

**Town of Rotterdam  
Planning Commission  
January 23, 2024**

**Workshop**

1. **Mohawk Valley Carpets LLC – 1742 Chrysler Avenue.** The applicant requests a Waiver of Site Plan to allow a rug showroom ancillary to existing rug warehouse in existing tenant space #2 containing ±4,090 square feet on a ±0.44-acre parcel.
2. **Nitza & Daughter’s Boutique, LLC – 2654 Hamburg Street.** The applicant requests a Waiver of Site Plan review to operate a retail men and women boutique in existing tenant space on a ±0.62-acre parcel.
3. **A+ Nails Art & Spa – 3049 Broadway.** The applicant requests a Waiver of Site Plan review to operate a nail salon in an existing ±1,475 square foot building on a ±0.42-acre parcel.

**Discussion**

**Comprehensive Plan - Hamburg Street**

**Agenda**

*Approval of the Summary of Minutes January 9, 2023*

1. **Jeffery Klein – 661 River Road.** Final Site Plan review for the installation of an 18.225 kW small scale ground mounted photovoltaic array on ±10 acres to supply power to the Hungry Chicken Country Store. Engineer: Kasselmann Solar.
2. **Primax Properties, LLC (Contract Vendee) – 2945 Hamburg Street.** Sketch Site Plan review to construct a ±10,640 square foot retail store on a ±2.24-acre parcel. Engineer: Bohler Engineering.
3. **Michael Demers – 595 Currybush Road.** Sketch Two (2) Lot Subdivision: Lot 1= ±2.68 acres with existing single-family residence, Remaining Lands = ±95.61 acres. Engineer: Ingalls & Associates, LLP.
4. **R and R Brothers Property Management LLC – 190 Garden Street.** Sketch Two (2) Lot Subdivision: Lot 1 = ±15,000 square feet with proposed single-family residence, Lot 2 = ±44,208 square feet with proposed single-family residence. Engineer: ABD Engineers, LLC.

**DPW Comments**  
**January 23, 2024**

**Workshop**

1. **Mohawk Valley Carpets LLC – 1742 Chrisler Avenue.** The applicant requests a Waiver of Site Plan to allow a rug showroom ancillary to existing rug warehouse in existing tenant space #2 containing ±4,090 square feet on a ±0.44-acre parcel.
2. **Nitza & Daughter's Boutique, LLC – 2654 Hamburg Street.** The applicant requests a Waiver of Site Plan review to operate a retail men and women boutique in existing tenant space on a ±0.62-acre parcel.
3. **A+ Nails Art & Spa – 3049 Broadway.** The applicant requests a Waiver of Site Plan review to operate a nail salon in an existing ±1,475 square foot building on a ±0.42-acre parcel.

**WAIVER OF SITE PLAN REVIEW**

**Date:** January 23, 2024

**PC2024-W01**

The Town Planning Commission Office has received the attached application and accompanying documents. The below-identified applicant requests a waiver of Article XVII "Site Plan Approval", stating that a site plan review and approval is unnecessary and would not serve the purpose of the Article.

**APPLICANT:** Mohawk Valley Carpets, LLC  
**ADDRESS:** 8 John Street  
Scotia, NY 12302

**PROJECT ADDRESS:** 1742 Chrisler Avenue

**APPLICANT IDENTIFIED AS:** Owner  Lessee  Contract Vendee

**REQUEST:** The applicant requests a Waiver of Site Plan to allow a rug showroom ancillary to existing rug warehouse in existing tenant space #2 containing +4,090 square feet on a ±.44 acre parcel.

**Action Taken by Commission:**

In accordance with Chapter 270 of the Town of Rotterdam Zoning Ordinance, Article XVII, "Site Plan Approval", Section 270-130(C) the Planning Commission waives the requirements set forth in said Article, conditionally. Conditions imposed, if any, are as follows:

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 #3 for specifics.

The Commission action on the Waiver application took place at the Planning Commission meeting of January 23, 2024 and authorized the Commission Chairman to execute the Waiver. The issuance of this Waiver is contingent upon the applicant complying with all conditions as stated above. Failure to adhere to conditions may result in revocation of Waiver by the Town of Rotterdam Planning Commission and requirement of a full Site Plan.

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**Peter J. Comenzo**  
Senior Planner

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**Kimberly Ricker Scannell, Chairman**  
Planning Commission



Town of Rotterdam  
Waiver of Site Plan Review Application

The following applicant requests a Waiver of Site Plan Review. The following documentation is required for Planning Commission review:

1. Copy of Deed and/or executed lease agreement or contract to purchase.
2. Copy of Site Plan that identifies:
  - All structures on site.
  - All parking areas on site (parking spaces 9' x 18').
  - Handicap parking and accessibility as required by New York State Building Code.
  - Interior floor plan of usable area by applicant.
  - Proposed site improvements including parking, structural additions, landscaping and other pertinent information as identified in Section 270-132 of Town Code.
3. On a separate sheet of paper provide a descriptive narrative of use and activity occurring on the site including but not limited to the number of employees, exact nature of business, hours of operation and expected customers to the site daily.
4. A completed Commercial or Residential Building Permit Application.
5. \$100.00 application fee (cash or check – payable to the Town of Rotterdam). Fee in lieu of parkland for residential developments: \$600 per dwelling unit.
6. Does any Town officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? YES \_\_\_ NO \_\_\_. If yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

PRESENT OWNER(S): Foley Properties Inc

APPLICANT(S)/LESSEE: Moltonk Intly Carpetz Inc

MAILING ADDRESS: 8 JOHN STREET

CITY: Scotia STATE: NY ZIP: 12302

DAYTIME TELEPHONE: \_\_\_\_\_ EMAIL ADDRESS \_\_\_\_\_

PROJECT ADDRESS: 1742 CHASLER AVE SCOTIA NY 12303

APPLICANT IDENTIFIED AS: Owner  Lessee  Contract Vendee

REQUEST: I want to open a rug shop as an addition to moltonk intly carpetz so asking to do some retail business out of location.

By signing the application, it is understood by the applicant that he/she must fully comply with the Town Code and obtain any required permits.

SIGNATURE OF APPLICANT Don Foley DATE 1/11/24

\* The Planning Commission meets on the first and third Tuesday of each month. All pertinent information and fee(s) must be submitted to the Planning Commission Office at least ten (10) days prior to the meeting.

\*\* All businesses located in the Town of Rotterdam must receive Planning Commission approval and a Certificate of Compliance issued by Building Inspector prior to occupancy.



**WAIVER OF SITE PLAN REVIEW**

**Date Reviewed:**            **January 23, 2024**

**PC2024-W02**

The Town Planning Commission Office has received the attached application and accompanying documents. The below-identified applicant requests a waiver of Article XVII "Site Plan Approval", stating that a site plan review and approval is unnecessary and would not serve the purpose of the Article.

**APPLICANT:**                    **Nitza & Daughter's Boutique, LLC**  
**ADDRESS:**                    **2654 Hamburg Street**  
   **Schenectady, NY 12303**

**PROJECT LOCATION:**        **2654 Hamburg Street**

**APPLICANT IDENTIFIED AS:**                    **Owner**                    **XX Lessee**                    **Contract Vendee**

**REQUEST:** The applicant requests a Waiver of Site Plan review to operate a retail men and women boutique in existing tenant space on a ±0.62 acre parcel.

**Action Taken by Commission:**

In accordance with Chapter 270 of the Town of Rotterdam Zoning Ordinance, Article XVII, "Site Plan Approval", Section 270-130(C) the Planning Commission waives the requirements set forth in said Article, conditionally.

Conditions imposed, if any, are as follows:

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. Property is in Sewer District #7 and has been connected to sewer.

The Commission action on the Waiver application took place at the Planning Commission meeting of January 23, 2024 and authorized the Commission Chairman to execute the Waiver. The issuance of this Waiver is contingent upon the applicant complying with all conditions as stated above. Failure to adhere to conditions may result in revocation of Waiver by the Town of Rotterdam Planning Commission and requirement of a full Site Plan.

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**Peter J. Comenzo**  
**Senior Planner**

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**Kimberly Ricker Scannell, Chairman**  
**Planning Commission**



RECEIVED

JAN 16 2024

Town of Rotterdam  
Waiver of Site Plan Review Application

TOWN OF ROTTERDAM  
PUBLIC WORKS

The following applicant requests a Waiver of Site Plan Review. The following documentation is required for Planning Commission review:

1. Copy of Deed and/or executed lease agreement or contract to purchase.
2. Copy of Site Plan that identifies:
  - All structures on site.
  - All parking areas on site (parking spaces 9' x 18').
  - Handicap parking and accessibility as required by New York State Building Code.
  - Interior floor plan of usable area by applicant.
  - Proposed site improvements including parking, structural additions, landscaping and other pertinent information as identified in Section 270-132 of Town Code.
3. On a separate sheet of paper provide a descriptive narrative of use and activity occurring on the site including but not limited to the number of employees, exact nature of business, hours of operation and expected customers to the site daily.
4. A completed Commercial or Residential Building Permit Application.
5. \$100.00 application fee (cash or check – payable to the Town of Rotterdam). Fee in lieu of parkland for residential developments: \$600 per dwelling unit.
6. Does any Town officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? YES \_\_\_ NO \_\_\_. If yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

PRESENT OWNER(S): Bruno and Lucy Sacchetti

APPLICANT(S)/LESSEE: Nitya L Gopi Chattergoon Gopi

MAILING ADDRESS: 2664 Hamburg St, Rotterdam, NY

CITY: Rotterdam STATE: NY ZIP: 12303

DAYTIME TELEPHONE: 518 842 3044 EMAIL ADDRESS: Nitya47@gmail.com

PROJECT ADDRESS: 2664 Hamburg St.

APPLICANT IDENTIFIED AS: Owner \_\_\_ Lessee \_\_\_ Contract Vendee \_\_\_

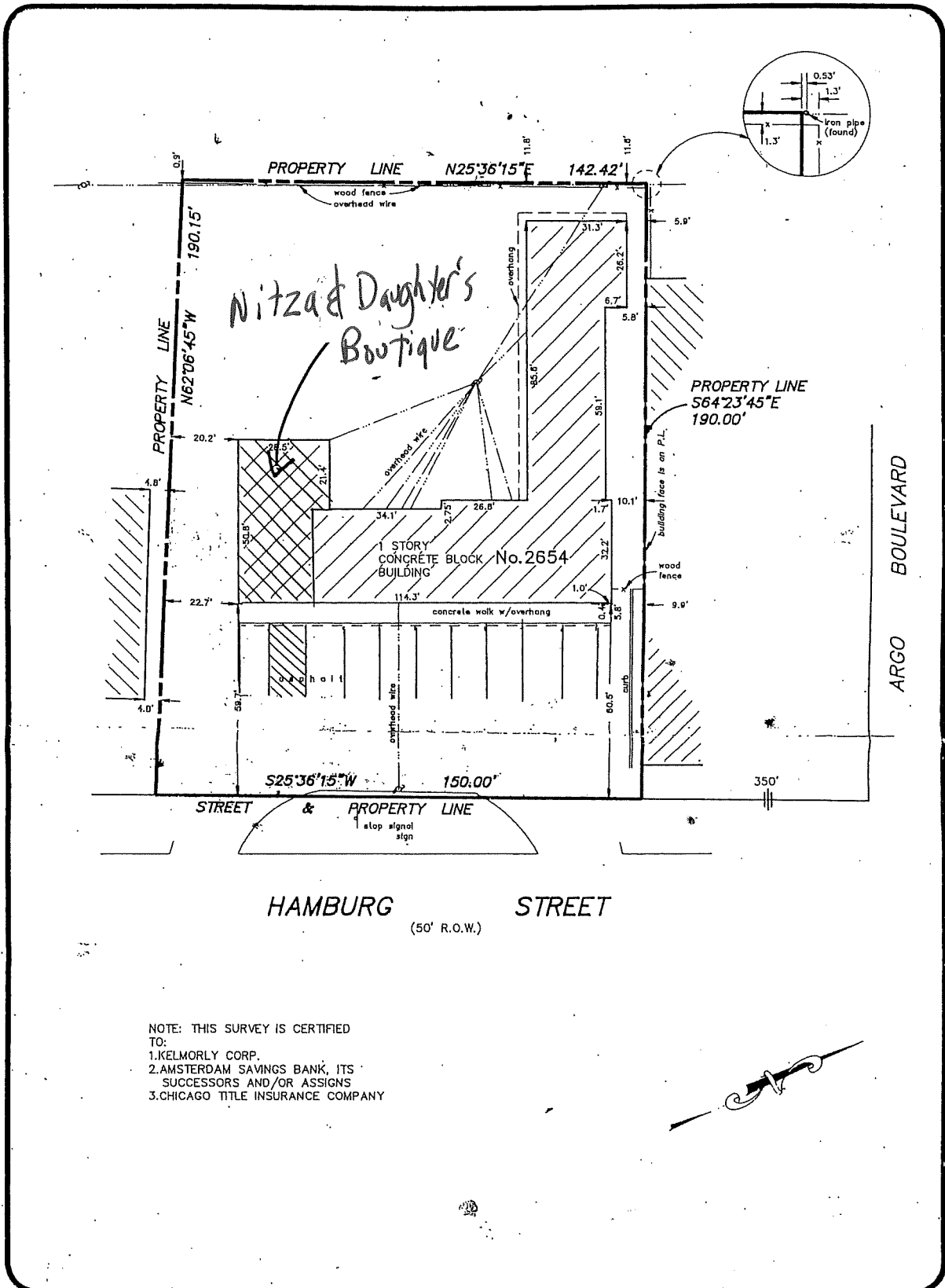
REQUEST: To buy Nitya & Daughter Boutique, men and women clothes, accessory, ect.

