

**Town of Rotterdam  
Planning Commission  
October 17, 2023**

**Workshop**

- 1 **Stewart's Shops Inc. – 672 Mariaville Road.** Applicant requests a Waiver of Site Plan Review to allow for the conversion of a former 3,417 square foot Stewart's Shop into a temporary (2-3 years) field office for engineering and contractors in support of the Champlain Hudson Power Express Project.

**Agenda**

*Approval of the Summary of Minutes October 3, 2023*

1. **My Three Sons Home Building LLC – 102 Old Mill Lane.** Final Site Plan review to construct a two story, ±2,800 square foot building addition with offices and storage units onto an existing ±3,840 square foot 6 bay storage building (former car wash) on a ±0.879-acre parcel. Engineer: ABD Engineers, LLP.
2. **Charlew Construction Inc./Timothy Larned/Robert Iovinella – Beckers Crossing.** Concept/Sketch Three Lot Subdivision: Lot 1 = ±0.80 acres, Lot 2 = ±1 acre, and Lot 3 = ±0.90 acres all with proposed single-family residences. Engineer: ABD Engineers, LLP.

**DPW Comments**  
**October 17, 2023**

**Workshop**

1 **Stewart's Shops Inc. – 672 Mariaville Road** - Applicant requests a Waiver of Site Plan Review to allow for the conversion of a former 3,417 square foot Stewart's Shop into a temporary (2-3 years) field office for engineering and contractors in support of the Champlain Hudson Power Express Project.

1. Compliance with all NYS Building and Fire Codes.
2. Approvals are for office use only. No outdoor storage of vehicles, trailers, materials, or equipment on the property.
3. Applicant must obtain a Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Inspector/Code Enforcement Officer.
4. Owner/applicant shall install Knox box for emergency personnel. Please contact Fire District #6 for specifics.
5. Parking lot striping and handicap spaces/access isles shall be established prior to occupancy.

**WAIVER OF SITE PLAN REVIEW**

**Date:** October 17, 2023

**PC2023-W34**

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:** Stewart's Shops  
**ADDRESS:** 2907 Route 9  
Ballston Spa, NY 12020

**PROJECT ADDRESS:** 672 Mariaville Road

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

**REQUEST:** Applicant requests a Waiver of Site Plan Review to allow for the conversion of a former 3,417 square foot Stewart's Shop into a temporary (2-3 years) field office for engineering and contractors in support of the Champlain Hudson Power Express Project.

**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. Approvals are for office use only. No outdoor storage of vehicles, trailers, materials, or equipment on the property.
3. Applicant must obtain a Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Inspector/Code Enforcement Officer.
4. Owner/applicant shall install Knox box for emergency personnel. Please contact Fire District #6 for specifics.
5. Parking lot striping and handicap spaces/access isles shall be established prior to occupancy.

The Commission action on the Waiver application took place at the Planning Commission meeting of October 17, 2023 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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**Thomas P. Yuille, Chairman**  
Planning Commission

RECEIVED

OCT 11 2023

TOWN OF ROTTERDAM  
PUBLIC WORKS



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 X. If yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

PRESENT OWNER(S): Stewart's Shops

APPLICANT(S)/LESSEE: Stewart's Shops - Jeremy Lawless

MAILING ADDRESS: 2907 Route 9

CITY: Ballston Spa STATE: NY ZIP: 12020

DAYTIME TELEPHONE: 518-852-1063 EMAIL ADDRESS jlawless@stewartssshops.com

PROJECT ADDRESS: 672 Mariaville Road, Rotterdam

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

REQUEST: Space will be used as a field office for contractors and engineers for the next 2-3 years. The space will be used by 20-30 employees.

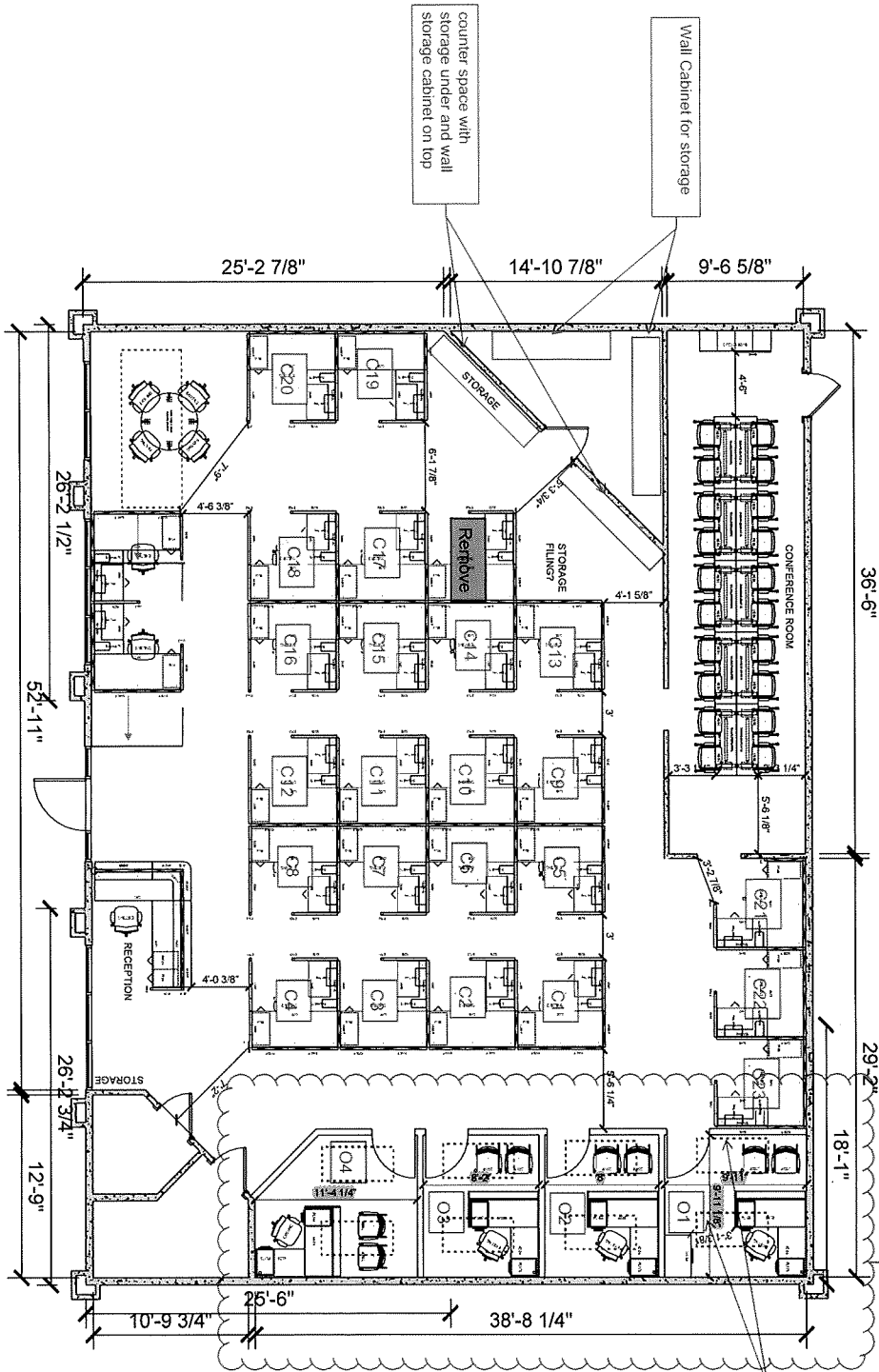
By signing the application, it is understood by the applicant that he/she must fully comply with the Town Code and obtain any required permits.

SIGNATURE OF APPLICANT [Signature] DATE 10/12/23

\* 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.





counter space with storage under and wall storage cabinet on top

Wall Cabinet for storage

Would need the wall built out with power outlet in each office. If the doors have windows great, if not, it's fine.

There should be 2 sets of lights in each office. Example in blue (not to scale)

Client Name

**TURNKEY**  
TURNKEY SERVICES  
Turnkey, Merchandising Solutions  
539 Peckaway Ave, Suite #1  
Brooklyn, NY 11216  
(718) 451-1211

No.	Description	Qty

KIEWIT

STEMWART'S  
MARAVILLE ROAD  
ROTTERDAM, NY

FURNITURE PLAN

Project #:  
Drawn by: JF  
Sales Rep: BB  
Date: 09.21.23/REV 10.05.23  
Scale: 1/8"=1'-0"

**F-100**

**DPW Comments**  
**October 17, 2023**

- 1. My Three Sons Home Building LLC – 102 Old Mill Lane.** Final Site Plan review to construct a two story, ±2,800 square foot building addition with offices and storage units onto an existing ±3,840 square foot 6 bay storage building (former car wash) on a ±0.879-acre parcel. Engineer: ABD Engineers, LLP.

1. Final Fees Due: Final Site Plan \$ 350.00
2. Applicant shall comply with all NYS Building and Fire Codes and must obtain a Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Inspector prior to operation.
3. Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.
4. No dumpster area is proposed. How is waste being handled?
5. Proposed office location in existing building and handicapped parking and access isle area currently contains a drop in pavement and is not safe for office access nor ADA compliant. Prior to occupancy, this area must be addressed and regraded.
6. Review and approval of final septic design and abandonment of the former wash bay drainage will be conducted by DPW and discussed with Schenectady County Health and NYSDEC. These changes must be shown and detailed on the site plan prior to Chairman’s Signature.
7. **Add note to plan:** “All paving/repairs shall be completed on site no later than June 30, 2024.”
8. **Add note to plan:** “All storage of materials and equipment shall be within the principal building, with the exception of refuse and trash, which shall be stored in closed containers and in an area screened from view at all points on any public or private property or street when viewed from the ground level.”
15. **Add note to plan:** “Any vehicle repairs shall be performed within the principal building on the premises and shall be non-commercial in nature.”
16. **Add note to plan:** “No commercial operations of vehicle repair, body work, or auto painting shall be performed on-site.”
17. **Add note to plan:** “Landscaping shall be maintained in perpetuity and all dead/dying plants replaced in kind.”
19. **Add note to plan:** “A water meter must be installed prior to occupancy. Check with DPW for specifications on meter prior to installation.”

