, so you can see these colored lines here are showing the movement of the vehicle as it backs into the building and comes back out.

Mrs. Flansburg: Okay. So, what they had as a comment, you were just showing us that you can maintain within your own site.

Mr. Hitchcock: And we'll on future plans close up that to more of a natural opening for a driveway.

Mrs. Flansburg: And the curb cut being the whole front, is that an issue?

Mr. Hitchcock: That's going to go. Yeah. So that's going to go away. Yeah.

Mrs. Flansburg: So, it's just going to be a one (1) spot in.

Mr. Hitchcock: So, there'll be one (1) entrance kind of like in the center of the building where the overhead doors are.

Mrs. Flansburg: Okay. So, what will the rest be?

Mr. Nardini: Grass. I guess.

Mrs. Flansburg: Okay.

Mr. Nardini: Unless you're okay with gravel.

Ms. Scannell: No, I think we have enough gravel. And then it would just, people could just think they could drive on it. Hopefully grass would be a deterrent of driving on it.

Mr. Hitchcock: Yeah. So, we'll show it as green.

Mrs. Flansburg: Okay. That's all that I have. Thank you.

Ms. Scannell: Thank you. Mr. Signore?

Mr. Signore: One (1) concern, and I don't mean to be critical in any way, but I mentioned this myself personally. I had personal experience in this, and it can be a nightmare. It can be. But the reason I'm addressing this is to make it easier on you, Mark. Number five (5). Will you be able to maintain the distance from the Poentic Kill on these buildings?

Mr. Hitchcock: Yes.

Mr. Signore: Okay.

Mr. Hitchcock: Looking at the, you know, it does not have a set elevation for the 100-year flood plain through there, but we went off the FEMA mapping and determined an elevation three (3) feet higher than what their highwater mark was.

Mr. Signore: Yeah. Because I had a situation. And it turned out to be a nightmare. You know, you have a move it five (5) foot this way, one (1) foot that, and it was, like, crazy. So, the only reason why I mentioned to, you know, so you don't go through a lot of expense in determining this, you know, if the distances are maintained, you know, you're good to go, basically, you know.

Ms. Scannell: Thank you. Mr. Miglucchi?

Mr. Miglucchi: Yeah, it looks good. I was up there the other day taking a look at it. I only have one (1) question on it, and that's the back side, that left side of where the creek runs through. I mean, there's not going to be any, like barrels or anything stored back there that should possibly tip over. Kids can jump on, and that stuff can fall into the creek. That's all I'm wondering.

Mr. Nardini: I plan on putting some trees across the back.

Mr. Miglucchi: Great.

Mr. Nardini: There's cover now in the spring, but right now you can see...

Mr. Miglucchi: I know, sometimes you get 10, and you're, eh, it's still behind a building, you know. You throw some, you know, and you think it's over, it goes into the creek.

Mr. Nardini: I don't even want windows in the back of the building. There's some of these there at night. You've got the neighbors. They can see the light coming down off of Mariaville Road. I don't want to have windows in the back.

Mr. Miglucchi: Yeah. My issue is with the nature portion. I want to make sure nothing gets contaminated. Other than that, I'm good with it. It looks nice up there.

Ms. Scannell: Thank you, Mr. Miglucchi. Mr. Comenzo, any questions or comments of what we've seen tonight?

Mr. Comenzo: No, I am good.

Ms. Scannell: Thank you. Mr. Valiquette?

Mr. Valiquette: I think we've already kind of addressed the curb cut issue, I guess. My question is kind of just with the snow removal. I don't know if you guys already addressed that. Which kind of where are we looking for that?

Mr. Hitchcock: Right over in this area.

Mr. Valiquette: Over here?

Mr. Hitchcock: Yeah, we would keep it away from the storm waterways.

Mr. Valiquette: Okay. That's it.

Ms. Scannell: Great. So, a lot of what we're seeing here on the map is new to us tonight because it wasn't on our original plans that we got. So, some changes, we can agree that some changes were made, right? And some of those are being memorialized by virtue of verbatim minutes. Right, Lisa?

Ms. Gallo: Yes. We hope.

Ms. Scannell: So, I still think that as we previously discussed prior to the meeting, none of us are soil experts. None of us are, like you are, septic experts. So, it's possible that we may need to have the services of a TDE. Now, it's also possible that when we take a field trip in the spring with some of our friends from DPW, that we're going to find out that we don't need the services of a TDE, a town designated engineer. The reason I am considering having a motion to have a TDE tonight is so that we can authorize it now and not slow anything down. It doesn't mean we have to get a check from you tonight. It doesn't mean, you know, as soon as Peter gets home he's going to get out his phone book and start calling TDEs.