By signing the application, it is understood by the applicant that he/she must fully comply with the Town Code and obtain any required permits.



SIGNATURE OF APPLICANT Nitya Gopi DATE 01/16/24

\* The Planning Commission meets on the first and third Tuesday of each month. All pertinent information and fee(s) must be submitted to the Planning Commission Office at least ten (10) days prior to the meeting.

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NOTE: THIS SURVEY IS CERTIFIED TO:  
 1. KELMORLY CORP.  
 2. AMSTERDAM SAVINGS BANK, ITS SUCCESSORS AND/OR ASSIGNS  
 3. CHICAGO TITLE INSURANCE COMPANY

 <b>HERSHBERG &amp; HERSHBERG</b> Consulting Engineers and Land Surveyors 19 Colvin Avenue Albany, New York 12206	MAP SHOWING LOCATION OF BUILDINGS AND IMPROVEMENTS WITH REFERENCE TO PROPERTY LINES OF <h2 style="text-align: center;">No. 2654 HAMBURG STREET</h2> TOWN OF ROTTERDAM, COUNTY OF SCHENECTADY, NEW YORK			 LICENSED LAND SURVEYOR
	ALTERATION OF THIS DOCUMENT, EXCEPT BY A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR, IS ILLEGAL.			
	REVISIONS:			
	DATE: 1/28/93	SCALE: 1" = 30'	BY: SB	
	CHK: GRT	MAP No.: 930034		

## WAIVER OF SITE PLAN REVIEW

**Date Reviewed:** January 23, 2024

**PC2024-W03**

The Town Planning Commission Office has received the attached application and accompanying documents. The below-identified applicant requests a waiver of Article XVII "Site Plan Approval", stating that a site plan review and approval is unnecessary and would not serve the purpose of the Article.

**APPLICANT:** A+ Nails Art & Spa  
**ADDRESS:** 1252 Central Avenue  
Albany, NY 12205

**PROJECT LOCATION:** 3049 Broadway

**APPLICANT IDENTIFIED AS:**  **Owner**  **Lessee**  **Contract Vendee**

**REQUEST:** The applicant requests a Waiver of Site Plan review to operate a nail salon in an existing ±1,475 square foot building on a ±0.42-acre parcel.

### Action Taken by Commission:

In accordance with Chapter 270 of the Town of Rotterdam Zoning Ordinance, Article XVII, "Site Plan Approval", Section 270-130(C) the Planning Commission waives the requirements set forth in said Article, conditionally.

Conditions imposed, if any, are as follows:

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 #6 for specifications.
5. Reciprocal easements for parking, access, and maintenance have been executed with the adjoining property owners as part of the Aldi redevelopment project.
6. Owner/applicant shall install a water meter. Please check with DPW for specifications.
7. Applicant shall obtain Schenectady County Health Department approval and/or New York State Department of State licensing if required.
8. Prior to Certificate of Occupancy, applicant shall provide a copy of the duly executed Ventilation System Certification to DPW.

The Commission action on the Waiver application took place at the Planning Commission meeting of January 23, 2024 and authorized the Commission Chairman to execute the Waiver. The issuance of this Waiver is contingent upon the applicant complying with all conditions as stated above. Failure to adhere to conditions may result in revocation of Waiver by the Town of Rotterdam Planning Commission and requirement of a full Site Plan.

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**Peter J. Comenzo**  
Senior Planner

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**Kimberly Ricker Scannell, Chairman**  
Planning Commission



Town of Rotterdam  
Waiver of Site Plan Review Application

RECEIVED

JAN 18 2024

TOWN OF ROTTERDAM  
PUBLIC WORKS

The following applicant requests a Waiver of Site Plan Review. The following documentation is required for Planning Commission review:

1. Copy of Deed and/or executed lease agreement or contract to purchase.
2. Copy of Site Plan that identifies:
  - All structures on site.
  - All parking areas on site (parking spaces 9' x 18').
  - Handicap parking and accessibility as required by New York State Building Code.
  - Interior floor plan of usable area by applicant.
  - Proposed site improvements including parking, structural additions, landscaping and other pertinent information as identified in Section 270-132 of Town Code.
3. On a separate sheet of paper provide a descriptive narrative of use and activity occurring on the site including but not limited to the number of employees, exact nature of business, hours of operation and expected customers to the site daily.
4. A completed Commercial or Residential Building Permit Application.
5. \$100.00 application fee (cash or check – payable to the Town of Rotterdam). Fee in lieu of parkland for residential developments: \$600 per dwelling unit.
6. Does any Town officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? YES \_\_\_ NO \_\_\_. If yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

PRESENT OWNER(S): Ai House LLC

APPLICANT(S)/LESSEE: ERIC CHEN / Ai Tony Chen

MAILING ADDRESS: 1252 Central Av

CITY: Albany STATE: NY ZIP: 12205

DAYTIME TELEPHONE: 518 982 6652 EMAIL ADDRESS: hb@con168@gmail.com

PROJECT ADDRESS: 3049 Broadway Rotterdam

APPLICANT IDENTIFIED AS: Owner  Lessee \_\_\_ Contract Vendee \_\_\_

REQUEST: office charge nail salon. 1475 sf bldg.  
.42ac

By signing the application, it is understood by the applicant that he/she must fully comply with the Town Code and obtain any required permits.

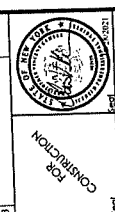
SIGNATURE OF APPLICANT [Signature] DATE 1/18/2024

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Date:	9/17/21
Issue:	A (Issued for FC approval)
B (JOB)	197371
C (Map Address) #1	100021
D (Issued for Construction)	102871
E	
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Date:	9/17/21
Issue:	A (Issued for FC approval)
B (JOB)	197371
C (Map Address) #1	100021
D (Issued for Construction)	102871
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REGISTERED PROFESSIONAL ENGINEER  
 Christopher V. Kombar  
 License No. 100021  
 State of New York  
 Exp. Date: December 31, 2023

DATE OF RECORD  
 10/20/21  
 DRAWING REVISIONS  
 1. 10/20/21  
 2. 10/20/21  
 3. 10/20/21  
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 19. 10/20/21  
 20. 10/20/21

**APD**  
 ENGINEERING  
 ARCHITECTURE  
 615 FREDERICK ROAD, YONKERS, NY 10534  
 914.353.3325 - www.apdny.com

**ALDI Inc.**  
 3075 Broadway  
 Rotterdam, NY 12025  
 Schenectady County

Project Name & Location:  
 ALDI - Rotterdam, NY  
 3075 Broadway  
 Rotterdam, NY 12025  
 Schenectady County

Project No.: 20-0673  
 Date: 08/23/21  
 Type: New  
 Drawn By: ROL  
 Scale: 1" = 30'

**REFERENCE:**  
 REFER TO SURVEY PREPARED BY JACOBS LAND SURVEYING, SHEET NUMBER "3V", DATED FEBRUARY 17, 2021

- SITE LEGEND:**
- 1 ACCESSIBLE PARKING SIGN, POST & BOLLARD (REFER TO DETAIL)
  - 2 PAINTED ACCESSIBLE PARKING SYMBOL (REFER TO DETAIL)
  - 3 "NO PARKING ANY TIME" SIGN, POST & BOLLARD (REFER TO DETAIL)
  - 4 "VAN ACCESSIBLE" SIGN (REFER TO DETAIL)
  - 5 STOP SIGN, PAINTED STOP BAR, & "STOP" LETTERING (REFER TO DETAIL)
  - 6 PAINTED PARKING IN AND OUT AREA TO BE STRIPPED WITH 4" STRIP @ 24" ON CENTER @ 45° TO PARKING SPACE.
  - 7 3"x4" PARKING STRIP STRIPING
  - 8 CURBSIDE PARKING STRIP (REFER TO DETAIL)
  - 9 POST MOUNTED IN BOLLARD CURBSIDE PARKING SIGN (REFER TO DETAIL)
  - 10 PEDESTRIAN CROSSWALK (REFER TO DETAIL)
  - 11 REGULAR DUTY PAVEMENT (REFER TO DETAIL)
  - 12 HEAVY DUTY PAVEMENT (REFER TO DETAIL)
  - 13 CONCRETE SIDEWALK (REFER TO DETAIL)
  - 14 DUTY PAVERMENT (REFER TO DETAIL)
  - 15 PROPOSED ALDI BUILDING
  - 16 LIGHT POLES
  - 17 SITE SIGN, PAINTED STOP BAR & "STOP" LETTERING AT CROSSWALK (REFER TO DETAIL)
  - 18 TRANSITION CURB (REFER TO DETAIL)
  - 19 BOLLARDS (REFER TO ARCH. PLAN DETAIL)
  - 20 LAWN/MULCH AREA (REFER TO PLANTING PLAN FOR DELINEATION (REFER TO PLANTING AND LIGHTING PLAN AND DETAIL PLANS SHEETS))
  - 21 ON STORE LIGHTING, SEE LUMINAIRE SCHEDULE
  - 22 "NO PARKING" TEXT SIGNAGE (REFER TO DETAIL)
  - 23 "TO CURB" TRANSITION (REFER TO DETAIL)
  - 24 RECESSED CURB (REFER TO DETAIL)
  - 25 HIGHWAY IMPROVEMENT PLANS PREPARED BY CREGGHOFF MANNING
  - 26 SIDEWALK ADJACENT TO BROADWAY AND PRINCETON
  - 27 HIGHWAY IMPROVEMENT PLANS PREPARED BY CREGGHOFF MANNING FOR CONTINUATION AND THE INFORMATION.
  - 28 RECESSED CURB (REFER ARCH. PLANS)
  - 29 Pylon sign with refer ARCH. PLANS
  - 30 SEPARATE SIGN (REFER ARCH. PLANS)
  - 31 ALDI BUILDING SIGN
  - 32 INSTALL 6" WHITE FENCE, WITH FENCE & ADJACENT TO EXISTING EXISTING FENCE IF AGREED UPON WITH PRIVATE PROPERTY OWNER
  - 33 CURB TRANSITION ALONG BUILDING SIDEWALK
  - 34 "F" CURB TO BE INSTALLED ADJACENT TO OFFICE AREA, INSTALL "F" CURB TRANSITION ALONG BUILDING SIDEWALK
  - 35 TRANSITION CURB (REFER ARCH. PLANS)
  - 36 CYBERMARK AND ADJUST AS NECESSARY.

- GENERAL NOTES:**
1. DEVELOPMENT MUST MEET ALL NYS BUILDING AND FIRE CODES
  2. ALL IMPROVEMENTS SHALL BE IN ACCORDANCE WITH THE LATEST RECENT STANDARDS AND SPECIFICATIONS OF THE FIRE DEPARTMENT AND/OR THE AUTHORITIES HAVING JURISDICTION.
  3. ALL UTILITIES (UNDERGROUND, BROADWAY, UTILITY, BOUNDARY, AND TOPOGRAPHY) SHOWN ON THE PLAN IS REPRESENTED BASED ON USE OF THE LATEST AVAILABLE RECORDS AND FIELD SURVEY DATA. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES. IF CONTRACTOR DOES NOT ACCEPT EXISTING TOPOGRAPHY AS SHOWN ON THE PLANS, WITHOUT EXCEPTION, ALL HAVE MADE, AT HIS EXPENSE, A TOPOGRAPHIC SURVEY BY A REGISTERED LAND SURVEYOR AND SUBMIT IT TO THE OWNER FOR REVIEW.
  4. CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VISUAL STOP BUILDING ENTRANCE LOCATIONS, ALL PAVING, CURBING, FLOWWORK, SIDEWALKS, FENCING, BOLLARDS, ETC. TO BE IN CONFLICT WITH NEW CONSTRUCTION AS PER FEDERAL REGULATIONS, IN ACCORDANCE WITH ANY LOCAL, STATE, OR FEDERAL REGULATIONS.
  5. CONTRACTOR MUST PROTECT THE PUBLIC AT ALL TIMES WITH EXISTING BARRICADES, SIGNS, DROPS, ETC. OUTSIDE OF WORK LIMITS CLEAR AND FREE FROM ANY OBSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFE PEDESTRIAN AND VEHICULAR TRAFFIC ACTIVITY WITHIN PROXIMITY OF THE BUILDING AND VISUAL STOP BUILDING ENTRANCE LOCATIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFE PEDESTRIAN AND VEHICULAR TRAFFIC ACTIVITY WITHIN PROXIMITY OF THE BUILDING AND VISUAL STOP BUILDING ENTRANCE LOCATIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFE PEDESTRIAN AND VEHICULAR TRAFFIC ACTIVITY WITHIN PROXIMITY OF THE BUILDING AND VISUAL STOP BUILDING ENTRANCE LOCATIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFE PEDESTRIAN AND VEHICULAR TRAFFIC ACTIVITY WITHIN PROXIMITY OF THE BUILDING AND VISUAL STOP BUILDING ENTRANCE LOCATIONS.