***DPW Comments from September 5, 2023***

1. Septic and drywell utilization and configuration is very difficult to understand. Explain what is new and what is proposed to be reused, repurposed, and abandoned.
2. Use of the existing drywells for septic system will need to be reviewed and approved by Schenectady County Health. Provide documentation that proposed system is acceptable prior to scheduling for final site plan approval.

**DPW Comments**  
**October 17, 2023**  
**My Three Sons**  
**Page 2**

3. Site plan was modified and floor drains and associated plumbing in the garage bays are no longer shown. Existing oil/water separators on plans are no longer shown. Please explain.
4. Provide lighting plan and detail proposed fixtures.
5. Building elevations have not been provided. Eastern and southern elevations facing Burdeck Street and Old Mill Lane should have windows and/or receive architectural treatments to enhance curb appeal.
6. Provide proposed signage.
7. Add standard notes regarding lighting, snow removal, etc. as listed in Part 2 of the Site Plan Application.
8. Identify ground cover.
9. The addition of a 4<sup>th</sup> curb cut for this property is excessive. If an additional curb cut is necessary for access to the addition, the easternmost curb cut should be eliminated.
10. Existing outdoor storage of vehicles and material is currently not secured or permitted. If the applicant wishes to utilize the property for outdoor storage, fencing should be proposed to screen the area and area designated on the site plan.

***DPW Comments from July 18, 2023***

1. Outdoor storage is still occurring on-site and is currently not permitted.
2. Side yard setback variance was approved by the Zoning Board of appeals on June 21, 2023.
3. See attached minutes from the December 6, 2022 meeting.

***DPW Comments December 6, 2023***

1. Existing oil/water separator needs to be decommissioned, removed, and backfilled.
2. Provide building elevations and floor plan. Parking may be an issue.
3. Existing outdoor storage of vehicles and material is not secured or permitted. If the applicant wishes to utilize the property for outdoor storage, fencing should be proposed to screen the area.

**SEQR Requirement:** 6 NYCRR 617 Unlisted Action. Rotterdam Planning Commission declared lead agency on December 6, 2022. A draft negative declaration has been prepared by the Town Planner and is attached for your consideration.

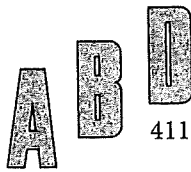
**Involved/Interested Agencies**

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  
Rotterdam Highway Department  
Fire District #6





PARTNERS  
LUIGI A. PALLESCHI, P.E.  
JOSEPH J. BIANCHINE, P.E.  
ROBERT D. DAVIS, JR., P.L.S.



**ENGINEERS**



**SURVEYORS**

411 Union Street Schenectady, N.Y. 12305  
518-377-0315 Fax 518-377-0379  
www.abdeng.com

DEDICATED  
RESPONSIVE  
PROFESSIONAL

October 4, 2023

**Re: Site Plan Review  
102 Old Mill Lane  
Town of Rotterdam  
Project #5165B**

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Mr. Peter Comenzo, Town Planner  
**Town of Rotterdam**  
1100 Sunrise Boulevard  
Schenectady, NY 12306

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TOWN OF ROTTERDAM  
PUBLIC WORKS

Dear Peter:

In response to the comments (*in italics*) of DPW Comments of September 5, 2023, we respond as follows (**in bold**):

- 1) *Septic and drywell utilization and configuration is very difficult to understand. Explain what is new and what is proposed to be reused, repurposed, and abandoned.*

**Existing drywells to the rear are noted to remain. The new drywell, at the front of the new addition, is added for stormwater runoff.**

- 2) *Use of the existing drywells for septic system will need to be reviewed and approved by Schenectady County Health. Provide documentation that proposed system is acceptable prior to scheduling for final site plan approval.*

**On September 22, 2023 I met with Schenectady County Health Department. As discussed, they will allow reuse of existing drywells and existing oil/water separators. They requested the new addition be designed with a new septic system. Site plans have been revised accordingly.**

- 3) *Site plan was modified and floor drains and associated plumbing in the garage bays are no longer shown. Existing oil/water separators on plan are no longer shown. Please explain.*

**Existing floor drains and existing oil/water separator are to remain and noted on the revised site plans.**

- 4) *Provide lighting plan and detail proposed fixtures.*

**Details are now added to the revised site plans.**

- 5) *Building elevations have not been provided. Eastern and southern elevations facing Burdeck Street and Old Mill Lane should have windows and/or receive architectural treatments to enhance curb appeal.*

**The Applicant is working with an Architect and will provide updated building elevations at the next meeting.**

- 6) *Provide proposed signage.*

**Building mounted signage will be proposed as well as using the existing monument sign.**

- 7) *Add standard notes regarding lighting, snow removal, etc.*

**Notes have been added as requested.**

- 8) *Identify ground cover.*

**Ground cover is noted on the revised site plans.**

- 9) *The addition of a 4<sup>th</sup> curb cut for this property is excessive. If an additional curb cut is necessary for access to the addition, the easternmost curb cut should be eliminated.*

**This is needed for proper site circulation as discussed at the previous Planning Commission meeting.**

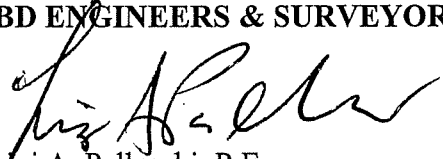
- 10) *Existing outdoor storage of vehicles and material is currently not secured or permitted. If the applicant wishes to utilize the property for outdoor storage, fencing should be proposed to screen the area and area designated on the site plan.*

**Fencing is not proposed at this time.**

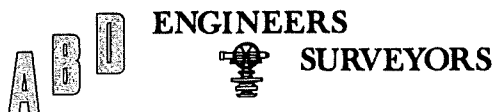
Enclosed for final review and approval are twelve (12) copies of the revised site plans.

Should you have any questions or need anything further, please do not hesitate to contact me.

Very truly yours,  
**ABD ENGINEERS & SURVEYORS, LLP**

  
Luigi A. Palleschi, P.E.  
Partner

LAP:clv  
encl.  
cc: Robert Jasenski w/encl. (via email)  
5165B-10042023



3. **My Three Sons Home Building LLC – 102 Old Mill Lane. Preliminary Site Plan review to construct a two story, ±2,800 square foot building addition with main offices and storage units onto an existing ±3,84. Square foot, 6 bay storage building (former car wash) on a ±0.879-acre parcel. Engineer: ABD Engineers, LLP.**

**Mr. Palleschi:** Good evening, Luigi Palleschi with ABD Engineers and Surveyors and also with me tonight is Rob Jasenski, My Three Sons. We are here tonight to continue discussion on the site plan known as 102 Old Mill Lane. We actually have a name on the plaza called The Plaza at Old Mill.

We were before this board, I think, several months ago and got some positive feedback and made some revisions to the site plan. Had to go to the ZBA to obtain an area variance for the southern property to allow for this building addition. So, we were granted that back on June 21<sup>st</sup>, so we are back here before the Planning Commission to resolve any final site plan comments.

A couple of things that we have added and revised is the footprint changed a little bit. I will show you the building elevation in a minute. The building footprint is now a 2,800 square foot footprint and it is two stories in height and it will be on the eastern end of the existing building. The curb cuts remain the same. So, there are three existing curb cuts off of Old Mill as well as a new additional curb cut. Along the backside, there is existing drainage features for drywells, oil water separators because if you recall back in the day, this was a car wash so a lot of those utilities are still in the ground and we would like to utilize them. I know it was one of the DPW comments as to clarifying as to what we are going to be using and I can get into that. On top of that, not only was it a car wash back in the day, our firm was actually part of the car dealer that presented a project here and that was approved for revamping the existing building and that obviously never came to fruition and at that time is when Mr. Jasenski purchased this property. I'm sure most of you have driven by the site already and the amount of improvements that Mr. Jasenski has made looks 100 times better than what was there as the old car wash.

**Chairman Yuille:** As long as you don't go around behind the building.

**Mr. Palleschi:** Hang on, hold that thought.

**Chairman Yuille:** Because the day we approved that as a waiver he was sitting in the audience and we made it very clear that there was to be no outside storage of vehicles or materials and there was a lot of stuff behind there. It has become less over the last month or so.

**Mr. Palleschi:** Yes, understood and I will try to discuss that and Mr. Jasenski can certainly jump in at any time, but we feel that with this proposal, along Burdeck Street we will actually block the backyard. You are only going to have 7 to 9 feet of a window when you are on Burdeck Street. I do understand on westerly side, that is open to a vacant piece of property and at the end of Old Mill Lane you have prime storage that came before this Board and got site plan approvals for self-storage on that side. And I know one of the comments is considering a fence. I don't think we need a fence. When Mr. Jasenski revamped the building and got tenants to come in here, there were certain tenants that had extra cars and they would park them out and then the first meeting we came here, the Planning Commission did mention that and I went back to the applicant and he took care most of the problems.

If you go by there today, again, it's definitely an improvement from what was there and as I mentioned having this addition will certainly block the view from Burdeck Street. We are hoping that we can agree to maybe not install a fence. He is possibly considering looking at the property right next door because from the self-storage project there is a storm drain line that comes from this property that crosses that property and goes to the town drainage. They have an agreement now where there is an easement for the drainage for the pipe to remain as is on that property. So, there is a little bit of that to consider too.