It just means that it's in place, and if we need a limited scope TDE for this project, we're already authorized and approved, and you don't have to spend money having Mr. Hitchcock come back here to be with us. So based on what we've heard tonight, I would entertain a motion for a TDE.

Mr. Nardini: I was just saying that I just don't want to give somebody an open checkbook, and this guy goes through this whole place.

Ms. Scannell: No, we would not do that. We would not do that.

Mr. Nardini: I've seen it on jobs before. I don't want that to happen to me. I have ABD. I understand where you're coming from.

Ms. Scannell: Right, and ABD does a great job. But I don't, in my own knowledge, I don't know enough without sometimes the expertise of a TDE, just like I have to rely heavily on our Town Attorney from time to time because I don't have all the legal knowledge that he has. So, for things like this, we have to protect ourselves. And, again, it doesn't mean it's not written in stone that we're going to use one, but I want us to have the flexibility that if we do need to have a limited scope TDE, we already took care of it tonight. We don't have to have you guys come back here. And that way we can hopefully also memorialize some of these changes.

A lot of what we talked about tonight really is great. Is it two (2) bathrooms? Is it three (3) bathrooms? Is it going to be a closed septic system, or is it going to be a regular septic system? And if it is, it should be on the map somewhere. A canopy over the doors, a rendering of the building. More than just your drawing showing us that the curb cut is going to be diminished and that there's going to be enough room to turn around in there. I mean, it's great that we're sitting here looking at this, but nothing really is memorialized, and nothing is in front of us. So hopefully the record will do that.

And I also liked your idea, Mr. Nardini, of adding some trees in the background. I mean, show that on the map. It looks great. We love that.

So, I would entertain a motion to employ the services of a TDE if DPW advises that we should be doing that in the spring after we take a field trip.

Mr. Collins: I'll make that motion.

Mrs. Flansburg: I'll second.

Ms. Scannell: Thank you, Mr. Collins and Mrs. Flansburg. Lisa, could you please call the roll?

Ms. Gallo: Mr. Collins?

Mr. Collins: Yes.

Ms. Gallo: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Ms. Gallo: Mr. Calder?

Mr. Calder: Yes.

Ms. Gallo: Mr. Signore?

Mr. Signore: Yes.

Ms. Gallo: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Gallo: Ms. Ciampino?

Mrs. Ciampino: Yes.

Ms. Gallo: Chairman Scannell?

Ms. Scannell: Yes.

Motion carried. And hopefully we won't need one. Yeah, again, we're very open-minded, and if we can be satisfied, we can be satisfied. But we're looking forward to it. Thank you both.

All right. Well, that was fast. So, I would entertain a motion to adjourn.

Mr. Collins: I'd like to make a motion to adjourn this evening's meeting.

Mrs. Ciampino: I'll second.

Ms. Scannell: All in favor.

Planning Commission Members: I.

Meeting adjourned at 7:46 p.m.

Next meeting scheduled for March 18, 2025.

Respectfully Submitted,

Marlo L. Urowsky
Planning Commission Secretary



Town of Rotterdam
Office of the Planning Commission

Kimberly Ricker Scannell, Chairman
Peter J. Comenzo, Senior Planner

Telephone (518) 355-7575
Facsimile (518) 355-2725

Resolution Number PC10-2025

Moved by Mr. Collins seconded by Mrs. Flansburg
Applicant: MAN Properties, LLC

Applicant: MAN Properties, LLC

Project Location: Mariaville Road and Old Mariaville Road
Rotterdam, NY

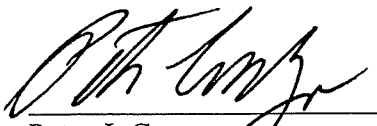
Tax Number or Numbers: 47.-4-8, 47.-4-9, 47.-4-10 & 47.-4-11

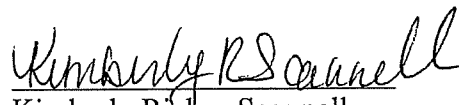
Proposed Project: Sketch Site Plan/Special Use Permit Consolidated Subdivision review for the construction of a ±6,000 square foot warehouse building for two (2) or more tenant spaces on a ±2.70-acre parcel.

WHEREAS, the Town of Rotterdam does not employ an Engineer for the review of plans; and,

WHEREAS, the Rotterdam Town Board approved a list of Town Designated Engineers to be utilized for such plan review at its January 1, 2025 organizational meeting; **NOW:**

IT IS HEREBY RESOLVED THAT on this day, Tuesday, March 4, 2025, the Rotterdam Planning Commission hereby authorizes the Planning Commission Chairman to execute a contract with a Town Designated Engineer (TDE) to assist in Site Plan/Special Use Permit review for the above referenced project.


Peter J. Comenzo
Senior Planner


Kimberly Ricker-Scannell
Planning Commission Chairman