- SITE NOTES:**
1. ALL NEW PAINTED PAVEMENT MARKINGS SUCH AS DIRECTIONAL ARROWS AND LETTERING SHALL BE PAINTED USING TEMPLATES.
  2. THE EXISTING SIDEWALK SHALL REMAIN OPEN FOR PEDESTRIAN OPERATIONS OF CONSTRUCTION. THE EXISTING SIDEWALK SHALL BE MAINTAINED BY THE ALDI CONSTRUCTION MANAGER AND SIDEWALK STORE MANAGER 48 HOURS IN ADVANCE AND VEHICULAR, TRUCK, AND PEDESTRIAN MANAGER AT THAT STORE SHALL BE MAINTAINED AT ALL TIMES WITHIN STORE & OPEN.
  3. CONTRACTOR SHALL PROVIDE TOUCHUP PAINT FOR ALL FENCE AND HYDRANTS, BOLLARDS, AND SIGNAGE WITHIN THE PROJECT LIMITS. CONTRACTOR SHALL REVIEW EXISTING SITE FEATURES PRIOR TO PREPARATION OF BID. COST SHALL BE INCLUDED IN THE BID. PREPARATION OF BID, COST SHALL BE INCLUDED IN THE BID. OTHERWISE NOTED.
  4. ALL DIMENSIONS AND RADII ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
  5. THE SETBACK LINES AND NOTES RELATED TO SETBACKS SHOWN HEREIN ARE INTENDED TO SHOW APPLICABLE ZONING REQUIREMENTS OF THE TOWN OF ROTTERDAM AS OF THE ORIGINAL RESTRICTIONS OTHER THAN ZONING REQUIREMENTS.
  6. REFER TO PLANNING AND DESIGN PLAN SHEET C4 FOR LIGHT POLE AND BUILDING MOUNTED LIGHT LOCATIONS, AND FUTURE TYPE.
  7. Pylon signs shall be constructed by others, BUT EXISTING SIGNAGE TO THE Pylon sign shall be included in the CONTRACT.

**VARIANCE INFORMATION**

NO.	PROPOSED	PROPOSED	PROPOSED
	REQUIREMENT	REQUIREMENT	REQUIREMENT
1	18'x18'	18'x18'	18'x18'
2	18'x18'	18'x18'	18'x18'
3	18'x18'	18'x18'	18'x18'
4	18'x18'	18'x18'	18'x18'
5	18'x18'	18'x18'	18'x18'
6	18'x18'	18'x18'	18'x18'
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29	18'x18'	18'x18'	18'x18'
30	18'x18'	18'x18'	18'x18'
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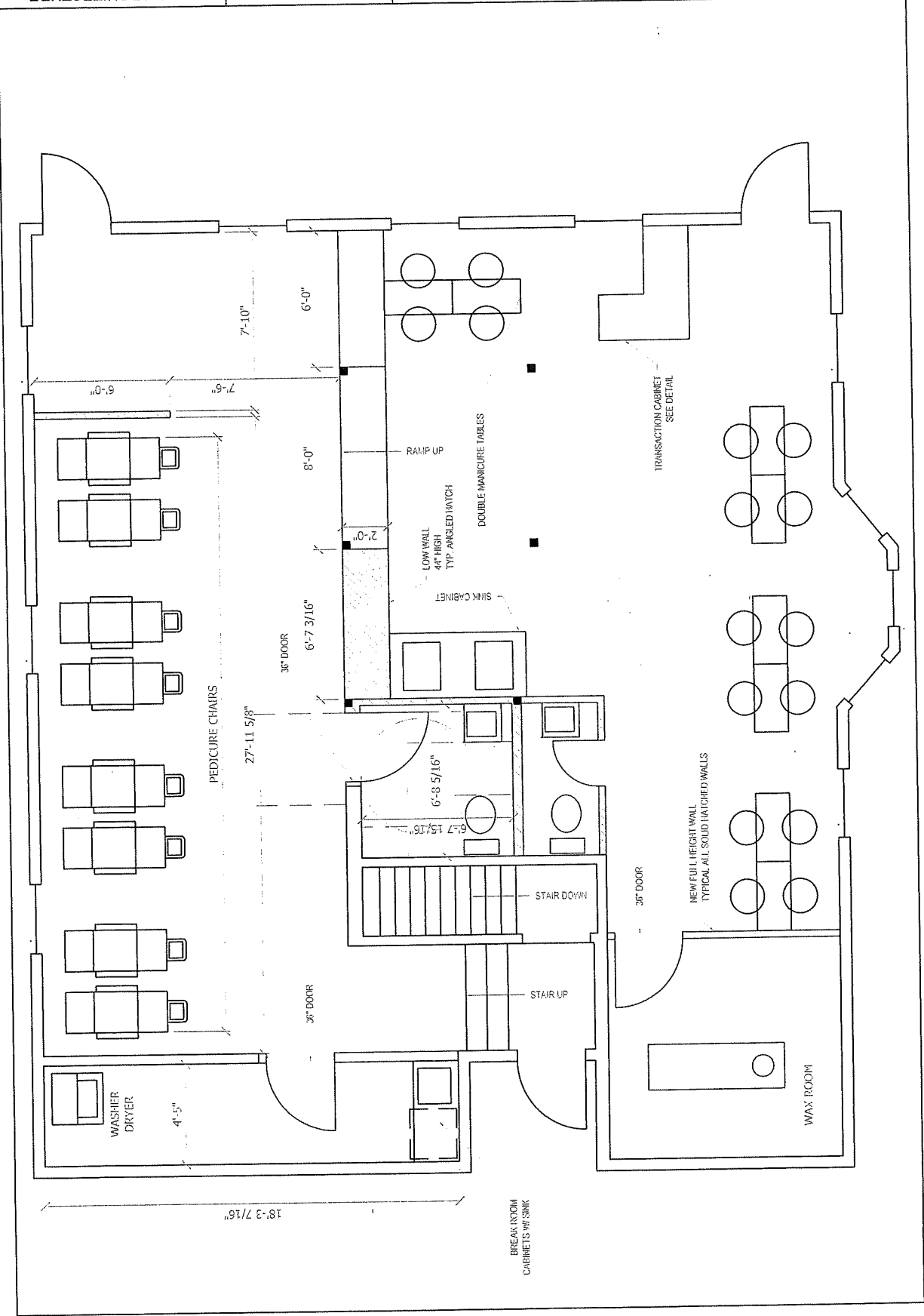
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CAPITAL ARCHITECTURE  
24 AVIATION ROAD  
COLONIE, NY 12205  
518 253 1442 CELL  
capitalarchitecture@yahoo.com  
THIS WORK WAS PREPARED BY ME  
OR UNDER MY SUPERVISION AND  
CONSTRUCTION OF THIS PROJECT  
WILL BE UNDER MY OBSERVATION.



*At Nails Art & Spa*  
3049 BROADWAY  
ROTTERDAM, NY  
FLOOR PLAN

DATE: 10 DECEMBER 2023  
REV:  
A101



**DPW Comments**  
**January 23, 2024**

1. **Jeffery Klein – 661 River Road.** Final Site Plan review for the installation of an 18.225 kW small scale ground mounted photovoltaic array on ±10 acres to supply power to the Hungry Chicken Country Store. Engineer: Kasselmann Solar.
  1. See attached letter from Jason Pelton – Groundwater Management Planner from the Schenectady County Intermunicipal Watershed Board.
  2. Approval is contingent on receiving Town Board approvals for the location of this project in the Aquifer Overlay Zoning District.
  3. Add Note to Plan: “During the construction activities contractors should be aware of potential contaminant sources during the construction phase of the project. Specifically, construction equipment and support vehicles must not be re-fueled on-site. Should a spill occur during the construction activities, measures should be immediately taken to mitigate the spill.”
  4. Applicant shall obtain building permits and be issued a certificate of compliance by the Rotterdam Building Inspector prior to connection.

**DPW Comments from December 5, 2023**

1. Property is in Zone 3 of the Schenectady County Intermunicipal Watershed boundary.
2. Project is in the Town of Rotterdam Aquifer Overlay District and is subject to Town Board review and approval.
3. Small scale solar is not included in the existing Town moratorium in effect for solar projects.

**SEQR Requirement:** 6 NYCRR 617 Unlisted Action. Rotterdam Planning Commission declared lead agency on December 5, 2023. A draft negative declaration has been prepared by the Town Planner and is attached for your consideration.

**Involved/Interested Agencies:**

Schenectady County Planning Department  
Schenectady County Department of Health  
Schenectady County Intermunicipal Watershed Board  
New York State Department of Environmental Conservation – Region #4  
Fire District #1 (Rotterdam Junction)

**SCHENECTADY COUNTY INTERMUNICIPAL  
WATERSHED RULES AND REGULATIONS BOARD**

City of Schenectady • Town of Glenville • Town of Niskayuna • Town of Rotterdam • Village of Scotia

RECEIVED

January 2, 2024

JAN 02 2024

Peter Comenzo  
Town Planner  
Town of Rotterdam  
1100 Sunrise Boulevard  
Rotterdam, New York 12306

TOWN OF ROTTERDAM  
PUBLIC WORKS

**Re: 661 River Road – Installation of Solar Modules in  
Aquifer Protection Zone III**

Dear Peter:

I have reviewed the site plan/special use permit application, short environmental assessment form, and site plan submission drawings for the construction of a 18.225kW ground-mounted small-scale solar array for use by the Hungry Chicken Country Store located at 661 River Road in Rotterdam Junction. The proposed solar farm will be constructed on a 10-acre parcel located in Aquifer Protection Zone III (General Aquifer Recharge Area). Zone III generally corresponds to the boundaries of the aquifer system and is defined as the area where runoff and precipitation flow directly and rapidly into the ground. The parcel is located approximately one-half mile from the Town of Glenville well field and is positioned on the opposite side of the Mohawk River as the Glenville well field.

The construction of a 18.225kW ground mounted small-scale solar array will occur on approximately 0.02 acres of the 10-acre parcel and does not violate the overall purpose or intent of the Schenectady County Intermunicipal Watershed Rules and Regulations (§142.2 of the New York State Public Health Law). The solar modules will be installed on ground-mounted frames and helical piles will be used for structural support. Although this use as a solar array is unlikely to have an adverse impact on the quality of the Great Flats Aquifer, Kasselmann Solar, Inc. and their contractors should recognize potential contaminant sources during the construction phase of the project. Construction equipment should not be re-fueled near open excavations and measures should be taken to report and mitigate potential spills during construction activities.

If you have any comments or questions, or require additional information, please do not hesitate to contact me at the Schenectady County Planning Department (386-2225).

Sincerely,

*Jason M. Pelton*

Jason M. Pelton, P.G.  
Schenectady County Ground Water Management Planner

cc: Mr. Ray Gillen, Commissioner, Schenectady County Economic Development and Planning Dept.  
Schenectady County Intermunicipal Watershed Rules and Regulations Board Technical Committee

# ZONING COORDINATION REFERRAL

SCHENECTADY COUNTY DEPT. OF ECONOMIC DEVELOPMENT & PLANNING  
Recommendations shall be made within 30 days after receipt of a full statement of the proposed action.

For Use By SCDEDP

Received 1-17-24  
Case No. R-3-24  
Returned 1-17-24

FROM:  Legislative Body  
 Zoning Board of Appeals  
 Planning Board

Municipality:  
Town of Rotterdam

TO: Schenectady County Department of Economic Development and Planning  
Schaffer Heights, 107 Nott Terrace, Suite 303  
Schenectady, NY 12308

(tel.) 386-2225  
(fax) 382-5539

ACTION:  Zoning Code/Law Amendment  
 Zoning Map Amendment  
 Subdivision Review  
 Site Plan Review

Special Permit  
 Use Variance  
 Area Variance  
 Other (specify) \_\_\_\_\_

PUBLIC HEARING OR MEETING DATE: January 9, 2024

SUBJECT: Jeffery Klein – 661 River Road. Site Plan review for the installation of an 18,225 kW small scale ground mounted photovoltaic array on ±10 acres to supply power to the Hungry Chicken Country Store. Engineer: Kasselman Solar

JAN 17 2024

REQUIRED ENCLOSURES: 1. Public hearing notice & copy of the application.  
2. Map of property affected. (Including Tax Map I.D. number if available)  
3. Completed environmental assessment form and all other materials required by the referring body in order to make its determination of significance pursuant to the state environmental quality review act.

TOWN OF ROTTERDAM  
PUBLIC WORKS

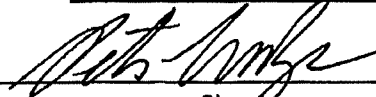
- This zoning case is forwarded to your office for review in compliance with Sections 239-l, 239-m and 239-n of Article 12-B of the General Municipal Law, New York State.
- This material is sent to you for review and recommendation because the property affected by the proposed action is located within 500 feet of the following:
  - the boundary of any city, village or town;
  - the boundary of any existing or proposed County or State park or other recreation area;
  - the right-of-way of any existing or proposed County or State parkway, thruway, expressway, road or highway;
  - the existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines;
  - the existing or proposed boundary of any County or State-owned land on which a public building or institution is situated;
  - the boundary of a farm operation located in an agricultural district, as defined by Article 25-AA of the agriculture and markets law. The referral requirement of this subparagraph shall not apply to the granting of area variances.

### SUBMITTED BY:

Name: Peter Comenzo Title: Sr. Planner

Address: 1100 Sunrise Boulevard Schenectady, NY 12306

E-mail: pcomenzo@rotterdamny.org Phone: 518-355-7575 Ext 338

  
Signature Date: 12 6 23



# PLANNING & ZONING COORDINATION REFERRAL

Case No. R-03-24

Applicant Jeffery Klein

Referring Officer Peter Comenzo

Municipality Rotterdam

Considerations: Regarding a 10-acre parcel with a residence and business (Hungary Chicken Country Store), requesting site plan approval to install a 18.225 kW small scale ground mounted solar array. Located on the south side on State Route 5S directly across from Kiwanis Park.