As far as the front of the building we have proposed installing concrete sidewalks and steps to really beautify the front of this building. Not only the new addition, but the existing building in itself. All new door fronts, it really looks sharp.

I will jump over to the DPW comments. The first item on the comments from September 5<sup>th</sup>, septic and dry well utilization, difficult to understand. There are some notes on the plan and we can certainly clarify them. There are three dry wells in the back that come from oil/water separators, like I said it used to be a car wash facility so, there were drains inside the building that would drain to the oil/water separator and then go into the dry well. The soils on site are all sandy soils. No groundwater here and you have good percolation rates to allow a car wash facility. So, picture the use that is proposed here tonight, much less use than the what the car wash produced. So, we believe the existing dry wells and the oil/water separators that are there in good condition will certainly suffice for this project. After reviewing some of these comments, Mr. Jasenski and I were talking out in the hall and the floor drains that I had mentioned that were inside this building, I know previously we had called out for those to be filled in, however, we do want to keep those open.

**Chairman Yuille:** I'm not sure that can be done under the Code. I don't think Rotterdam allows...

**Mr. Palleschi:** As long as it goes through an oil/water separator. So, our proposal would be to keep those open or keep some of them open because he does have tenants that could utilize those. We could keep some of those open which would then go to the oil/water separator. It would be no different than when the car wash facility was current and since the new addition are going to have new bathrooms, we would then have to update our site plan to propose a new septic tank. A little different than what you are reviewing. We would add septic tanks for the new bathrooms.

**Mr. Comenzo:** This property was originally used as a car wash and those bays were designed for a car wash with floor drains. Now you have folks working on motor vehicles in the bays. I guess it is something that we can look into and make sure that is an allowed use. I don't believe that floor drains are permitted.

**Mr. Palleschi:** So, maybe to clarify as to the tenant. It's not a mechanic where they are doing oil changes. It's a detailer, buffing and waxing cars using the hose and spraying it with just regular car wash stuff. We are not talking oil here. It's not a mechanic shop, but it is something that we can certainly...

**Mr. Comenzo:** There was somebody working on vehicles there previously though, right? At least from what I could tell driving by there were vehicles being worked on.

**Mr. Jasenski:** I have a guy who owns an older car that he works on. He uses one of the garages.

**Mr. Comenzo:** It's going to be up to DEC I guess if you can have those. I know typically we don't permit floor drains in garages for commercial buildings. The oil/water separator that was there previously was for a car wash so, I don't know if it can be repurposed to be used.

**Mr. Palleschi:** I would think that it would be similar to that. That washes oils off cars.

**Mr. Comenzo:** I'm not DEC.

**Mr. Palleschi:** Again, I want to make it clear that it is not a mechanic making oil changes because that would be different than a guy detailing his hot rod.

**Chairman Yuille:** There's no lifts in those garages because the ceilings are not high enough.

**Mr. Palleschi:** That was comment number 1. Number 2, the existing dry wells kind of goes hand in hand with number 1. I made a comment with Schenectady County Health Department and that is something that we can coordinate with them and get out here and do what we have to do. I have been out there personally, I've opened up these manholes and when you look down in there, they are 8' diameter dry wells and again for the amount of use that this facility will use is very minimal to what used to be here. So, it shouldn't be an issue.

Number 3 the floor drains, I think we already got into a little detail on that. We will have to work with DEC like you mentioned or building department or something that we can discuss. Maybe the Planning Commission can have certain restrictions. We don't know yet and will look into that some more.

**Chairman Yuille:** We thought that they were going to be sealed.

**Mr. Palleschi:** That was the intent and I know when had it previously approved, that was a discussion but then after, he's got to rent these out and we don't want to steer him away or steer any tenant away either as long as we doing it correctly.

**Chairman Yuille:** So, the oil/water separators, the two of them that are there are going to stay as oil/water separators. You have one at each end of the building. That is what you are proposing now.

**Mr. Palleschi:** Yes, correct. And then we would add a new septic tank for the new bathrooms.

**Chairman Yuille:** Is there 3 or 4 bathrooms you're adding? There is none there now, right?

**Mr. Jasenski:** 5 or 6.

**Mr. Collins:** Are you going to use these dry wells for the septic too or is there going to be a separate dry well for the septic?

**Mr. Palleschi:** I would use the dry wells for the septic as well.

**Mr. Collins:** Alright.

**Mr. Palleschi:** What we are trying to do is utilize the existing utilities in the ground. We can disconnect like one dry well and utilize it for the septic.

**Chairman Yuille:** Basically, you have to give us a new set of plans with all of the changes that you are talking about.

**Mr. Palleschi:** Yes.

Number 4 is the lighting plan and detail. We can certainly add the details to the next plan but there are existing building lights that will remain on the existing building but a couple down type LED lighting that will be over the overhead doors and we don't need them to shine bright because the parking lot is small but they will be down type LED and we will show the detail on the next revised plan.

Number 5 is building elevations.

**Chairman Yuille:** You've done a nice job with the outside of the building and it looks nice. I drive by there every night on my way home and some nights I would see the doors open with guys in there working on their car and stuff but the building really looks nice on the front side. And I agree with you, once you put the addition on there would not be much space. I was thinking more of a fence for security if people had an antique car or something in the back.

**Mr. Palleschi:** This is a rendering here of the building. Obviously, to the right represents the existing building and to the left is the 2-story building addition with the 2 overhead doors, 2 doors to get into the first floor of that. When you are in building there are stairs that go up to the second floor.

**Chairman Yuille:** Is that going to be a total second floor? The other plan you talked about was just going to be like a mezzanine that looked over.

**Mr. Jasenski:** It's a full floor.

**Chairman Yuille:** So, it has changed.

**Mr. Jasenski:** It has a staircase going up the back to 2 separate units.

**Chairman Yuille:** Is that going to be for your business or is it a rental for someone else?

**Mr. Jasenski:** I will probably take one of the offices upstairs, yes. Right now, I am downstairs.

**Mr. Palleschi:** And within the new building addition, you will have the 4 new bathrooms just as part of the addition and then we will have a whole block of bathrooms where they would be shared for the existing tenants. So, if you go back to the site plan as you walk along the front of that building and you get right to where the addition is, there is a jog in that building and a door and if you are one of the tenants on the existing, you would have a key to be able to use the bathrooms.

**Chairman Yuille:** And you could get rid of the porta potty that is in the back.

**Mr. Palleschi:** Yes, that's correct.

The applicant is really is trying to clean this up and maximize the property here. So, that's the building rendering and then notes is not a problem. We can certainly add notes. Ground cover, what you see on the site plan other than the pavement, will be grass. Signage, so, you can see on the rendering on the addition you will have 2 signage boards right on the building addition itself, as well as The Plaza at the Old Mill. That will be positioned next to the first curb cut entrance. There will be multiple signage on the building and a little monument sign with flowers around the monument sign.

**Chairman Yuille:** So, you have a lot of changes to make on this.

**Mr. Palleschi:** Yes. These are details and details like this used to be done by this board conditionally, but I understand.

Number 9 is the curb cut so I figured this is the time to talk about the curb cut. With the building addition and the overhead doors that we have proposed, the reason why we are proposing that fourth curb cut entrance so, that if a tenant has a trailer, they will be able to make the loop around and then pull up and back their trailer into one of these units. If we got rid of the curb cut closest to the intersection it would be hard to make that maneuver. So, that is one of the reasons. The other 3 are existing and being that Old Mill Lane and industrial zone and you have self-storage at the back, there is not a ton of traffic so, we do not believe that there is a lot of conflicts here with what we are proposing.

**Chairman Yuille:** Except that front curb cut is going to be right opposite their main entrance going into 103 Old Mill Lane which they are going to start to build. I noticed they torn everything down over there. Everything is gone there and they must be ready to do some construction here soon because they got their final approvals.

**Mr. Palleschi:** Having a curb cut across from another one is usually good.

**Chairman Yuille:** We will see. We have to take a look at it after you get everything set up here.

**Mr. Palleschi:** Then back to the outdoor storage, the fencing, are you planning to do security fencing?

**Mr. Jasenski:** We have security cameras right now and we haven't had any issues. "Inaudible..." nice and clean anyways and try to keep up on the outside.

**Chairman Yuille:** The school bus that was there is gone and that is a plus.

**Mr. Palleschi:** Those are the DPW comments. Just making you aware and we did discuss them thoroughly and we have some changes to make on the site plan and we will resubmit here and look to continue the conversations here with the Board to hopefully get approval at the next meeting.

**Chairman Yuille:** We have no actions tonight and you've gone over the list of things and if we have to before the next meeting we can come in and discuss them once we get the plans and look over them. Let me turn it over to the members to see if they have any comments. Mr. Collins, any questions?

**Mr. Collins:** No, I was a little confused but you explained it with that oil/water separator, septic tank, and the dry well and now I understand it. I agree with you, you have existing things to use and you might as well utilize them instead of digging another hole when you have 3 of them. I think it's coming along and that is all that I have, Mr. Chairman.

**Chairman Yuille:** Mr. Calder?

**Mr. Calder:** No, with all the changes coming up here I just think I'm going to hold off until the we see what it looks like when you come back.

**Chairman Yuille:** Mr. D'Alessandro?

**Mr. D'Alessandro:** You seemed to have no problem addressing these comments. The one question that I do have. You have the color of the building blue, are you painting the brick?