## RECOMMENDATION

Receipt of zoning referral is acknowledged on January 17, 2024. Please be advised that the undersigned Commissioner of Economic Development and Planning of the County of Schenectady (having under the Schenectady County Charter the powers and duties of a County Planning Board) has reviewed the proposed action stated on the opposite side of this form and makes the following recommendations:

- \*Approve of the proposal.
- Defer to local consideration (No significant county-wide or inter-community impact)
- Modify/Conditionally Approve. Conditions:

Advisory Note:

Disapprove. Reason:

\*A recommendation of approval should not be interpreted that the County has reviewed all local concerns and/or endorses the project; rather the proposed action has met certain County considerations.

Section 239-m of the general Municipal Law requires that within 30 days after final action, the referring body shall file a report of the final action it has taken with the Schenectady County Department of Economic Development and Planning. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

1/17/24  
Date

Ray Gilfen / SJK  
Ray Gilfen, Commissioner  
Economic Development and Planning

RECEIVED  
2

JAN 17 2024

TOWN OF ROTTERDAM  
PUBLIC WORKS

TOWN OF ROTTERDAM  
PUBLIC WORKS

JAN 17 2024

RECEIVED

# 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.

<b>Part 1 – Project and Sponsor Information</b>				
Name of Action or Project: Hungry Chicken Country Store Ground Mounted Solar Array				
Project Location (describe, and attach a location map): 661 River Rd, Rotterdam, NY 12306				
Brief Description of Proposed Action: The installation of an 18.225 kW ground mounted PV array.				
Name of Applicant or Sponsor: Alex Martin: Kasselman Solar, LLC.		Telephone: (518) 300-0633 E-Mail: amartin@kasselmansolar.com		
Address: 279 Broadway bldg 2				
City/PO: Menands		State: New York	Zip Code: 12204	
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.			NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
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: Town of Rotterdam Planning Board: Site Plan Review Town of Rotterdam Building Department: Building Permit			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 10 acres b. Total acreage to be physically disturbed? _____ 0.022 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 0 acres				
4. Check all land uses that occur on, are adjoining or near the proposed action:				
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland				

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
Name: Aquifer Area Overlay Zone, Reason: Conserve, improve, protect natural resources, Agency: Rotterdam, If Yes, identify: Town of, Date: 4-5-85	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: Renewable Energy Technology: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	



Project:	Hungry Chicken Solar
Date:	January 23, 2024

**Short Environmental Assessment Form  
Part 2 - Impact Assessment**

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>



**6NYCRR PART 617**  
**State Environmental Quality Review**  
**NEGATIVE DECLARATION**  
**Notice of Determination of Non-Significance**

**Date:** January 23, 2024

This notice has been prepared in accordance with Article 8 of the Environmental Conservation Law by the Town of Rotterdam Department of Public Works Department  
(Reference: 6 NYCRR 617.5 Unlisted Action)

**SEQRA Status:** Type I   
Type II   
Unlisted

**Conditioned Negative Declaration:** Yes   
No

**Owner:** Jeffery Klien  
661 River Road  
Schenectady, NY 12306

**Location:** 661 River Road  
Schenectady, NY 12306

**Tax Map Number(s):** 28.00-3-4

**Zoning:** Agriculture (A-1) Zoning District.

**Action:** Site Plan to allow for the installation of an 18.225kW ground mounted small-scale solar array on a ±10 acre parcel for use by the Hungry Chicken Country Store.

**Other Involved Agencies:** Rotterdam Town Board

**Reasons Supporting This Determination:**

(See 617.7(a)-(c) for requirements of this determination)

This project was conducted as a SEQR coordinated review. The site plan was sent to all interested/involved agencies on December 6, 2023. The applicant has supplied an Environmental Assessment Form and the Planning Commission has or has caused to complete Part 2 of this checklist.

The applicants have requested approval for the installation of an 18.225kW ground mounted small-scale solar array on a ±10-acre parcel for use by the Hungry Chicken Country Store.

The proposed solar array will be constructed on a 10-acre parcel located in Aquifer Protection Zone III (General Aquifer Recharge Area). Zone III generally corresponds to the boundaries of the aquifer system and is defined as the area where runoff and precipitation flow directly and rapidly into the ground. The parcel is located approximately one-half mile from the Town of Glenville well field and is positioned on the opposite side of the Mohawk River as the Glenville well field.

The project was reviewed by Jason Pelton, Groundwater Management Planner for the Watershed Board and the proposed land use does not represent a threat to the aquifer system. The construction of a 18.225kW ground mounted small-scale solar array will occur on approximately 0.02 acres of the 10-acre parcel and does not violate the overall purpose or intent of the Schenectady County Intermunicipal Watershed Rules and Regulations (§142.2 of the New York State Public Health Law). The solar modules will be installed on ground-mounted frames and helical piles will be used for structural support. Although this use as a solar array is unlikely to have an adverse impact on the quality of the Great Flats Aquifer, Kasselmann Solar, Inc. and their contractors should recognize potential contaminant sources during the construction phase of the project. Construction equipment should not be re-fueled near open excavations and measures should be taken to report and mitigate potential spills during construction activities.

**The Planning Commission has considered the following criteria to determine if this proposal has significant adverse impacts on the environment:**

- (i) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;
- (iii) the impairment of the environmental characteristics of a Critical Environmental Area.
- (iv) the creation of a material conflict with a community's current plans or goals as officially approved or adopted;

- (v) the impairment of the character or quality of important historical, archaeological, architectural, or aesthetic resources or of existing community or neighborhood character;
- (vi) a major change in the use of either the quantity or type of energy;
- (vii) the creation of a hazard to human health;
- (viii) a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;
- (ix) the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;
- (x) the creation of a material demand for other actions that would result in one of the above consequences;
- (xi) changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or
- (xii) two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision.

**The Planning Commission has also considered the reasonably related long-term, short-term, direct, indirect and cumulative impacts, including other simultaneous or subsequent actions, which are:**

- (i) included in any long-range plan of which the action under consideration is a part;
  - (ii) likely to be undertaken as a result thereof; or
  - (iii) dependent thereon.
- (3) The significance of a likely consequence (i.e., whether it is material, substantial, large or important) has been assessed in connection with:
- (i) its setting (e.g., urban or rural);
  - (ii) its probability of occurrence;
  - (iii) its duration;
  - (iv) its irreversibility;
  - (v) its geographic scope;
  - (vi) its magnitude; and
  - (vii) the number of people affected

The environmental effects of the above-described action were discussed at regularly scheduled Planning Commission Public meeting held on January 23, 2024 at the Rotterdam Town Hall, 1100 Sunrise Boulevard, Rotterdam, NY 12306. Adoption of this Negative Declaration was moved by XXXXXXXXXXXX, seconded by XXXXXXXXXXXX, and approved by the Rotterdam Planning Commission.

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Kimberly Ricker Scannell  
Planning Commission Chairman

**DPW Comments**  
**January 23, 2024**

- 2. Primax Properties, LLC (Contract Vendee).** Sketch Site Plan review to construct a ±10,640 square foot retail store on a ±2.24-acre parcel. Engineer: Bohler Engineering.
1. What is the use and functionality of the existing 3 drywells located on the northern side of the property?
  2. The secondary curb cut onto Hamburg Street is proposed to be removed.
  3. Applicant should provide a pedestrian crossing across Hamburg Street in the vicinity of the Valentine Meadows development located on the east side of Hamburg Street. Additionally, the proposed concrete entryway sidewalk should be extended the length of the building frontage and a connection made to existing sidewalk in the vicinity of the new pedestrian crossing.
  4. A 3' high metal ornamental fence with brick piers every 6' should be considered for the frontage along Hamburg Street.
  5. Dumpster enclosure should be changed from stockade fence to composite material similar to the recently constructed enclosure at the Dollar General in Rotterdam Junction.
  6. The Planning Commission should authorize the Chairman to execute an agreement to retain the services of a Town Designated Engineer (TDE) to assist in the review of this project.
  7. Adjoining building located at 2933 Hamburg Street is close to the property line and contains several apartments. Lighting plan should take this into consideration.
  8. Soils should be very porous in this area and the lot appears to be large enough to utilize surface stormwater retention. The design should incorporate ground cover and materials that will be easy to maintain.
  9. Town code call for 54 parking spaces. The applicant is requesting a waiver to construct 33 spaces which seems reasonable and provides for additional greenspace.

**SEQR Requirement:** 6 NYCRR 617 Unlisted Action. Rotterdam Planning Commission should declare lead agency.

**Involved/Interested Agencies**

Schenectady County Economic Development and Planning  
Schenectady County Department of Health  
New York State Department of Environmental Conservation – Region #4  
New York State Department of Transportation – Audrey Burneson  
Rotterdam Police Department  
Metroplex Development Authority  
Fire District #3

All requested information shall be provided and must be filled out in ink or typed for photocopying purposes

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### PART III

#### SPECIAL USE PERMIT/SITE PLAN APPLICATION General Information

Legal Owner's Name: Emilio C. Pennacchia, Lynn M. Pennacchia

Mailing Address: 310 Trinacria Ct

City: Schenectady State: NY Zip: 12303

Daytime Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

If applicant is not the owner, include the written owner authorization form below (See Part IV) designating the contact to serve as representative.

Owner's Designated Contact: Bohler Engineering and Landscape Architecture, PLLC

Mailing Address: 17 Computer Drive West

City: Albany State: NY Zip: 12205

Daytime Phone: 518-438-9900 E-mail: cmlodzianowski@bohlereng.com

Project/Proposal Site Area (Acres or sq. ft.): 2.435 acres

Assessor Tax Parcel No.(s) of Proposal Site: Section 59.19, Block 1, Parcel 7.1

Adjacent Area Owned or Controlled (Acres or sq. ft.): \_\_\_\_\_

Assessor Tax Parcel No.(s) of Adjacent Land Owned or Controlled: \_\_\_\_\_

Street Address of Proposed Site (if any): 2945 Hamburg Street

Describe Existing Use(s) on Proposed Site (Such as buildings, well, sewer drainfield and others): Vacant

Existing Zoning Classification: B-1 Retail Business District (CORR)

School District: Mohonasen Fire District: \_\_\_\_\_

Water Supply public water supply

**LEGAL INFORMATION**

Location of Proposal Site (General description by which direction and how far from roads and intersections and other community features):

Approximately 500' North of the round about intersection of Curry Road,  
Carmen Road and Hamburg Street.

Name of public road (s) providing access: Hamburg Street (NYS Route 146)

Width of property fronting on public road: 250 feet

Attach deed or legal description.

Attach a lease agreement of the proposed site (if applicable).

Purpose for the requested site plan approval (and special use permit if applicable):

Requesting site plan approval for a proposed retail store  
located within B-1 Retail Business Zoning District.

Is the proposed use to be temporary or permanent? If temporary, please explain:

The proposed use is a permanent retail store.

Does any City officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? YES \_\_\_ NO . If yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

RECEIVED

JAN 17 2024

PART IV

LEGAL OWNER SIGNATURE  
(Signature of legal owner(s))

TOWN OF ROTTERDAM  
PUBLIC WORKS

I, the undersigned, swear or affirm under penalty of perjury that the above responses are made truthfully and to the best of my knowledge.

I further swear or affirm that I (we) (am)(are) the owner(s) of record of the area proposed for the previously identified land use action

Name: Emilio C. Pennacchia Date: 1/16/24  
 Address: 310 Trinacria Ct. Phone: (518) 928-4960  
Schenectady, NY Zip: 12303  
Emilio C. Pennacchia Date: 1/16/24  
 \*#1 Signature of Owner #1

Notary  
(For Signature #1 Above)

STATE OF NEW YORK) ss:  
COUNTY OF SCHENECTADY)

SUBSCRIBED AND SWORN to me this 16 day of January, 2024

NOTARY SEAL **David R. Green**  
 Notary Public, State of New York  
 No. 02GR6070559  
 Qualified in Albany County  
 Commission Exp. 3/4/2026

Notary Signature [Signature]  
 Notary Public in and for the State of New York  
 My appointment expires: \_\_\_\_\_

Name: Lynn M. Pennacchia Date: 1/16/24  
 Address: 310 Trinacria Ct. Phone: (518) 928-4960  
Schenectady, NY Zip: 12303  
Lynn M. Pennacchia Date: 1/16/24  
 \*#2 Signature of Owner #2

Notary  
(For Signature #2 Above)

STATE OF NEW YORK) ss:  
COUNTY OF SCHENECTADY)

SUBSCRIBED AND SWORN to me this 16 day of January, 2024

NOTARY SEAL **David R. Green**  
 Notary Public, State of New York  
 No. 02GR6070559  
 Qualified in Albany County  
 Commission Exp. 3/4/2026

Notary Signature [Signature]  
 Notary Public in and for the State of New York  
 My appointment expires: \_\_\_\_\_

RECEIVED

JAN 17 2024

# TOWN OF ROTTERDAM

TOWN OF ROTTERDAM  
PUBLIC WORKS



John F. Kirvin Government Center • 1100 Sunrise Boulevard • Rotterdam, NY 12306  
Telephone: 518-355-7575 • Fax: 518-355-7976 • Website: www.rotterdampny.org

## LETTER FROM PROPERTY OWNER GRANTING AUTHORIZATION TO ACT

A COPY OF THIS LETTER MUST BE SUBMITTED FOR EACH PROPERTY OWNER  
INVOLVED

I, Emilio C. Pennacchia, being duly sworn declare that I am the  
(PROPERTY OWNER)

owner of the property involved in a proposed retail store application request  
before the Town of Rotterdam for property known as parcel number (s):

Tax Parcel Number(s): Section 59.19, Block 1, Parcel 7.1

I hereby grant Primax Properties, LLC and/or their agent(s) to act on my behalf.

I further declare that all statements, answers, and information herein submitted is in all respects  
true and correct to the best of my knowledge and belief.

Signature (Authorized Representative): Emilio C. Pennacchia

Date: 1/16/24

NOTARY

STATE OF NEW YORK) ss:  
COUNTY OF Schenectady  
SUBSCRIBED AND SWORN to before me this 16 day of January, 2024

NOTARY SEAL

[Signature]  
Notary Signature

Notary Public in and for the State of New York

Residing at: \_\_\_\_\_

My appointment expires: \_\_\_\_\_

**David R. Green**  
Notary Public, State of New York  
No. 02GR0070559  
Qualified in Albany County  
Commission Exp. 3/4/2026

# TOWN OF ROTTERDAM



John F. Kirvin Government Center • 1100 Sunrise Boulevard • Rotterdam, NY 12305  
Telephone: 518-355-7575 • Fax: 518-355-7976 • Website: www.rotterdamny.org

RECEIVED

JAN 17 2024

## LETTER FROM PROPERTY OWNER GRANTING AUTHORIZATION TO ACT

TOWN OF ROTTERDAM  
PUBLIC WORKS

A COPY OF THIS LETTER MUST BE SUBMITTED FOR EACH PROPERTY OWNER INVOLVED

I, Lynn M. Pennacchia, being duly sworn declare that I am the  
(PROPERTY OWNER)

owner of the property involved in a proposed retail store application request  
before the Town of Rotterdam for property known as parcel number (s):

Tax Parcel Number(s): Section 59.19, Block 1, Parcel 7.1

I hereby grant Primax Properties, LLC and/or their agent(s) to act on my behalf.

I further declare that all statements, answers, and information herein submitted is in all respects  
true and correct to the best of my knowledge and belief.

Signature (Authorized Representative): Lynn M. Pennacchia

Date: 1/16/24

NOTARY

STATE OF NEW YORK) ss:  
COUNTY OF Schenectady  
SUBSCRIBED AND SWORN to before me this 16 day of January, 2024

NOTARY SEAL

Notary Signature

Notary Public in and for the State of New York

Residing at:

My appointment expires:

**David R. Green**  
Notary Public, State of New York  
No. 02GR6070559  
Qualified in Albany County  
Commission Exp. 3/4/2026

# 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.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Proposed 10,640+/- square-foot Retail Store			
Project Location (describe, and attach a location map): 2945 Hamburg Street, Schenectady NY (Sec. 59.19, Block 1, Parcel 7.1)			
Brief Description of Proposed Action: A retail store is proposed on the 2.235-acre parcel along with an access to Hamburg Street, parking, landscaping, utilities, lighting, and stormwater management.			
Name of Applicant or Sponsor: Primax Properties, LLC c/o Bohler Engineering and Landscape Architecture NY, PLLC		Telephone: (518)-438-9900	
Address: 17 Computer Drive West		E-Mail: cmlodzianowski@bohlereng.com	
City/PO: Albany		State: NY	Zip Code: 12205
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.			NO <input type="checkbox"/>
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: Town Planning Board, Building Department, NYSDOT, Town water & sewer			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 2.235 acres b. Total acreage to be physically disturbed? _____ +/-1 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 2.235 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Cemetery <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. 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? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, briefly describe: _____		
Existing storm water system along Hamburg Street. _____		
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)? If Yes, explain the purpose and size of the impoundment: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor/name: <u>CARYN MLODZIANOWSKI, BOMER</u> Date: <u>1/12/24</u> Signature: <u></u> Title: <u>PROJECT MANAGER</u>		







**DPW Comments**  
**January 23, 2024**

- 3. Michael Demers – 595 Currybush Road.** Sketch Two (2) Lot Subdivision: Lot 1= ±2.68 acres with existing single-family residence, Remaining Lands = ±95.61 acres. Engineer: Ingalls & Associates, LLP.
1. Add note to 95-acre remaining lands: “This property is not a building lot.”
  2. Engineer should show sanitary control zone for existing well and verify that it is located on Lot #1.
  3. Construction has occurred at the existing single-family residence without building permits. A stop work order was issued by the Rotterdam Building Inspector on October 18, 2023 and is still not resolved.

**SEQR Requirement:** 6 NYCRR 617 Unlisted Action. Rotterdam Planning Commission should declare lead agency.

**Involved/Interested Agencies**

Schenectady County Economic Development and Planning  
Schenectady County Department of Public Works  
Fire District #6



Town of Rotterdam

Office of the Planning Commission

All requested information shall be provided and must be filled out in black ink or typed for photocopying purposes.

REC...
JAN 10...
TOWN OF ROTTERDAM
PUBLIC WORKS

TOWN OF ROTTERDAM
SUBDIVISION APPLICATION

Initial Sketch Plan \$150
Final Major Subdivision \$200 per lot
Final Minor Subdivision \$160 per lot
Parkland Fees \$1,000 per additional lot created or \$600 per unit (MULTI-FAMILY)
Advertising Fee = Actual cost of legal notices

\*\*\*\*\*

PART II
GENERAL INFORMATION

Legal Owner's Name: Michael Demers
Mailing Address: 590 Currybush Road
City: Schenectady State: NY Zip: 12306
Daytime Phone: 518-445-5969 E-mail: ecmcompanies@hotmail.com

If the applicant does not own the property, prepare the endorsement at the end of this form establishing owner's authorization of the applicant's proposed subdivision of his land.

Owner's Designated Contact: Ingalls & Associates, LLP
Mailing Address: 2603 Guilderland Avenue
City: Schenectady State: NY Zip: 12306
Daytime Phone: 518-393-7725 E-mail: cpagan@ingallsllp.com

If you do not hold title to property, what is your interest in it? Design Engineer, Land Surveyor

Street Address of Proposed Site (if any): 595 Currybush Road

Project/Proposal Site Area: (Acres or sq. ft.) 98.3+/- Acres

Assessor Tax Parcel No.(s) of Proposal Site: 47.-47-8

Describe Existing Use(s) on Proposed Site: (buildings, well, sewer drainfield, etc.)
The existing site contains a single family dwelling with a gravel driveway, well and septic system

Existing Zoning Classification: A-1 Agricultural

**LEGAL INFORMATION**

Location of Proposal Site: (General description by which direction and how far from roads and intersections and other community features)  
The project site is located approximately 3,827' east of the intersection of Pangburn Road.

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Does any Town officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? YES \_\_\_\_\_ NO . If yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

Width of Property Fronting on Public Road in Linear Feet: Total 1,192.89'

I have attached a legal description of the proposed site:  Yes ( ) No  
(All applications must contain an attached legal description stamped by the Land Surveyor. Include the legal description for the entire area to be subdivided on a preliminary subdivision map.)

I have included a copy of the deed(s) of the proposed site:  Yes ( ) No  
(All applications must contain a current deed of the proposed site)

I have attached a vicinity map of the proposed site:  Yes ( ) No  
(All applications must contain a vicinity map indicating at a minimum the location and distances to the nearest cross streets)

What impact will the proposed subdivision have on the adjacent properties? None

---

---

What factors support this subdivision? The proposed lot 1 will maintain the single family dwelling with driveway access to Currybush Road. The proposed lot 2 will remain vacant with no development proposed at this time.

---

What measures do you propose to mitigate your proposal's impact upon or otherwise to make appropriate provision for open spaces, drainage waste, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary waste, parks and recreation, playgrounds, schools, and school grounds, and impacts which relate to the public health, safety and general welfare?

The proposed lot 1 will maintain the single family dwelling with the existing well and septic system with the existing driveway access to Currybush Road.

---

**SUBDIVISION INFORMATION**

Number of Lots: 2  
Typical Lot Size: \_\_\_\_\_  
Smallest Lot Size: 2.68 Acres

Gross Area: 98.3+/- Acres  
Proposed Net Density: \_\_\_\_\_  
Minimum Frontage: 280 +/- feet

Proposed Source of Water: ( ) Public System ( ) Private Community System  Individual Wells  
( ) Other, please describe \_\_\_\_\_

Proposed Means of Sewage Disposal: ( ) Public Sewer ( ) Community System ( ) Dry Sewer  
 Septic Tank & Drain field ( ) Other, please describe \_\_\_\_\_

Do You Have Any Plans for Future Additions, Expansions or Further Activity Related to this Proposal?  
( ) Yes  No If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PRELIMINARY SUBDIVISION IMPROVEMENT INFORMATION**

Level of Street Improvements Proposed:  
( ) Public Roads  
( ) Arterial Roads

Describe Any Combination of Above: \_\_\_\_\_  
\_\_\_\_\_

Estimated Time Period Expected for Complete Development of Subdivision: N/A

Is phasing of the finalization of the subdivision proposed?  
( ) Yes. If yes, show phasing on subdivision map.  
 No.

Is dedication of land for public use proposed? (Roads, parks, schools, open space, others)  
( ) Yes. If yes, please explain below:  
 No.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

INCLUDE WITH PART II

\*\*\*\*\*

SURVEYOR/ENGINEER VERIFICATION

\*\*\*\*\*

I, the undersigned, a licensed land surveyor, and/or engineer, have completed the information requested. The legal description has been prepared by me or under my supervision in accordance with the requirements of the Town of Rotterdam regulations and the laws of the State of New York.

Ingalls & Associates, LLP
Name: John J. Post, Jr. L.S. License No 050643
Address: 2603 Guilderland Avenue, Schenectady NY 12306
Telephone No. 518-393-7725
E-mail or Fax: jpost@ingallsllp.com

INCLUDE WITH PART II

\*\*\*\*\*

LEGAL OWNER SIGNATURE

(Signature of legal owner(s) or representative(s) as authorized by legal owner)

\*\*\*\*\*

I, the undersigned, swear or affirm under penalty of perjury that the above responses are made truthfully and to the best of my knowledge.

I further swear or affirm that (I)(we) (am)(are) the owner(s) of record of the area proposed for the previously identified land use action, or, if not the owner(s), attached herewith is written permission from the owner(s) authorizing my actions on his or her behalf.

#1 Name: Michael Demers Date: 12/1/23
Address: 590 Currybush Road Phone: 518-445-5969
Schenectady, NY Zip: 12306

Signature of Applicant or Representative
JEANNA M. STANCHUK
Notary Public - State of New York
No. 0156T417616
Qualified in Rensselaer County
My Commission Expires May 24, 2025
Address: 10 Alton Rd Albany NY 12203

Signature of Applicant or Representative
JEANNA M. STANCHUK
Notary Public - State of New York
No. 0156T417616
Qualified in Rensselaer County
My Commission Expires May 24, 2025
Date

Handwritten notary signatures and stamps for Jeanna M. Stanchuk, including dates like 12/1/23 and 12/25.

# TOWN OF ROTTERDAM



John F. Kirvin Government Center • 1100 Sunrise Boulevard • Rotterdam, NY 12306  
Telephone: 518-355-7575 • Fax: 518-355-7976 • Website: www.rotterdarny.org

## LETTER FROM PROPERTY OWNER GRANTING AUTHORIZATION TO ACT

A COPY OF THIS LETTER MUST BE SUBMITTED FOR EACH PROPERTY OWNER  
INVOLVED

I, Scott Fyvie, being duly sworn declare that I am the  
(PROPERTY OWNER)

owner of the property involved in a proposed Subdivision application request before the  
Town of Rotterdam for property known as parcel number (s):

Tax Parcel Number(s): 47.-47-8

I hereby grant Ingalls & Associates, LLP and/or their agent(s) to act on my behalf.

I further declare that all statements, answers, and information herein submitted is in all respects true and  
correct to the best of my knowledge and belief.

Signature (Authorized Representative): Scott Fyvie

Date: 12/12/23

NOTARY

STATE OF NEW YORK) ss:  
COUNTY OF Albany  
SUBSCRIBED AND SWORN to before me this 12<sup>th</sup> day of Dec, 2023

NOTARY SEAL

Jeanna M. Stanchuk  
Notary Signature

Notary Public in and for the State of New York

Residing at:

My appointment expires:

JEANNA M. STANCHUK  
Notary Public - State of New York  
No. 01S6T417816

Qualified in Rensselaer County  
My Commission Expires May 24 2025



# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

RECEIVED

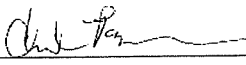
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

CAN. PROJECT  
TOWN OF ROTTERDAM  
PUBLIC WORKS

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.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Minor Subdivision			
Project Location (describe, and attach a location map): 595 Currybush Road, Rotterdam			
Brief Description of Proposed Action: The project will subdivide 98.3+/- acre parcel into two lots. There is an existing house with associated driveway, well and septic system that will remain on one of the proposed lots.			
Name of Applicant or Sponsor: Michael Demers		Telephone: 518-445-5969 E-Mail: ecmcompanies@hotmail.com	
Address: 590 Currybush road			
City/PO: Schenectady		State: NY	Zip Code: 12306
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.			NO <input type="checkbox"/>
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:			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 98.3 acres b. Total acreage to be physically disturbed? _____ 0 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 98.3 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ There is an existing well that will remain in use with the existing house _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ There is an existing septic system that will remain in use with the existing house. _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. 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? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ There is an existing stream that flows across the parcel. _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
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)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor/name: <u>Chad Pagan</u> Date: <u>01-08-24</u>		
Signature: <u></u> Title: <u>Agent for applicant</u>		







Town of Rotterdam  
 Department of Public Works  
 1100 Sunrise Boulevard  
 Schenectady, NY 12306  
 Phone: 518-355-7575 x356  
 Fax: 518-355-2725

**NOTICE OF VIOLATION**

October 18, 2023

Michael Demers  
 590 Currybush Rd  
 Schenectady NY 12306

Dear: Mr. Demers :

According to records of the Town of Rotterdam Assessor, you are the owner of property located at 595 Currybush Rd, Tax Map: 47.-7-8 , I observed a violation of the Town of Rotterdam Code/2020 Property Maintenance Code NYS and/or Zoning Law/Ordinance on your property, specifically:

The activity is in violation of:

Code	Comply by date
105.4 Stop work Orders	Oct 20, 2023

A copy is attached for your information. I hereby request that you either cease and desist the violation, or file with this office a plan demonstrating how you intend to bring the property into compliance.