**Mr. Jasenski:** No.

**Mr. D'Alessandro:** Okay. I was just curious. That is all that I have, Mr. Chairman.

**Chairman Yuille:** Mrs. Flansburg?

**Mrs. Flansburg:** There is obviously a lot more changes coming. I actually sort of pinpointed the fourth curb cut as an issue but with the explanation and having the rendering it makes sense. When I see more of the detail, it seemed like a lot of curb cuts but I don't know if there is another way for someone to back in without having it. If you able to put on the next plan where the "Inaudible..." The septic would just be somewhere in the corner behind the building.

**Mr. Palleschi:** The septic tank has to be 10' from the building. It will be closer to the addition because that is where the lines come out.

**Mrs. Flansburg:** "Inaudible..."

**Mr. Palleschi:** Here is the existing oil/water separator, they would be right next to that so the lines can come in from the building and then we would have to pick one of these drywells.

**Mrs. Flansburg:** That is all that I have.

**Chairman Yuille:** Mr. Signore?

**Mr. Signore:** “Inaudible...” oil/water separator now? Are they empty and flushed out?

**Mr. Palleschi:** They are empty.

**Mr. Signore:** “Inaudible...”

**Mr. Palleschi:** Just to settle out any oils. So, depending on which floor drains, if it’s allowed that is what would drain to the oil/water separator. They have piping in and out so that it directs any...

**Mr. Signore:** “Inaudible...”

**Mr. Palleschi:** Yes, pumped out regularly. There would be a maintenance that you would have a septic hauler come in and back it out. Similar to a septic tank.

**Chairman Yuille:** Anything else, Mr. Signore?

**Mr. Signore:** No.

**Chairman Yuille:** Mr. Miglucci?

**Mr. Miglucci:** It looks good and you are the right track but just a little bit of tweaking.

**Chairman Yuille:** I agree. You have done a good job on the building and you get the addition in. I’m a little confused as to what the upstairs is going to look like because you said you were going to take one of the offices. I don’t know if you are going to have several offices up there but if you could give us a floor plan of what the first floor and second floor is going to look like because that would impact the parking that you’re going to need if you are going to rent an office to someone. I don’t imagine the people that are renting the 6 bays down there would have them. Do you use any of those bays for your business?

**Mr. Jasenski:** Yes.

**Chairman Yuille:** So, you don’t rent all 6 out then.

**Mr. Jasenski:** No.

**Chairman Yuille:** How many do you use?

**Mr. Jasenski:** The middle office with the glass doors is mine and the bay to the left.

**Chairman Yuille:** Just identify on your plan what we are dealing with so we can see what the parking requirements would be.

**Mr. Palleschi:** There is plenty of parking in the back and we did consider that. You could park in front of the overhead doors so that provides additional parking too. We can certainly provide the floor plan.

**Mr. Jasenski:** “Inaudible...”

**Chairman Yuille:** Thank you for coming and looking forward to seeing a revised plan.

# 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 12-14-22  
Case No. R-26-22  
Returned 12-28-22

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  
Schenectady County

ACTION:  Zoning Code/Law Amendment  
 Zoning Map Amendment  
 Subdivision Review  
 Site Plan Review  
 Special Permit  
 Use Variance  
 Area Variance  
 Other (specify) \_\_\_\_\_

DEC 14 2022  
Economic Development  
and Planning Dept.

PUBLIC HEARING OR MEETING DATE: January 10, 2023

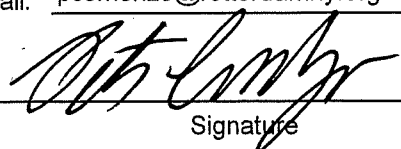
SUBJECT: My Three Sons Home Building LLC – 102 Old Mill Lane. Sketch Site Plan review to construct a two story ±4,900 square foot building addition with offices and storage units onto an existing ±3,840 square foot 6 bay storage building (former car wash) on a ±0.879 acre parcel. Engineer: ABD Engineers, LLP.

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.

1. 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.
2. 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 7 22

RECEIVED

DEC 30 2022



# PLANNING & ZONING COORDINATION REFERRAL

Case No. R-26-22

Applicant My 3 Sons Building, LLC

Referring Officer Peter Comenzo

Municipality Rotterdam

Considerations: Regarding an existing 3,840 SF storage building (former car wash) requesting site plan approval and a special use permit to construct a 4,900 SF office/storage building addition. Municipal water is provided. Individual septic is proposed.

## RECOMMENDATION

Receipt of zoning referral is acknowledged on December 14, 2022. 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:  
County Environmental Health approval of proposed wastewater treatment system.

**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.

12/27/22  
Date

Ray Gillen, Commissioner  
Economic Development and Planning

RECEIVED

DEC 30 2022

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 4  
1130 North Westcott Road, Schenectady, NY 12306-2014  
P: (518) 357-2069 | F: (518) 357-2460  
www.dec.ny.gov

Transmitted electronically to: [pcomenzo@rotterdamny.org](mailto:pcomenzo@rotterdamny.org)

December 22, 2022

Peter Comenzo  
Senior Planner  
Town of Rotterdam Planning Commission  
1100 Sunrise Blvd, Rotterdam, NY 12306

RECEIVED  
JAN 03 2023  
TOWN OF ROTTERDAM  
PUBLIC WORKS  
TOWN OF ROTTERDAM  
PUBLIC WORKS

**Re: Lead Agency Coordination Response**  
My Three Sons Home Building LLC  
102 Old Mill Lane  
Town of Rotterdam, Schenectady County

Dear Peter Comenzo,

This letter responds to your correspondence dated December 7, 2022, received December 13, 2022, regarding lead agency coordination for the project referenced herein, under Article 8 (State Environmental Quality Review – SEQR) of the Environmental Conservation Law and 6 NYCRR Part 617. The New York State Department of Environmental Conservation (DEC) has the following interest in this project:

**Name of Action:**                      Redevelopment of existing building and expansion for office/storage space.

**DEC Contact Person:**              Kate Kornak, Regional Permit Administrator

**SEQR Classification:**               Type II

**DEC Position:** Based on the information provided:

DEC has no objection to your agency assuming lead agency status for this action.

***\*The DEC must be notified immediately if the project/proposed action scope changes, or the EAF is revised.***

**Possible DEC Permit Requirements:**

A review of NYS protected resources near or within the project site was performed using existing GIS data (see enclosed NYS Resources Map). Please note that jurisdictional maps are meant to provide approximate sizes and locations of resources. Actual field conditions may vary from those depicted on the maps. The following provides a summary of potential State permitting requirements for the project based on the results of the protected resources review and project information submitted with your correspondence.

***State Pollutant Discharge Elimination System (SPDES) Wastewater Permit*** – A SPDES permit is required for any facility which has a surface water discharge or discharges more than 1,000 gallons per day of sewage-wastewater into ground waters of the state.

**Additional Comments:**

The project appears to be located within an area of potential historical or archeological significance. If approvals/permits are ultimately needed from the DEC, we may need to consult with the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) in order to better evaluate this project's impact on these resources. You may wish to inform the applicant/project sponsor of this potential requirement.

To initiate consultation with OPRHP, please visit their project submission website known as CRIS at <https://cris.parks.ny.gov/>. Please add Kate Kornak at [Kate.kornak@dec.ny.gov](mailto:Kate.kornak@dec.ny.gov) to the list of contacts for your project.

While no specific habitat was identified on the subject parcel, the northern long-eared bat may be found in virtually any county in New York State. Although this project site falls outside of the currently-recognized occupied habitat for this federally-threatened species, the DEC recommends that removal of any trees greater than 3 inches in diameter at breast height (dbh) take place between November 1<sup>st</sup> and March 31<sup>st</sup> each year, if possible, in order to avoid a potential threat to bats.

Please feel free to contact me by telephone at (518) 357-2459 or by e-mail at [kate.kornak@dec.ny.gov](mailto:kate.kornak@dec.ny.gov) if you have any questions.

Sincerely,

*Kate Kornak*

Kate Kornak  
Regional Permit Administrator

Encl: NYS Resources Map

**PROJECT LOCATION & NYS RESOURCES MAP**

**My Three Sons Home Building  
LLC  
Redevelopment and building  
addition  
102 Old Mill Lane**

December 15, 2022



1 inch equals 346 feet

**Legend**

**Regulated Freshwater Wetlands**

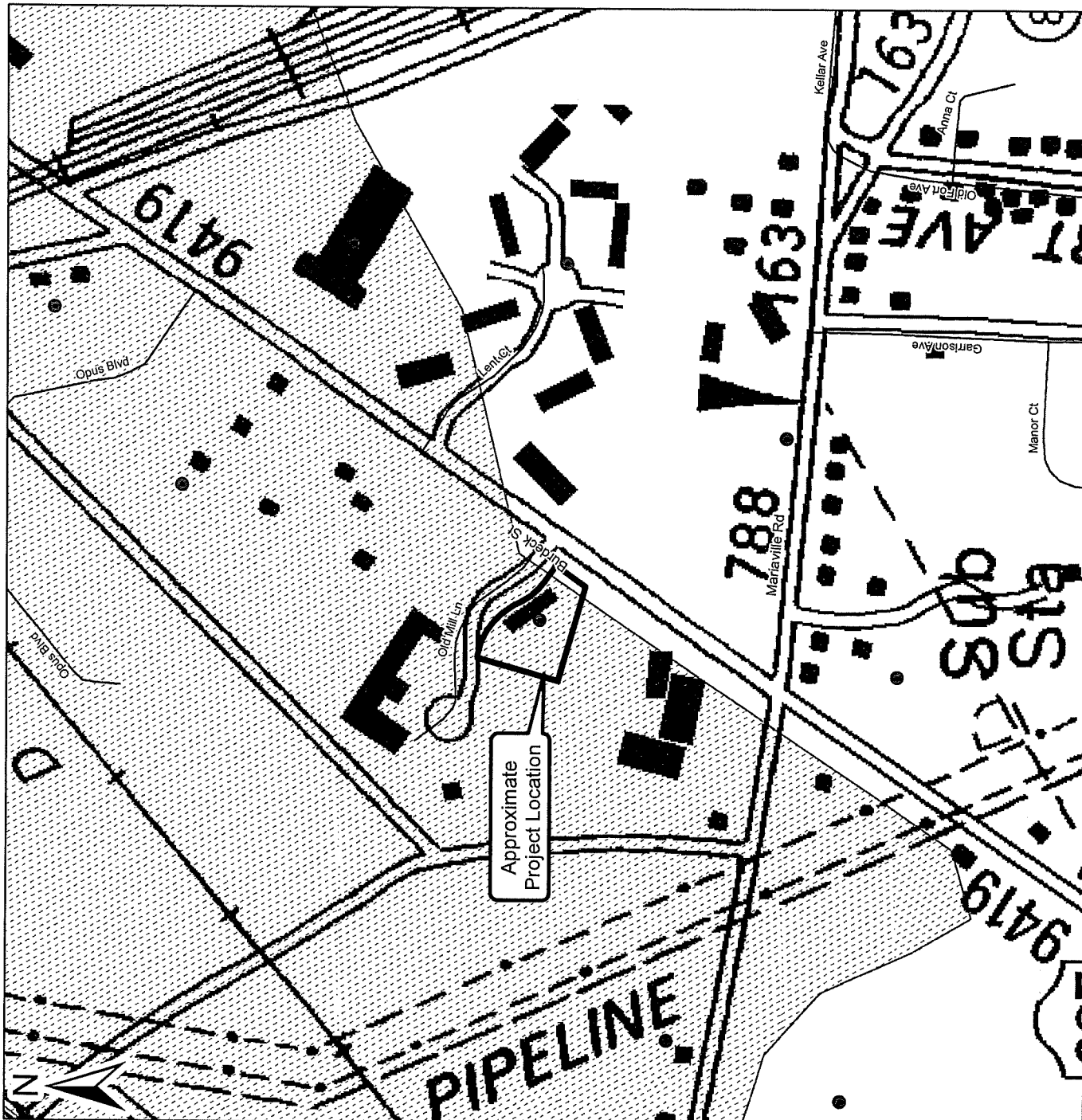
- Freshwater Wetland Class 1
- Freshwater Wetland Class 2
- Freshwater Wetland Class 3
- Freshwater Wetland Class 4

**Water Quality Classifications**

- Unprotected Streams
- Protected Streams

**NWI Wetlands**

- Emergent & Forested/Shrub Wetland
- Riverine, Lake & Pond
- EPA Sole Source Aquifers
- Archeological Sensitivity
- National/State Historic Register Site
- DART Facilities



Approximate Project Location

*Disclaimer: This map was prepared by Region 4 NYSDEC Division of Environmental Permits using the most current data available. It is deemed accurate but is not guaranteed. NYSDEC is not responsible for any inaccuracies in the data and does not necessarily endorse any interpretations or products derived from the data. This map may contain information that is considered sensitive and therefore the distribution of this map is strictly prohibited. Additional resources may be present but not depicted on this map.*

**Department of  
Environmental  
Conservation**



**From:** O'Connor, Kevin M (DEC) <[kevin.oconnor@dec.ny.gov](mailto:kevin.oconnor@dec.ny.gov)>

**Sent:** Thursday, October 12, 2023 11:27 AM

**To:** Mary Barrie <[MBarrie@rotterdamny.org](mailto:MBarrie@rotterdamny.org)>

**Subject:** RE: My Three Sons 102 Old Mill Lane

Thanks. I did get a better idea from the second email. Reading through the minutes explains more. The current use of the property is unacceptable if "buffing and waxing cars using the hose and spraying with regular car wash stuff." Probably some mechanic related stuff going on there too. **An oil water separator will not work with detergents and requires adequate treatment and permitting.** Floor drains are recommended to be permanently plugged. Furthermore, the EPA Underground Injection Program will come into play here. The location within an aquifer area is also concerning!!!

Any future use of this property other than sanitary discharges should be prohibited until it goes through a proper DEC and EPA review. I will also inform EPA that the current owners are discharging to subsurface without adequate treatment or permits.

Thank you, Kevin

# Short Environmental Assessment Form

## Part 1 - Project Information

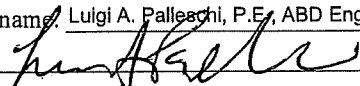
### Instructions for Completing

**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: Redevelopment Site for Office/Storage including building addition			
Project Location (describe, and attach a location map): 102 Old Mill Lane, Rotterdam, NY 12306			
Brief Description of Proposed Action: Redevelopment of an existing building and expansion for office/storage space. Building, pavement, curb cuts and utilities will remain the same. Other site improvements will include additional curb cut, building addition, sidewalks, and landscaping. An area variance is required for side setback as proposed.			
Name of Applicant or Sponsor: Robert Jasenski		Telephone: 518-858-3508	
		E-Mail:	
Address: 102 Old Mill 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 checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Planning Commission, Site plan, Zoning Board of Appeals, and Building Permit		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.87 acres	
b. Total acreage to be physically disturbed?		0.25± acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.87 acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <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 type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			



<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?          If Yes, explain purpose and size: _____          _____          _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>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: _____          _____          _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>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: _____          _____          _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: <u>Luigi A. Palleachi, P.E., ABD Engineers, LLP</u>      Date: <u>November 10, 2022</u></p> <p>Signature: <u></u></p>		

Project:	My 3 Sons - 102 Old Mill Lane
Date:	October 17, 2023

**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: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<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"/>

Project: My 3 Sons - 102 Old Mill

Date: October 17, 2023

### **Short Environmental Assessment Form Part 3 Determination of Significance**

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Rotterdam Planning Commission

October 17, 2023

\_\_\_\_\_  
Name of Lead Agency

\_\_\_\_\_  
Date

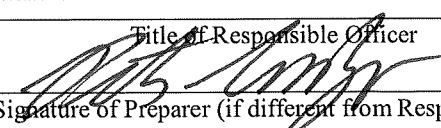
Thomas P. Yuille

Chairman

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
Title of Responsible Officer

\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

  
Signature of Preparer (if different from Responsible Officer)

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

**Date:** October 17, 2023

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:** My Three Sons Home Building, LLC  
102 Old Mill Lane  
Schenectady, NY 12306

**Location:** 102 Old Mill Lane  
Schenectady, NY 12306

**Tax Map Number(s):** 48.13-2-29

**Zoning:** Light Industrial (I-1) Zoning District.

**Action:** Site Plan approval to construct a two story, ±2,800 square foot building addition with offices and storage units onto an existing ±3,840 square foot 6 bay storage building (former car wash) on a ±0.879-acre parcel.

**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, 2022. 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 approvals for Site Plan approval to construct a two story, ±2,800 square foot building addition with offices and storage units onto an existing ±3,840 square foot 6 bay storage building (former car wash) on a ±0.879-acre parcel. The existing site is a former self-serve car wash and is currently being utilized for storage. Changes to the site will be minimal with the addition of a two story, ±2,800 square foot building with offices and storage units onto the existing building.

Access to the site will remain with one additional curb cut proposed for Old Mill Lane and no access directly to Burdeck Street. The applicant will be constructing a new septic system to services the addition. After consultation with DEC, the applicant will be required to eliminate the floor drains in the vehicle bays that were previously utilized for the car wash operations. Enhanced landscaping and lighting will be added to the site. Additional improvements include removal and/or patching of existing asphalt areas and updated handicapped and pedestrian accommodations.

**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 October 17, 2023 at the Rotterdam Town Hall, 1100 Sunrise Boulevard, Rotterdam, NY 12306. Adoption of this Negative Declaration was moved by XXXXXXXXX, seconded by XXXXXXXXXXXX, and approved by the Rotterdam Planning Commission.