If you believe that you are not in violation of Town of Rotterdam Code and/or Zoning Law/Ordinance, please contact this office to review the situation. If you intend to bring your property into compliance with the law, but you cannot meet the stated deadline, please contact this office and we will attempt to work with you on a short extension.


If you do not take the requested action or make other arrangements with this office by the compliance date stated above, we will begin formal enforcement action against you. You will NOT receive an additional warning before we begin this formal enforcement action.

*copy*  
 spoke with owner at property on 1/3/24 stated what needed to be done.  
 contractor failed permit called contractor on 1/12/24 stated need a better drawing.  
 no updated drawing as of 1/18/24

**THIS IS THE ONLY LETTER YOU WILL RECEIVE. Your next communication from us will involve formal enforcement action.**

If you wish to discuss any aspect of your case, you can call me at 518-355-7575, Ext. 356. The Department of Public Works is open between 8:00 A.M. and 4:00 P.M. Monday through Friday.

Sincerely,



Jeffrey Briere  
Town of Rotterdam  
Building Inspector/Code Enforcement Officer

**105.4 Stop work orders.** The authority having jurisdiction is authorized to issue a stop work order to halt work that is being performed without a required building permit; work that is being performed after a required building permit has been revoked or suspended or has expired; work that is being conducted in a dangerous or unsafe manner; or work that is contrary to provisions of the Uniform Code, the Energy Code, the approved construction documents, or the terms and conditions (if any) of the building permit. No person or entity shall commence, perform or continue any work if the authority having jurisdiction has issued a stop work order with respect to such work.

**Interior and exterior work being done without a permit on file.**

**Corrective Action: Will need to file all permits as needed (Plumbing and Building) are required. All permits are now double and a fine of \$500.00 for no permits on file.**

**Compliance Date: 10-20-23**

**DPW Comments**  
**January 23, 2024**

- 4. R and R Brothers Property Management LLC – 190 Garden Street.** Sketch Two (2) Lot Subdivision: Lot 1 = ±15,000 square feet with proposed single-family residence, Lot 2 = ±44,208 square feet with proposed single-family residence. Engineer: ABD Engineers, LLC.
1. Property is located at the terminus of Garden Street and has wetlands previously identified as being Army Corps jurisdictional. The applicant has stated that these wetlands are no longer jurisdictional. The applicant will need to provide concurrence from ACOE prior to scheduling this project for final approvals.
  2. An extensive review was conducted by the Planning Commission and a Special Use Permit issued in April 2008 to allow for the construction of one single family residence in the 25' wetland buffer (see attached minutes and subdivision map). The creation of an additional building lot may not be feasible given the topography and high groundwater table.
  3. Perc tests have not been performed and additional data must be provided in order to process. A conventional system and/or basements may not be possible.
  4. Property sits lower than surrounding Garden Street properties and it appears that drainage and a small stream are located on the property as presented by the project engineer in 2008.
  5. Proposed turnaround and water service should be evaluated.

**SEQR Requirement:** 6 NYCRR 617 Unlisted Action. Rotterdam Planning Commission should declare lead agency.

**Involved/Interested Agencies**

Schenectady County Economic Development and Planning  
Schenectady County Department of Health  
New York State Department of Environmental Conservation – Region #4  
United States Department of Army, Corps of Engineers  
Rotterdam Highway Department  
Rotterdam Police Department  
Fire District #5



Town of Rotterdam

Office of the Planning Commission

All requested information shall be provided and must be filled out in black ink or typed for photocopying purposes.

TOWN OF ROTTERDAM SUBDIVISION APPLICATION

Initial Sketch Plan \$150
Final Major Subdivision \$200 per lot
Final Minor Subdivision \$160 per lot
Parkland Fees \$1,000 per additional lot created or \$600 per unit (MULTI-FAMILY)
Advertising Fee = Actual cost of legal notices

\*\*\*\*\*

PART II GENERAL INFORMATION

Legal Owner's Name: John and Joe Raucci, R and R Brothers Property Management, LLC
Mailing Address: 2088 Curry Road
City: Schenectady State: NY Zip: 12303
Daytime Phone: 518-356-4730 E-mail: JohnR@Adams-Heat.com

If the applicant does not own the property, prepare the endorsement at the end of this form establishing owner's authorization of the applicant's proposed subdivision of his land.

Owner's Designated Contact: Luigi A. Paleschi, P.E., ABD Engineers & Surveyors, LLP
Mailing Address: 411 Union Street
City: Schenectady State: NY Zip: 12305
Daytime Phone: 518-377-0315 E-mail: luigi@abdeng.com

If you do not hold title to property, what is your interest in? Engineer

Street Address of Proposed Site (if any): 190 Garden Street

Project/Proposal Site Area: (Acres or sq. ft.) 1.56±

Assessor Tax Parcel No.(s) of Proposal Site: 58.15-7-5.1

Describe Existing Use(s) on Proposed Site: (buildings, well, sewer drainfield, etc.) Vacant land

Existing Zoning Classification: R-1

**LEGAL INFORMATION**

Location of Proposal Site: (General description by which direction and how far from roads and intersections and other community features)  
From Dahlia Street, turn left and go to dead end.

Does any Town officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? YES \_\_\_\_\_ NO  . If yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

Width of Property Fronting on Public Road in Linear Feet: 83.25

I have attached a legal description of the proposed site:  Yes ( ) No  
(All applications must contain an attached legal description stamped by the Land Surveyor. Include the legal description for the entire area to be subdivided on a preliminary subdivision map.)

I have included a copy of the deed(s) of the proposed site:  Yes ( ) No  
(All applications must contain a current deed of the proposed site)

I have attached a vicinity map of the proposed site:  Yes ( ) No  
(All applications must contain a vicinity map indicating at a minimum the location and distances to the nearest cross streets)

What impact will the proposed subdivision have on the adjacent properties? 2 new houses

What factors support this subdivision? Available connection to Town water mains. Lot sizes meeting all Town zoning requirements. Portion of property will be granted to the Town so their water main is not on private property and a T-turn around will be provided for emergency and maintenance vehicles.

What measures do you propose to mitigate your proposal's impact upon or otherwise to make appropriate provision for open spaces, drainage waste, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary waste, parks and recreation, playgrounds, schools, and school grounds, and impacts which relate to the public health, safety and general welfare?  
Connection to public water supply. Private septic systems meeting DOH standards. Improvement to a dead end street.

# TOWN OF ROTTERDAM



John F. Kirvin Government Center • 1100 Sunrise Boulevard • Rotterdam, NY 12306  
Telephone: 518-355-7575 • Fax: 518-355-7976 • Website: www.rotterdamny.org

## LETTER FROM PROPERTY OWNER GRANTING AUTHORIZATION TO ACT

A COPY OF THIS LETTER MUST BE SUBMITTED FOR EACH PROPERTY OWNER  
INVOLVED

I, John Raucci and Joseph Raucci, being duly sworn declare that I am the  
(PROPERTY OWNER)

owner of the property involved in a proposed 2 lot subdivision application request before the  
Town of Rotterdam for property known as parcel number (s):

Tax Parcel Number(s): 58.15-7-5.1

I hereby grant Luigi A. Palleschi, P.E., ABD Engineers & Surveyors, LLP and/or their agent(s) to act on my behalf.

I further declare that all statements, answers, and information herein submitted is in all respects true and  
correct to the best of my knowledge and belief.

Signature (Authorized Representative): John F. Raucci

Date: 1/10/24

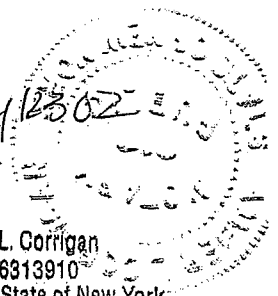
NOTARY

STATE OF NEW YORK) ss:  
COUNTY OF Schenectady  
SUBSCRIBED AND SWORN to before me this 10 day of January, 2024

NOTARY SEAL

Amber L. Corrigan  
Notary Signature

Notary Public in and for the State of New York  
Residing at: 507 Lindsay Ave Scotia NY 12150  
My appointment expires: 10/27/2024



# OFFICE OF THE SCHENECTADY COUNTY CLERK



620 STATE STREET  
SCHENECTADY, NY 12305-2114  
PHONE (518) 388-4220  
FAX (518) 388-4224

Cara M. Ackerley  
County Clerk

Instrument Number - 202161280  
Recorded On 12/6/2021 At 1:26:58 PM

\*RETURN DOCUMENT TO:  
LEGACY TITLE SERVICES, LLC

- \* Instrument Type - DEED
- \* Book/Page - DEED/2073/24
- \* Total Pages - 4
- Invoice Number - 1108304      User ID: KAF
- \* Document Number - 2021-5703
- \* Grantor - ZADROZNY RONALD  
ZADROZNY KRISTEN
- \* Grantee - R AND R BROTHERS PROPERTY MANAGEMENT LLC

\* FEES

NY REALTY TRANSFER TAX	\$200.00
NY LAND SUR	\$4.75
NY E & A FEES	\$241.00
NY LAND COMP SUR	\$14.25
CO GENERAL REVENUE	\$45.50
CO LAND SUR	\$0.25
CO E & A FEES	\$9.00
CO LAND COMP SUR	\$0.75
CONVEYANCE NOTIFICATION	\$10.00
TOTAL PAID	\$525.50

TRANSFER TAX

Real Estate Transfer Tax Num - 1836  
Transfer Tax Amount - \$ 200.00

I hereby CONFIRM that this document is  
Recorded in the Schenectady County Clerk's Office  
in Schenectady, New York

Cara M. Ackerley  
Schenectady County Clerk

THIS IS AN ENDORSEMENT PAGE

## Do Not Detach

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

\* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.

INSTRUMENT NUMBER - 202161280



5.1

Stamps

**THIS INDENTURE** made this 5th day of October, 2021,

**BETWEEN:**

**RONALD ZADROZNY and KRISTEN ZADROZNY**, residing at 1941 Fiero Avenue, Schenectady, New York 12303, party of the first part, and

**R AND R BROTHERS PROPERTY MANAGEMENT, LLC**, A New York Limited Liability Company with offices located at 2088 Curry Road, Schenectady, New York 12303, party of the second part,

WITNESSETH: that the party of the first part, in consideration of One and 00/100 (\$1.00) Dollars, lawful money of the United States, and other good and valuable consideration paid by the party of the second part does hereby grant and release unto the party of the second part, their heirs and assigns forever,

ALL THAT CERTAIN TRACT, PIECE, OR PARCEL OF LAND situate, lying and being in the Town of Rotterdam, Schenectady County, New York lying at the Southerly terminus of Garden Street, Easterly of Birchland Gardens, Map No. 2, and being more particularly bounded and described as follows: BEGINNING at a point on the Easterly line of Birchland Gardens, Map No. 2, said point being situate at the point of intersection of the Northerly line of lands now or formerly of Jim Reutter, Inc., with the Easterly line of Birchland Gardens, Map No. 2; and runs thence from said point of beginning along the common line of lands now or formerly of M. Valletta on the North, lands of Jim Reutter, Inc., on the south, South 89 deg. 19 min. 00 sec. East a distance of 150.00 feet to a point; thence along the Easterly margin of Garden Street as proposed, North 0 deg. 41 min. 00 sec. East a distance of 30.00 feet to a point; thence across and through Garden Street on a line contiguous with that portion of Garden Street as previously dedicated to the Town of Rotterdam for highway purposes, South 89 deg. 19 min. 00 sec. East a distance of 60.00 feet to a point; thence along the Easterly line of Garden Street as proposed, the following courses: 1) South 0 deg. 41 min. 00 sec. West, a distance of 42.92 feet to point of curve; thence continuing along Garden Street as proposed and through lands now or formerly of Niedbalski, the following two (2) courses: 1) Southeasterly along a curve to the left of radius 30.00 feet, a distance of 25.23 feet to a point of reverse (the chord for the above described curve being South 23 deg. 24 min, 40 sec. East 24.50 feet); thence Southeasterly along a curve to the right of radius 60.00 feet, a distance of 22.47 feet to a point (the chord for the above described curve being, South 36 deg. 46 min. 30 sec. East, 22.34 feet); thence continuing along the Easterly margin of Garden Street as proposed and along the Westerly line of lands conveyed by Jim Reutter, Inc. to Niedbalski, southerly along a curve to the right of radius 60.00 feet, a distance of 20.99 feet to a point (the chord for the above described curve being, South 16 deg. 01 min. 30 sec. East, 20.88 feet); thence along the southerly line of lands conveyed to Niedbalski by Jim Reutter, Inc. South 89 deg. 19 min. 00 sec. East, a distance of 133.11 feet to a point on the

0.01

Northwesterly line of lands now or formerly of Earl Benyal; thence along said Northwesterly line, South 29 deg. 17 min. 00 sec. West, a distance of 190.46 feet to a point; thence along the Northerly line of lands now or formerly of Earl Benyal, North 84 deg. 16 min. 00 sec. West, a distance of 282.63 feet to a point on the Easterly line of Birchland Gardens, Map No. 2; thence along the said Easterly line, North 0 deg. 41 min. 00 sec. East, a distance of 215.35 feet to the point or place of beginning.

EXCEPTING AND RESERVING so much thereof situate between Lot Nos. 34 and 35 on a map of "Proposed Revision No. 1 to Homeland Gardens Grupe Estates Map #3 dated June 7, 1959 and filed in the Schenectady County Clerk's Office on September 25, 1959 Cabinet E 260 as lies southerly of premises described as parcel four in deed from William A. Larned to Town of Rotterdam, dated January 21, 1958 and recorded September 23, 1958 in Book 773 Page 432.

BEING the same premises conveyed to Ronald Zadrozny and Kristen Zadrozny from Darwyn N. Quay and Ivy L. Quay by deed dated November 30, 2007 and filed in the Schenectady County Clerk's Office on January 7, 2008 in Book 1774 of Deeds at Page 405.

Subject to any and all enforceable covenants, conditions, easements and restrictions of record affecting said premises.

**TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, their heirs,

**AND** said party of the first part does covenant as follows:

**FIRST**, That the party of the second part shall quietly enjoy the said premises;

**SECOND**, That said party of the first part will forever Warrant the title to said premises.

**THIRD**, That in Compliance with Section 13 of the Lien Law, the grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

# Short Environmental Assessment Form

## Part 1 - Project Information

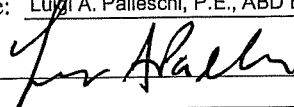
### Instructions for Completing

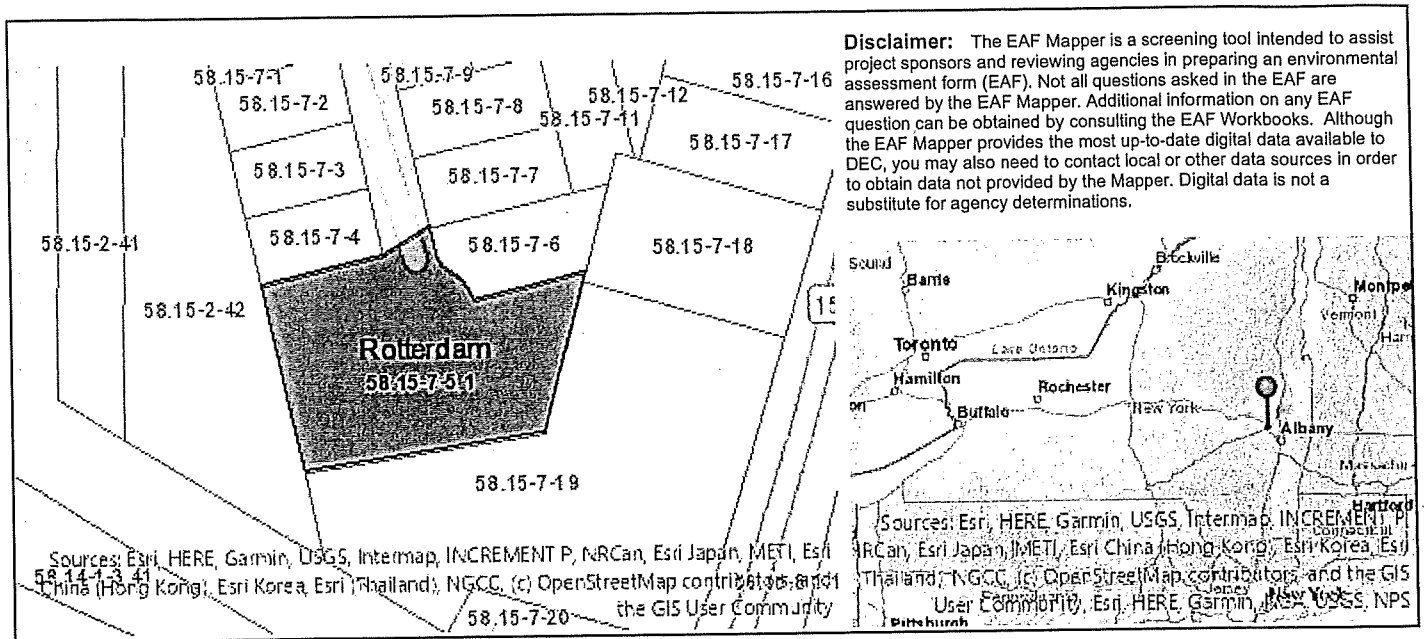
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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.

<b>Part 1 – Project and Sponsor Information</b>		RECEIVED	
Name of Action or Project: 190 Garden Street Two Lot Subdivision		JAN 18 2024	
Project Location (describe, and attach a location map): 190 Garden Street, Schenectady, NY 12306		TOWN OF ROTTERDAM PUBLIC WORKS	
Brief Description of Proposed Action: Applicant is proposing to subdivide the parcel into 2 residential lots. Both lots will be connected to Town water with private septic systems meeting DOH standards. A portion of the property will be granted to the Town for dead end improvements and maintenance to Town hydrant.			
Name of Applicant or Sponsor: John and Joe Raucci, R and R Brothers Property Management, LLC		Telephone: 518-356-4730	
Address: 2088 Curry Road		E-Mail:	
City/PO: Schenectady		State: NY	Zip Code: 12303
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.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
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: Rotterdam Planning Board		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 1.56 acres b. Total acreage to be physically disturbed? _____ 0.75± acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 1.56 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. 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	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, 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:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe:		
_____		
_____		
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:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
_____		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
_____		
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
_____		
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor/name: <u>Luzi A. Paleschi, P.E., ABD Engineers &amp; Surveyors, LLP</u> Date: <u>January 4, 2024</u>		
Signature: <u></u> Title: <u>Professional Engineer</u>		



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]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
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



3. **Kristen Zadrozny – Terminus of Garden Street – Special Use Permit Review for the construction of a single family residence within 25' of designated federal wetlands. Engineer: Harold Berger Engineering.**

The hearing commenced at 7:54 p.m.

**Chairman DiLallo:** With us tonight representing the applicant is?

**Mr. Berger:** My name is Harold Berger and I'm a professional engineer from Clifton Park.

This involves the 1.5 acre building lot at the end of Garden Street approximately .7 of which is federal wetlands. Originally, my involvement was to design the sewage disposal system and provide assurance that the house would fit properly on the lot. We went through the Schenectady County Health Department and we designed the sewage system and did the site grading and in the review process it was determined that it would be advantageous to elevate the finished floor so that the basement slab would be a couple of feet above the seasonally high groundwater elevation which is what we did.

**Chairman DiLallo:** Is it going to be similar to the neighbor's home?

**Mr. Berger:** I would say yes. In doing so, it necessitated with the positioning of everything it's going to necessitate a light encroachment into the wetland area. It ends up to being a balance, the higher you go the further you have to grade type of thing. We ended up, at least in my opinion, with a pretty satisfactory condition where the seasonally high groundwater table as determined by mottling in the soil. It turns out to be about two (2) feet below the proposed basement floor.

**Chairman DiLallo:** That's what you want?

**Mr. Berger:** Yes.

**Mr. Comenzo:** You don't have any choice.

**Chairman DiLallo:** It has to be two (2) feet.

**Mr. Berger:** If you put it that way, then I agree. The real problem that I have is that I really tried hard not to encroach into the wetlands because we're so close. We are encroaching just a little tiny bit into the wetland area but overall the conditions are pretty satisfactory.

**Mr. Comenzo:** For the Board's knowledge, this is the first application that we've had with our new ordinance that we've adopted back in 2005 and this is the first special use permit we've had for this. You are the test case.

**Chairman DiLallo:** I don't have any questions. I thought your presentation was excellent. You talked about the septic tank and also encroaching on the wetlands and that is all I have. Mr. Brudos?

**Mr. Brudos:** No questions.

**Chairman DiLallo:** One other thing, Peter and I were out there and I guess through the permit process and dealing with the building inspector and work out some kind of easement with the plow pushing snow on your property and backing up out of there so they can plow the street.

**Mr. Berger:** We'll work that out.

**Chairman DiLallo:** Mr. Savini?

**Mr. Savini:** How far will you be encroaching into that buffer?

**Mr. Berger:** About five (5) or six (6) feet.

**Mr. Savini:** Okay. That's all I have. Thanks.

**Chairman DiLallo:** Mr. Karp?

**Mr. Karp:** Does that five (5) or six (6) feet include and I'm looking at this presentation that was provided...

**Mr. Berger:** What we did was we have the wetland delineation and this is it here and in order to get the floor up high enough the grading has to extend out a little bit so this represents silt fencing that we will be installing immediately and before any construction or anything is done on the site. This area as defined by the silt fence will be established. There will be no permitted work outside the area of the silt fencing. This area right in here, if you can see the distance between here and here, this little strip of land is the only encroachment that there will be into the wetland area.

**Mr. Karp:** Right there is where the five (5) or six (6) feet comes in.

**Mr. Berger:** Right.

**Mr. Karp:** The only other question that I have is this sump pump, the discharge from there that appears to be going into the wetlands.

**Mr. Berger:** There is a little stream there and what I wanted to do was I wanted to get this plastic line buried deep enough so that it would never be disturbed and there's enough relief so that it can see daylight over here. Hopefully the sump pump will never be used. Never, you know what I mean, there's probably going to be a day when it's probably going to trigger. I've explained that all to them.

**Mr. Karp:** As far as the septic tank, this is a normal septic tank?

**Mr. Berger:** This is a shallow trench sewage system which involves the use of two (2) feet of fill material which means that there is two (2) feet of usable soil on the site.

**Mr. Karp:** That is all I have. Thank you very much.

**Chairman DiLallo:** I don't have anything further and thank you for answering the question we had tonight and we will see you next time. Thank you.

The hearing concluded at 8:01 p.m.

**1. Kristen Zadrozny – Terminus of Garden Street. Special Use Permit Public Hearing for the construction of a single family residence within 25' of designated federal wetlands. Engineer: Harold Berger Engineering.**

*The hearing commenced at 7:33 p.m.*

**Chairman DiLallo:** Kristen Zadrozny is present with us tonight. You were here last requesting a special use permit for the purpose of building a single family residence. We had talked about one the issues was snow removal and Peter had an opportunity to take a drive by your place with Jim Longo, the Highway Superintendent and I would like to have Peter report on what happened in regards to that.

**Mr. Comenzo:** I talked with Kristen today and she is aware of what the discussion was. Jim Longo and I discussed this project and one of the issues is with the end of Garden Street there is no turn around for a snow plow. Also, the house that is at the very end of Garden Street “inaudible...” to the Zadrozny property and the fire hydrant as well is on this property. Rather than trying to figure out an exact course bearing distance for having some type of an easement, the Highway Superintendent has asked that we condition this approval upon our granting of easements on the Zadrozny property and we could do that to the satisfaction of the Highway Superintendent. Jim can meet with the property owners and come up with a plan for an adequate turn around for the snow plows and to make sure the Zadrozny driveway is not blocked with a giant mound of snow in front of it every time they plow. There's enough property out there and there's enough area that is not impacted by the wetlands where the Town can go in there and put some type of a turn around, either a T or a semi U or something and that will be worked out with the Highway Department this year and I believe that Mr. and Mrs. Zadrozny are looking to construct the house this year.

**Chairman DiLallo:** I don't have any further questions. Mr. Karp, did you find an answer to your question?

**Mr. Karp:** No, and I thought I had asked this before but when looking at your plan, how far is the end of your porch from the wetlands is that still 25'?

**Chairman DiLallo:** Peter, can you look at that.

**Mr. Karp:** “...inaudible...”

**Mr. Comenzo:** If you look at the contour lines, there is going to be some filling of the wetlands, very minor but they'll be a little bit of filling of the wetland and that is why we had them show it because of the high ground water in the area they are going to have to bring in some fill to bring the house up. The porch will not be in the wetland area but there will be some minor grading on the edge of the one corner of the wetland.

**Mr. Karp:** Thank you. That answers my question.

**Chairman DiLallo:** Mrs. Flansburg?

**Mrs. Flansburg:** I have no questions on this project?

**Chairman DiLallo:** Mr. Savini

**Mr. Savini:** I have no questions.

**Chairman DiLallo:** Mr. Renna?

**Mr. Renna:** No questions.

**Chairman DiLallo:** Mr. Brudos?

**Mr. Brudos:** No questions.

**Chairman DiLallo:** Mr. Yuille?

**Mr. Yuille:** I see you have a sump pump, is there a basement in this proposed house?

**Mrs. Zadrozny:** Yes.

**Mr. Yuille:** Are you going to be able to get that in and raise the lot enough?

**Mrs. Zadrozny:** Yes.

**Mr. Yuille:** That is all I have.

**Chairman DiLallo:** This is a public hearing. Is there anyone in the audience that has any questions or comments on this project? Hearing none, I will close the public hearing and entertain a motion to grant the special use permit for the construction of a single family residence within 25 foot of designated federal wetlands.