---

Thomas P. Yuille  
Planning Commission Chairman

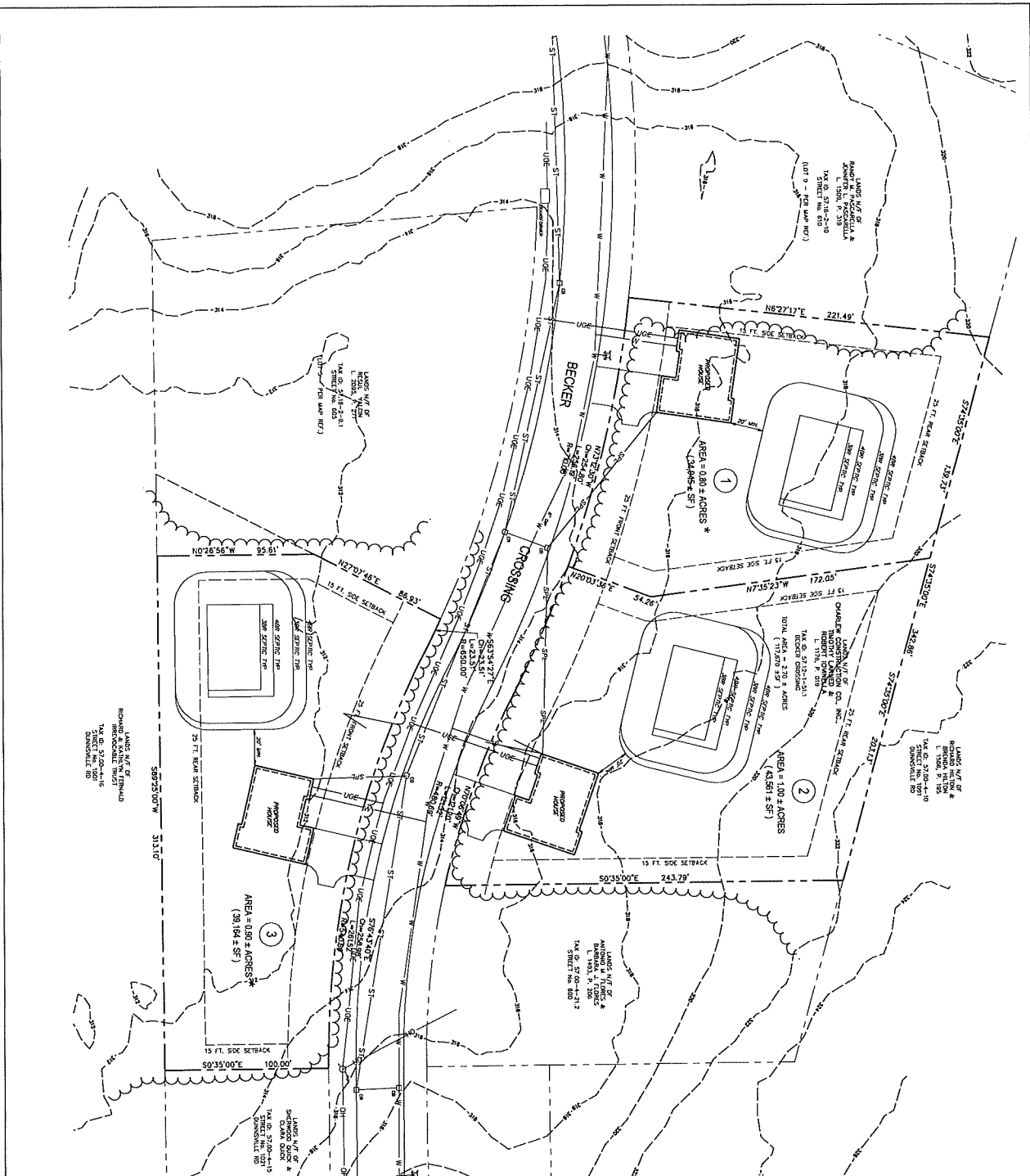
**DPW Comments**  
**October 17, 2023**

- 2. Charlew Construction Inc./Timothy Larned/Robert Iovinella – Beckers Crossing.**  
Concept/Sketch Three Lot Subdivision: Lot 1 = ±0.80 acres, Lot 2 = ±1 acre and Lot 3 = ±0.90 acres all with proposed single-family residences. Engineer: ABD Engineers, LLP.
1. Property was designated as “remaining lands” in the original Becker’s Crossing subdivision as it was almost entirely federally regulated wetlands and not reviewed by Schenectady County Health (See attached map and verbatim minutes from June 20, 1995). Wetlands on site may no longer be regulated by the Army Corps of Engineers due to a recent Federal Supreme Court decision and may no longer require a federal permit to disturb/fill. Further clarification is needed.
  2. Planning Commission should authorize the Chairman to enter into an agreement with a TDE to assist in the review of this application.
  3. Variances for lot size are required for two of the three lots. Grading plan, soils information, and depth to groundwater will be required prior to scheduling before the Zoning Board of Appeals.

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

**Involved/Interested Agencies:**

Schenectady County Planning Department  
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  
Rotterdam Zoning Board of Appeals  
Fire District #5 (Pine Grove)  
Schalmont School District



NO.	REVISION	BY	DATE

CONV. PLAN FOR THE PROPOSED  
 SKETCH 3-Lot MINOR SUBDIVISION  
 LANS NEW OR FORMERLY OF  
 CHARLEY LARNED & ROBERT JOYINIELLA  
 BECKER CROSSING

DATE: \_\_\_\_\_  
 COUNTY OF SCHOENHART  
 STATE OF NEW YORK  
 ENGINEERS  
 SURVEYORS  
 A.B.D. ENGINEERS & SURVEYORS  
 111 Main Street  
 Schoenharst, N.Y. 12580  
 www.abd-engineers.com

SCALE: 1" = 20'  
 SHEET 1 OF 1

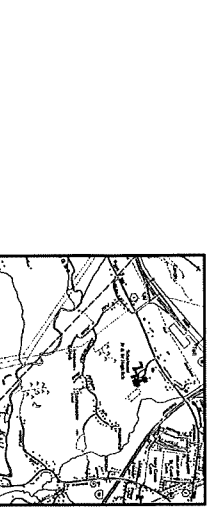
DATE: SEPTEMBER 29, 2023  
 SHEET 1 OF 1

MAP REFERENCE:  
 1. THE MAP IS BASED ON THE DATA PROVIDED BY THE CLIENT AND THE SURVEYOR HAS CONDUCTED A VISUAL CHECK OF THE DATA FOR APPROPRIATE ACCURACY.  
 2. THE MAP IS NOT TO BE CONSIDERED A FIELD SURVEY.  
 3. SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD.  
 4. NORTH ORIENTATION BASED ON THE MAP NET.  
 5. DIMENSIONS OF PROPOSED STRUCTURES, DRIVEWAYS AND DRIVEWAYS ARE NOT TO BE CONSIDERED AS GUARANTEED AND ARE SUBJECT TO CHANGE. ANY VARIATION FROM WHAT IS SHOWN TO THE FIELD SHALL BE THE RESPONSIBILITY OF THE CLIENT AND THE SURVEYOR SHALL NOT BE RESPONSIBLE FOR ANY SUCH VARIATION.  
 6. THE SURVEYOR HAS CONDUCTED A VISUAL CHECK OF THE DATA FOR APPROPRIATE ACCURACY AND HAS FOUND IT TO BE SATISFACTORY.  
 7. THE SURVEYOR HAS CONDUCTED A VISUAL CHECK OF THE DATA FOR APPROPRIATE ACCURACY AND HAS FOUND IT TO BE SATISFACTORY.  
 8. THE SURVEYOR HAS CONDUCTED A VISUAL CHECK OF THE DATA FOR APPROPRIATE ACCURACY AND HAS FOUND IT TO BE SATISFACTORY.  
 9. THE SURVEYOR HAS CONDUCTED A VISUAL CHECK OF THE DATA FOR APPROPRIATE ACCURACY AND HAS FOUND IT TO BE SATISFACTORY.  
 10. THE SURVEYOR HAS CONDUCTED A VISUAL CHECK OF THE DATA FOR APPROPRIATE ACCURACY AND HAS FOUND IT TO BE SATISFACTORY.

ZONING DATA:  
 ZONE: A-1 AGRICULTURAL  
 MAX. LOT AREA: 100 AC.  
 MIN. LOT AREA: 5 AC.  
 MAX. LOT WIDTH: 200 FT.  
 MIN. LOT WIDTH: 50 FT.  
 \*LOT AREA VARIANCE REQUIRED FOR LOTS 1 & 3

MAP NOTES:  
 1. THE MAP IS BASED ON THE DATA PROVIDED BY THE CLIENT AND THE SURVEYOR HAS CONDUCTED A VISUAL CHECK OF THE DATA FOR APPROPRIATE ACCURACY.  
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DATE: SEPTEMBER 29, 2023  
 SHEET 1 OF 1



Secretary: "Mr. Forslund?"

Mr. Forslund: "Yes."

Secretary: "Mr. Piscitelli?"

Mr. Piscitelli: "Yes, to table."

Secretary: "Mr. Smith?"

Mr. Smith: "Yes to table, but also I would like to restate the fact that without a schematic of the shooting pattern at the range, I think it's clearly impossible for any member of this Commission to realistically make any kind of a decision as to what impact the Gun Club will have on this potential development. I want to be very clear that, as one Commission member, I want to see a schematic and whatever appropriate documentation you can obtain from the Gun Club to make sure we have enough information to evaluate that there won't be any adverse impact if this project were approved with its proximity to the Gun Club."

Chairman Bambury: "By a 7-0 vote, the Commission has agreed to table this hearing. We ask the applicant to follow through with what is supposed to be accomplished for this to be scheduled again. We have written comments for the applicant."

Short discussion followed between Chairman Bambury and Mr. Bossolini of Ingalls/Smart Associates, in which Mr. Bossolini voiced his disagreement with the Commission's decision to table this item. Most of this discussion was inaudible with the exception of the comments by Chairman Bambury as follows.

Chairman Bambury: "You may disagree, sir. It's been tabled by a 7-0 vote. You may disagree if you so desire. Our attorney has advised that this is the proper way to do it. For the record, that was Mr. Bossolini from Ingalls/Smart Associates disagreeing with the Commission's action which is his prerogative."

The third item on the agenda is a **Final Major Subdivision Public Hearing - Iovinella, Larned, and Lewandowski (Beckers Crossing)** - Final Major Subdivision Public Hearing to eliminate a 34 ± acre tract to create 25 proposed residential building lots to include lots in proposed Phase I, Phase II and Phase III located off Becker Crossing - Engineer - Ingalls/Smart Associates.

Chairman Bambury: "Is the applicant and/or a representative of Ingalls/Smart Associates present?"

Dave Ingalls: "Yes, Mr. Bambury. Dave Ingalls of Ingalls/Smart as well as Bob Iovinella, representing the applicant."

Chairman Bambury: "Gentlemen, we've seen you on a number of occasions including the informal discussion the last time. I assume you have addressed our various comments. For the record, since the last hearing we have received a letter from the citizens of Eldorado Estates which is part of the record, also from Mr. Iovinella, on behalf of BTL Associates which will be added to the record. You were asked the last time to have a second map available for the people in the back to see, have you done that?"