**Mr. Renna:** Mr. Chairman, I will make that motion.

**Chairman DiLallo:** Motion made by Mr. Renna. Is there a second?

**Mr. Yuille:** I'll second it.

**Chairman DiLallo:** Seconded by Mr. Yuille. Please call the vote.

**Marlo Carter:** Chairman DiLallo?

**Chairman DiLallo:** Yes.

**Marlo Carter:** Mr. Savini?

**Mr. Savini:** Yes.

**Marlo Carter:** Mr. Renna?

**Mr. Renna:** Yes.

**Marlo Carter:** Mr. Yuille?

**Mr. Yuille:** Yes.

**Marlo Carter:** Mrs. Flansburg?

**Mrs. Flansburg:** Yes.

**Marlo Carter:** Mr. Karp?

**Mr. Karp:** Yes.

**Marlo Carter:** Mr. Brudos?

**Mr. Brudos:** Yes.

**Chairman DiLallo:** Motion carried.

*The hearing was concluded at 7:38 p.m.*



*Town of Rotterdam*  
*Office of the Planning Commission*

Lawrence DiLallo, Chairman  
Peter J. Comenzo, Senior Planner

Telephone (518) 355-7660  
Facsimile (518) 355-2725

**Resolution Number PC14-2008**

Moved by Mr. Renna seconded by Mr. Yuille  
Applicant: Kristen Zadrozny

**Applicant:** Kristen Zadrozny

**Project Location:** Terminus of Garden Street  
Rotterdam, New York

**Tax Number or Numbers:** 58.15-7-5

**Proposed Project:** Special Use Permit for the construction of a single family residence within 25' of designated federal wetlands.

**WHEREAS**, a public meeting was conducted by the Town of Rotterdam Planning Commission on February 19, 2008 and a public hearing on April 1, 2008 to consider the above referenced Special Use Permit and,

**WHEREAS**, this matter was discussed and approved, as meeting the standards for a Special Use Permit Review as set forth in Chapter 270 of the Code of the Town of Rotterdam entitled ZONING and,

**WHEREAS**, the Town of Rotterdam Planning Commission after careful consideration of the application, testimony of the applicant and/or representative and members of the public in attendance at the hearing, and all other materials of record **HEREBY APPROVES THE SPECIAL USE PERMIT; NOW**

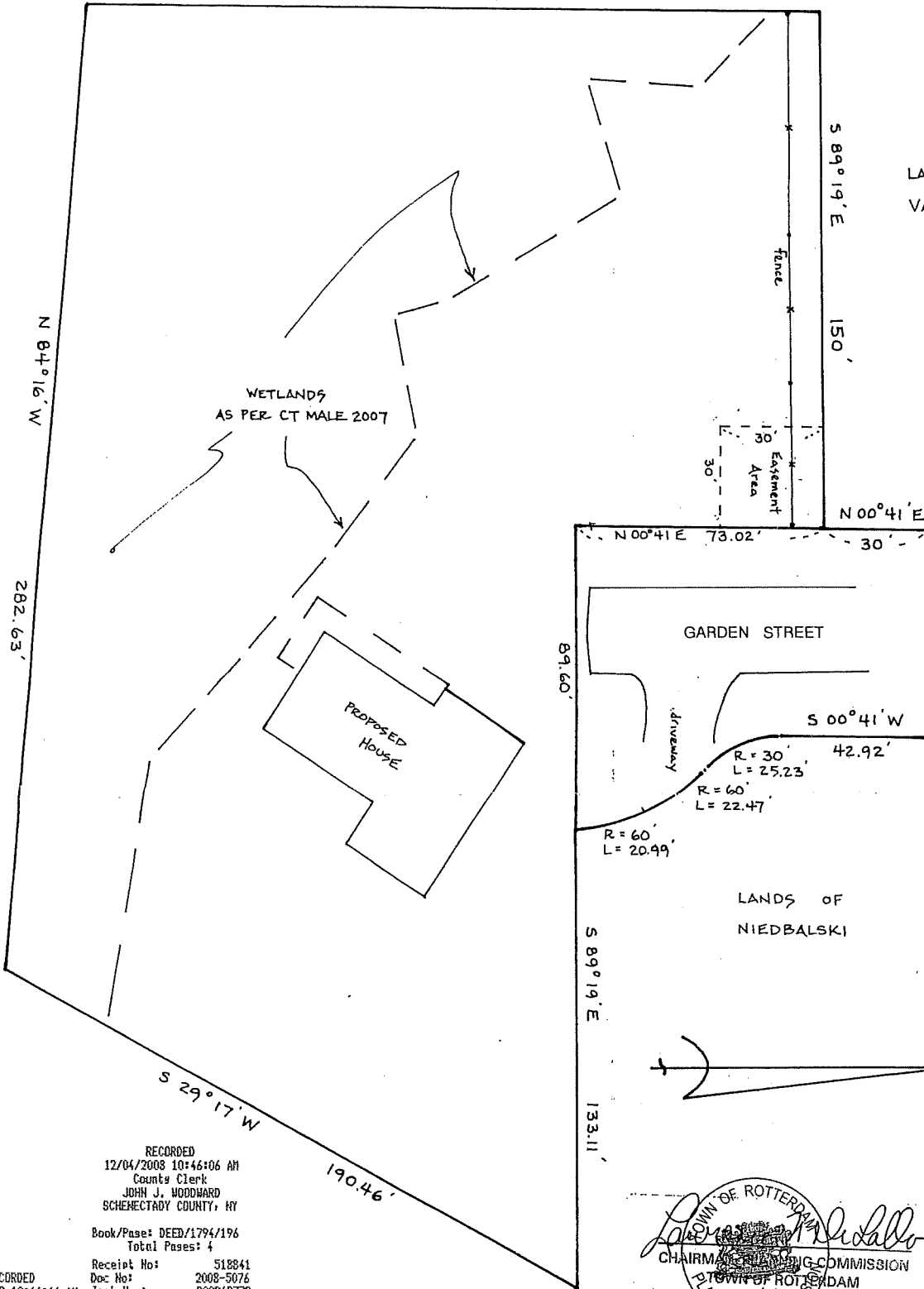
**IT IS HEREBY RESOLVED THAT** this Special Use Permit is approved with the following conditions as stipulated by the Planning Commission:

1. Approvals are conditioned on an easement being granted upon the lands N/F of Zadrozny to the satisfaction of the Rotterdam Highway Superintendent to the Town of Rotterdam for snow plowing purposes.

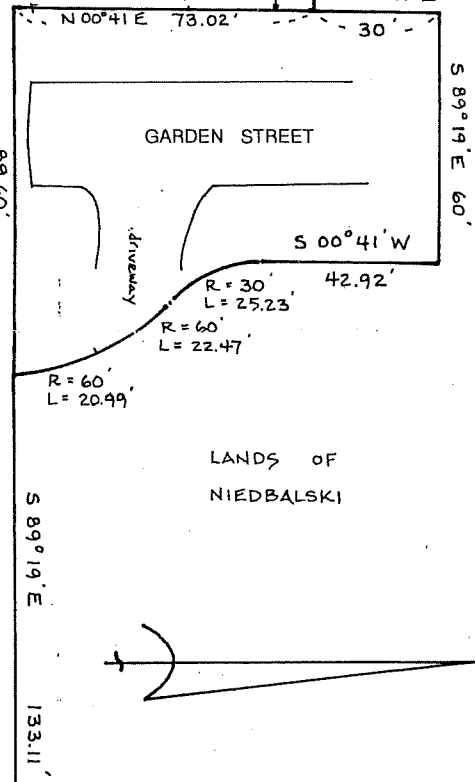
Peter J. Comenzo  
Senior Planner

Lawrence DiLallo  
Planning Commission Chairman

N 00° 41' E 215.35'



LANDS OF VALLETTA



RECORDED  
 12/04/2008 10:46:06 AM  
 County Clerk  
 JOHN J. WOODHARD  
 SCHEENECTADY COUNTY, NY

Book/Pase: DEED/1794/196  
 Total Pases: 4

Receipt No: 518841  
 Doc No: 2008-5076  
 Inst Num: 200849772

RECORDED  
 12/04/2008 10:44:46 AM  
 County Clerk  
 JOHN J. WOODHARD  
 SCHEENECTADY COUNTY, NY

Book/Pase: DEED/1794/190  
 Total Pases: 6

Receipt No: 518841  
 Doc No: 2008-5075  
 Inst Num: 200849771

NY LAND SUR \$4.75  
 NY LAND COMP SUR \$14.25  
 CD GENERAL REVENUE \$30.50  
 CD LAND SUR \$0.25  
 CD LAND COMP SUR \$0.75  
 TOTAL PAID \$50.50

INV: 518841 USER: DDF

Y LAND SUR \$4.75  
 Y E & A FEES \$156.00  
 Y LAND COMP SUR \$14.25  
 O GENERAL REVENUE \$35.50  
 J LAND SUR \$0.25  
 D E & A FEES \$9.00  
 J LAND COMP SUR \$0.75  
 TOTAL PAID \$220.50

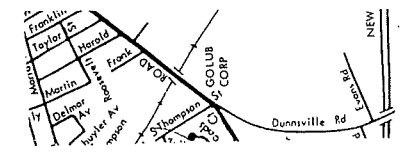
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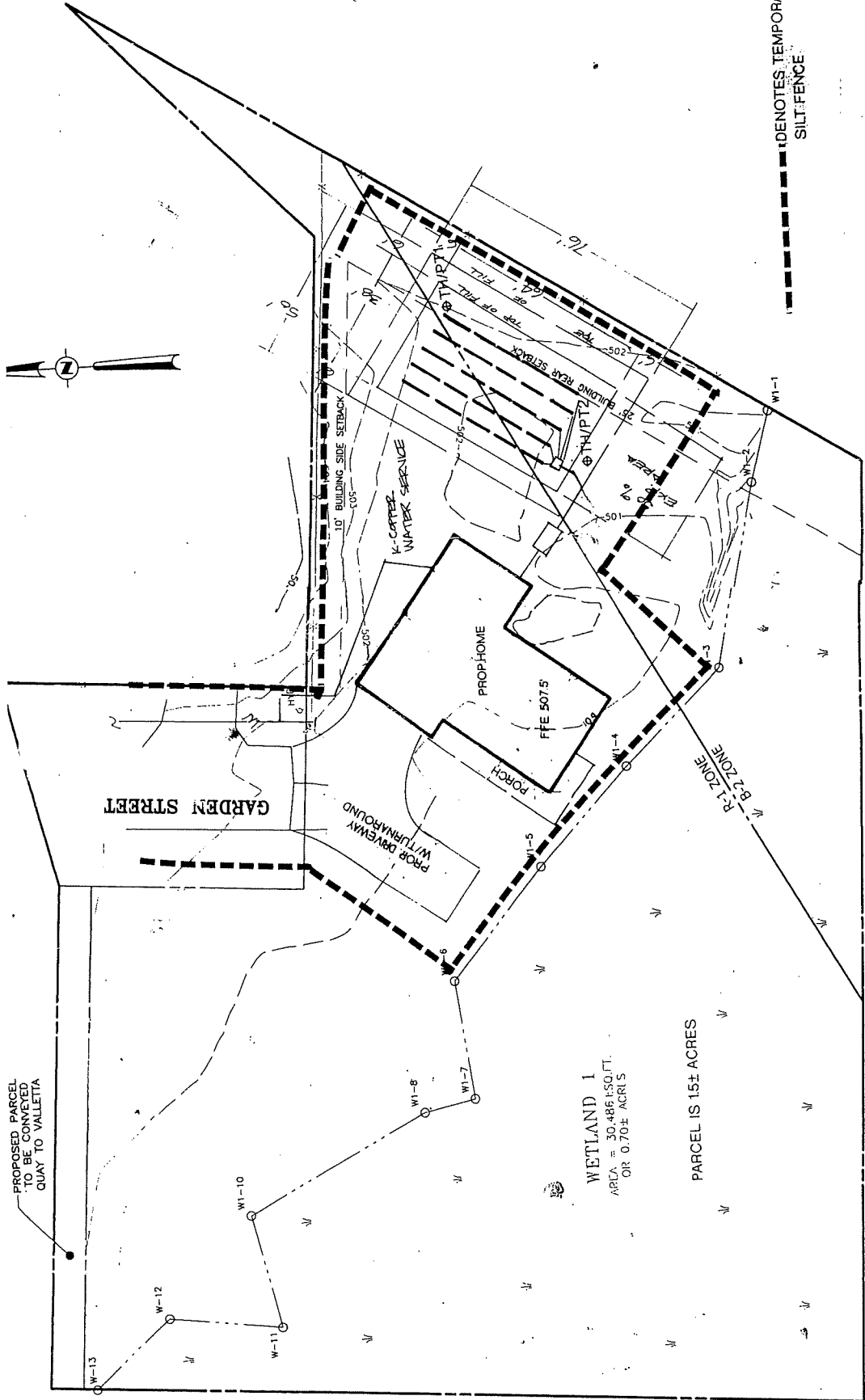
MAP SHOWING PROPOSED EASEMENT  
 ZADROZNY TO TOWN OF ROTTERDAM

TOWN OF ROTTERDAM SCALE 1" = 30'  
 SCHEENECTADY COUNTY, N.Y. JULY 21, 2008  
 BLACKSTONE LAND SURVEYORS  
 1152 FORT HUNTER RD. SCH'DY, NY 12303

09.30.08 revise easement area



2 MIN. 12" MIN. 6" MIN-12" MAX.



THIS IS AN ADAPTION OF A MAP BY C.T. MALE DATED AUGUST 1, 2007 ENTITLED "CONCEPT PLAN."

UTILITY LAYOUT PLAN  
SCALE: 1" = 30'

PROPOSED PARCEL TO BE CONVEYED QUAY TO VALLETTA

GARDEN STREET

PROP DRIVEWAY W/TURNAROUND

PROP HOME  
FFE 5075

WETLAND 1  
AREA = 30,486 ± SQ. FT.  
OR 0.70 ± ACRES

PARCEL IS 15 ± ACRES

--- DENOTES TEMPORARY SILT FENCE