Dave Ingalls: "Yes, we have that."

Chairman Bambury: "Thank you."

Bob Iovinella: "Good evening, we're glad to be back. We started this project in January, 1994 and we wanted to give you a brief overview of what we have done since our last meeting, on May 16, 1995, based on our informational meeting last time. There was some discussion on some of the lots in the plot that we talked about. There was certain items about wetland delineation that we finally got from the Army Corp and I believe there was a flood plain analysis that was done that we got a FEMA report back from the Federal Flood Plain Management Program. Dave Ingalls will give you an overview of what we've done since the last meeting and we will answer any questions that are appropriate from the public or from the Board."

(Brief inaudible discussion between Dave Ingalls and Bob Iovinella)

Dave Ingalls: "I think we gave the Board a pretty good overview of the major changes since the May 16, 1995 informational meeting. One piece of information that we did receive, which I don't believe we did have at that time, was our confirmation of the wetland delineation, the wetland boundary as well as confirmation that they have reviewed the proposal of all 3 Phases; Phases I, II and III and they concur that the impacts would be what they consider minimal and that construction could proceed under authorization of a Nationwide 26 Permit. Separating this project as an independent project from the Eldorado Acres Subdivision. I believe also at the last meeting we did clarify 3 of the lots that were formally in Phase I. Those lots are 6, 7, and 8. Since there is a majority of wetland area on those lots and they have also not been reviewed by the County Health Dept., we have elected to put them into a potential future phase."

Chairman Bambury: "Dave, you've been told specifically on more than one occasion regarding those lots to not have them labeled as lots. The Commission told you it was to be labeled as "undeveloped land", meaning acreage, we told you at least 3 times during that meeting. The lines are still there."

Dave Ingalls: "Well, if you look closely, they are specifically noted as..."

Chairman Bambury: "Dave, they are there. I don't care what a note says, if you refer to them as lots, and this is approved, years from now if you come back, and the lots are there you could say that this had been approved. The lots are not to be there, you were told to get rid of those lines between those lots. You were specifically told that."

Dave Ingalls: "If you look on the plats, it's very clear in my mind that we're not considering them."

Chairman Bambury: "What page are you referring to?"

Dave Ingalls: "The Survey Plat, sheet 2 of 16."

Chairman Bambury: "Does it show those numbers on the map anywhere, the 3 numbers you mentioned? It can't show on the map."

Dave Ingalls: "The numbers are shown on the map."

Chairman Bambury: "They cannot be shown on the map. Ms. Wickham spent 5 minutes on that point, I believe."

Dave Ingalls: "What we've elected to do, just to explain why we have done what we have done, rather than going back through all the plans and confusing the numbering system and renumbering everything, we've left those numbers on there, but we also put a note that these are not for construction. I think we made that very clear."

Chairman Bambury: "I see that, and I appreciate that comment, but you were told to get rid of those numbers."

Dave Ingalls: "Okay."

Chairman Bambury: "Thank you, sir."

Bob Iovinella: "I would like to comment on that. Without any involvement with Niagara Mohawk, their procedure is that to service a subdivision, you have to have the lot corners and lot numbers on the plot even though there are not approvable lots at this time. They have to run the power. There is one dwelling that the Longo people bought from us and they stopped the NIMO power and gas at that lot corner. On the other end of the plot on Becker's Crossing Road, they stopped at the last lot coming in from Eldorado. For us to get NIMO to come in here to give power to any lots on this road, we have to have specific lot numbers and corners."

Chairman Bambury: "You can't Bobby, those lots don't exist. How can you have specific numbers and corners if the lots don't exist? We are not approving those lots, we're not looking at those lots. They do not exist."

Bob Iovinella: "That's one of the reasons we put it on, but if the lot numbers have to come off those, they will come off."

Chairman Bambury: "Bob, look at Future Phase IV. Are the lot numbers there?"

Bob Iovinella: "No."

Chairman Bambury: "It's the same thing. Future Phase V, we do not want lot numbers there. I understand your logic, I'm just saying that we can't have the numbers there."

Bob Iovinella: "We will eliminate the lot numbers."

Chairman Bambury: "Thank you. The other thing is the note regarding the removal of brush is not sufficient. Dave, would you read that note, please? The way it reads to DPW is that it might be there for a year or so. You told us at the last meeting, Mr. Iovinella did, that his partner Mr. Larned would have a contract to get rid of that stuff immediately, with no stockpiling."

Dave Ingalls: "The note for the brush."

Chairman Bambury: "Yes, there is a note on there, but it doesn't say. It could be there for 2 years according to that note. That's one of the main points you brought up last time. Bob, you were more than willing to specify that, yes, that will be removed. Do you recall that?"

Bob Iovinella: "Yes, I did."

Chairman Bambury: "So, if you would make that note clearer?"

Bob Iovinella: "Yes, we will have that on there specific as to as the lots are cleared, the clearing and grubbing material will be moved off site."

Chairman Bambury: "Off site; off the entire subdivision?"

Bob Iovinella: "Yes. Off the entire subdivision."



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: Charlew Construction Company, Inc.- Timothy Larned and Robert Iovinella
Mailing Address: 90 West Campbell Road
City: Schenectady State: NY Zip: 12306
Daytime Phone: 518-229-3122 E-mail: bobbyiovinella@me.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: Robert D. Davis, Jr., P.L.S., ABD Engineers & Surveyors, LLP
Mailing Address: 411 Union Street
City: Schenectady State: NY Zip: 12305
Daytime Phone: 518-377-0315 E-mail: bob@abdeng.com

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

Street Address of Proposed Site (if any): Becker Crossing

Project/Proposal Site Area: (Acres or sq. ft.) 2.70 Acres

Assessor Tax Parcel No.(s) of Proposal Site: 57.12-1-51.1

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

Existing Zoning Classification: A-1 Agricultural

**SUBDIVISION INFORMATION**

Number of Lots: 3  
Typical Lot Size: 0.90 acres  
Smallest Lot Size: 0.80 acres

Gross Area: 2.70 Acres  
Proposed Net Density: 1 lot per 0.90 Acres  
Minimum Frontage: 168.60'

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: N/A

Estimated Time Period Expected for Complete Development of Subdivision: 2 years

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.

Name: Robert D. Davis, Jr., P.L.S. License No 51060
Address: 411 Union Street, Schenectady, NY 12305
Telephone No. 518-377-0315
E-mail or Fax: bob@abdeng.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: Robert Iovinella Date: October 4, 2023
Address: 90 West Campbell Road Phone: 518-229-3122
Schenectady, NY Zip: 12306

[Handwritten Signature]
Signature of Applicant or Representative

Date

#2 Name: Robert D. Davis Jr. Date:
Address: 411 Union Str. Phone:
Schenectady NY 12305 Zip:

[Handwritten Signature]
Signature of Applicant or Representative

Date

# 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, Robert Iovinella, 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): 57.12-1-51.1

I hereby grant 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): [Handwritten Signature]

Date: 10/7/23

NOTARY

STATE OF NEW YORK) ss:

COUNTY OF Schenectady

SUBSCRIBED AND SWORN to before me this 3 day of October, 2023

NOTARY SEAL

[Handwritten Signature: Sharon A. Sicilia]  
Notary Signature.

Sharon A. Sicilia  
Notary Public, State of NY  
No. 01516028233

Qualified in Schenectady Cty.  
Commission Expires 7/26/25

Notary Public in and for the State of New York  
Residing at: 16 Netherlands Blvd  
My appointment expires: 7/26/25

**Short Environmental Assessment Form**  
**Part 1 - Project Information**

**RECEIVED**

OCT 06 2023

TOWN OF ROTTERDAM

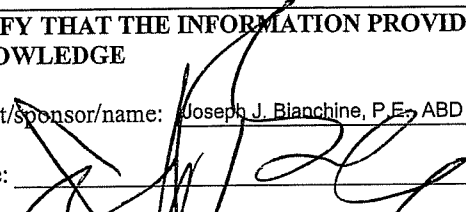
PUBLIC WORKS

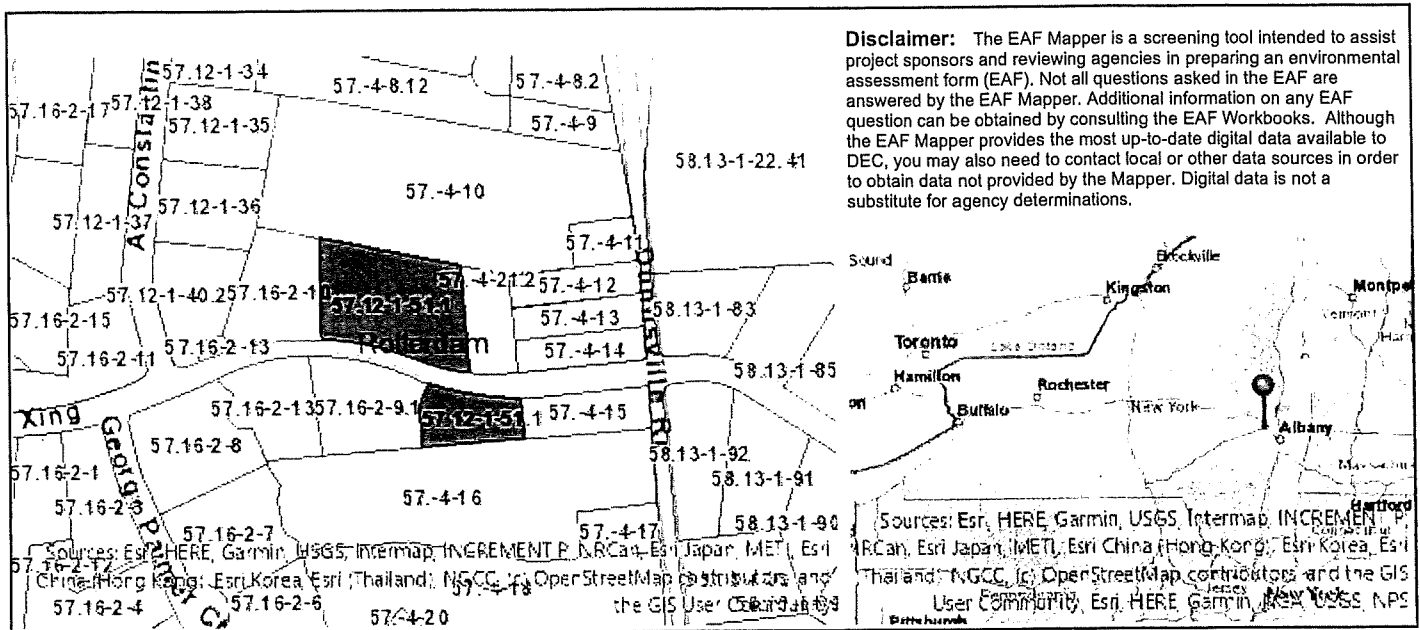
**Instructions for Completing**

**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: Becker's Crossing Subdivision			
Project Location (describe, and attach a location map): Becker's Crossing			
Brief Description of Proposed Action: Subdivide parcel into 3 lots.			
Name of Applicant or Sponsor: Charlew Construction Company, Inc. - Timothy Larned and Robert Iovinella		Telephone: 518-229-3122	
		E-Mail: bobbyiovinella@me.com	
Address: 90 West Campbell 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 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, Rotterdam Zoning Board of Appeals			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		2.70 acres	
b. Total acreage to be physically disturbed?		1.5 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2.7 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			

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: _____ _____		
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>Joseph J. Bianchine, P.E., ABD Engineers &amp; Surveyors, LLP</u> Date: <u>October 5, 2023</u> Signature:  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

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

1176 0019

22-14

THIS INDENTURE, made the 19 day of February, nineteen hundred and Eighty-eight

BETWEEN JAMES E. WAGONER, residing at Dunnsville Road, Schenectady, New York 12306,

686

as executor of ROY S. WAGONER

the last will and testament of  
, late of

the County of Schenectady, New York who died on the 21st day of July, nineteen hundred and Eighty-seven party of the first part, and CHARLEW CONSTRUCTION CO., INC., a domestic corporation, with offices at Duanesburg Road, Schenectady, New York 12306, as tenant in common of an undivided one half interest and TIMOTHY LARNED and ROBERT IOVINELLA of 90 Campbell Road, Schenectady, New York 12306, each as a tenant in common of undivided one-quarter interest.

party of the second part,

WITNESSETH, that the party of the first part, to whom testamentary were issued by the Surrogate's Court, Schenectady on October 1, 1987 and by virtue of the power and authority given in and by said last will and testament, and/or by Article 11 of the Estates, Powers and Trusts Law, and in consideration of

TWO HUNDRED FIFTY-FIVE THOUSAND and no/100 dollars, (\$255,000.00) paid by the party of the second part, does hereby grant and release unto the party of the second part, the distributees or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Rotterdam, County of Schenectady, NY on the Westerly side of the Dunnsville Road, bounded and described as follows: Beginning at the Southwesterly corner of lands of Quick, which point is 300 feet westerly from the westerly line of the Dunnsville Road, and running thence along lands conveyed to William E. Wilkie and Janet Wilkie, N. 80° W (612) feet, more or less, to a stream known as the Cool Kill; thence Northerly along the said Cool Kill, (556) feet, more or less, to a point; thence S 64° E., along lands conveyed to Florence and Luther G. Relyea, (602) feet, more or less, to a point at the northwesterly corner of lands of Loeber; thence S. 10° W., along lands of Loeber, Wilkie and Lewis (225) feet to a point; thence S. 80° E., along the southerly line of lands of Lewis, (300) feet to the Westerly line of the Dunnsville Road; thence along the Westerly line of the Dunnsville Road, S 10° W (60) feet to the Northerly line of land of Quick; thence N. 80° W. along the Northerly line of land of Quick (300) feet to a point; thence S. 10° W. along the Westerly line of lands of Quick, (100) feet to the point of beginning.

Also, all that tract or parcel of land situate in the Town of Rotterdam, aforesaid known as the homestead farm of John Valk and upon which he now (1863) resides according to a map and survey thereof made by William B. Dorn Surveyor in the month of November 1862 as beginning at a point where the lands herein conveyed covers or forms a junction with the lands of J.D. Wemple & Frederick C. Crouse, respectively & runs thence North 12° East Eleven Chains & Eight links thence South 75° East three chains & fifty one links thence North 6° 30' East two chains & twenty links thence North 21° 30' East six chains thence North 13° 45' East four chains seventy five links thence North sixteen degrees 15' West two chains forty seven links, thence North 53° 30' West seven chains & five links thence North 59° 75' West fourteen chains & seventy four links thence north 48° East ten chains & ninety links thence South 62° 45' East three chains and thirty seven links thence South 55° 24' East four chains & Eighty nine links thence South 62° 20' East seven chains & forty four links thence South 64° 35' East nineteen chains & sixty three links thence South 11° 35' West eight chains & seventy five links thence South 11° 56' West seven chains & thirteep links thence South 4° 10' West sixteen chains & twenty seven links; thence South 48° 30' West three chains & five links thence North 58° 40' West three chains & forty links, thence North 56° 10' West five chains & sixty seven links; thence South 52° 30' West three chains & eighty two links; thence South 60° 15' West three chains & twenty nine links; thence South 78° 30' West two chains & thirty five links; thence North 20° 30' West two chains & twelve links; thence North 81° West one chain & two links; thence North 87° 30' West seven chains & twenty links to the place of beginning.

Less and except the following conveyance: Snyder to Hewett, recorded on January 25, 1923 in Book 302 of Deeds, page 229; Snyder to Quay, recorded on May 16, 1928 in

RECEIVED  
OCT 06 2023  
TOWN OF ROTTERDAM  
PUBLIC WORKS

RPT.SA  
TAXPAYER IDENT.  
R 57.00  
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Book 352 of Deeds, page 520; Snyder and Wagoner to Hewett, recorded on April 11, 1935 in Book 394 of Deeds, page 323; Snyder to Bond, recorded on September 21, 1937 in Book 416 of Deeds, Page 49; Wagoner, et al to Wilkie, recorded on August 16, 1954 in Book 703 of Deeds, page 217; Wagoner, et al to Wagoner, recorded on August 16, 1954 in Book 703 of Deeds, page 219; Wagoner, et al to Relyea, recorded August 16, 1954 in Book 703 of Deeds, page 224; and appropriation for the New York State Thruway recorded September 17, 1964, in Book 853 of Deeds, page 223.

Being the same premises, less and except the conveyances listed in the immediately foregoing paragraph, conveyed to Roy S. Wagoner, by warranty deed from Roy S. Wagoner, James E. Wagoner, Janet Wilkie, Florence Relyea and Grace De Mott dated August 13, 1954 and duly recorded in the Schenectady County Clerk's Office on August 16, 1954 in Book 703 of Deeds at page 224.

Roy S. Wagoner died a resident of Schenectady County on July 21, 1987.

This conveyance is made and accepted subject to any enforceable covenants, conditions, restrictions, agreements or easements of record affecting said premises.

2674

RECEIVED  
\$ 1020.00  
REAL ESTATE  
FEB 22 1988  
TRANSFER TAX  
SCHENECTADY  
COUNTY

COUNTY CLERK'S  
OFFICE  
FEB 22 A 11:41  
SCHENECTADY, N.Y.

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UND 1176 0021

**TOGETHER** with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

**TOGETHER** with the appurtenances, and also all the estate which the said decedent had at the time of decedent's death in said premises, and also the estate therein, which the party of the first part has or has power to convey or dispose of, whether individually, or by virtue of said will or otherwise,

**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the distributees or successors and assigns of the party of the second part forever.

**AND** the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part 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.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF

James E. Wagoner  
JAMES E. WAGONER, as Executor  
of the Estate of ROY S. WAGONER

1176 0022

STATE OF NEW YORK, COUNTY OF SCHENECTADY  
On the 19 day of February 19 88, before me personally came JAMES E. WAGONER

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same, both individually and as Executor of the Last Will and Testament of ROY S. WAGONER.

*[Signature]*  
Notary Public-State of New York  
Qualified in Schenectady Co.  
My Comm. Expires 03/31/89  
Notary Public, State of New York  
Qualified in Schenectady County  
Commission Expires April 30, 1989

STATE OF NEW YORK, COUNTY OF  
On the day of 19 , before me personally came

to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF  
On the day of 19 , before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF  
On the day of 19 , before me personally came

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

Executor's Deed

TITLE No.

JAMES E. WAGONER, as Executor of the Last Will and Testament of ROY S. WAGONER

TO CHARLEW CONSTRUCTION CO., INC., ROBERT IOVINELLA AND TIMOTHY LARNED

SECTION  
BLOCK  
LOT  
COUNTY OR TOWN

Recorded At Request of

RETURN BY MAIL TO:

CHARLEW CONSTRUCTION CO., INC.  
R.D.#5 Box 437A  
Schenectady, NY 12306  
Zip No.

1070.00

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

686  
STATE OF NEW YORK  
SCHENECTADY COUNTY  
Recorded in Book 117 of  
at page 19 and amended  
Notary Public  
18