

**Town of Rotterdam
Planning Commission
September 17, 2024**

Workshop (2nd Floor Conference Room) – 7:00pm

- 1. Dominick DeAngelo – 1200 Sandra Court (Lot #16 Diane Estates).** The applicant requests a Waiver of Subdivision to amend the restriction placed on the Diane Estates Subdivision dated October 12, 2000 to allow for the construction of a 3,000 square foot garage on a ±1.07-acre parcel. Engineer: ABD Engineers.

- 2. MBMG Fashion House – 93 W. Campbell Road.** The applicant requests a Waiver of Site Plan to operate a retail store in tenant space G-114, former Christopher Banks, ±2,913 square feet from September 1, 2024 to August 31, 2025 in ViaPort Rotterdam Mall.

Agenda (V. Dalton Bambury Hearing Room 2nd Floor) – 7:30pm

Approval of the Summary of Minutes September 3, 2024

- 1. The BDC Group – Mariaville Road.** Report and Recommendation to the Town Board on a Change of Zone from Multi-Family Residential (R-3) to General Business (B-2) for the construction of flex warehouse space: two (2) ±12,000 square foot, five (5) ±10,000 square foot and two (2) ±7,500 square foot on ±16.19 acres of a ±65.8 acre parcel. Engineer: Advance Engineering & Surveying, PLLC.

**DPW Comments
September 17, 2024**

Workshop (2nd Floor Conference Room) – 7:00pm

- 1. Dominick DeAngelo – 1200 Sandra Court (Lot #16 Diane Estates).** The applicant requests a Waiver of Subdivision to amend the restriction placed on the Diane Estates Subdivision dated October 12, 2000 to allow for the construction of a 3,000 square foot garage on a ±1.07-acre parcel. Engineer: ABD Engineers.
- 2. MBMG Fashion House – 93 W. Campbell Road.** The applicant requests a Waiver of Site Plan to operate a retail store in tenant space G-114, former Christopher Banks, ±2,913 square feet from September 1, 2024 to August 31, 2025 in ViaPort Rotterdam Mall.

WAIVER OF SUBDIVISION REVIEW

Date: September 17, 2024

PC2024-SW8

The Town Planning Commission Office has received the attached application and accompanying documents. The below-identified applicant requests a waiver of Section 249 as outlined in Section 249-27(D) entitled "Waiver for Lot Line Amendments."

APPLICANT: Dominick DeAngelo
1200 Sandra Court
Rotterdam, NY 12303

PROJECT ADDRESS: 1200 Sandra Court (Lot #16 – Diane Estates)

APPLICANT IDENTIFIED AS: Owner(s) Lessee Contract Vendee

REQUEST: The applicant requests a Waiver of Subdivision to amend the restriction placed on the Diane Estates Subdivision dated October 12, 2000 to allow for the construction of a 3,000 square foot garage on a ±1.07-acre parcel. Engineer: ABD Engineers.

Action Taken by Commission:

In accordance with Chapter 249 of the Town of Rotterdam Zoning Ordinance, entitled "Subdivision," Section 249-27(D) the Planning Commission waives the requirements set forth in Chapter 249, conditionally. Conditions imposed, if any, are as follows:

1. The proposed garage shall be slab on grade construction with disturbance limited to grading associated with the excavation for the pole barn foundation and associated minor grading to make the garage accessible. Additional grading and disturbance of the former landfill area is not permitted. These notes shall be placed on the building permit.
2. Due to the size and height of the proposed garage, the applicant must receive variances from the Rotterdam Zoning Board of Appeals prior to the issuance of a building permit.
3. Application fee of \$100.00 shall be submitted to DPW.

The Commission action on the Waiver application took place at the Planning Commission meeting of September 17, 2024 and authorized the Commission Chairman to execute the Waiver. The issuance of this Waiver is contingent upon the applicant complying with all conditions as stated above. Failure to adhere to conditions may result in revocation of Waiver by the Town of Rotterdam Planning Commission and requirement of a full Subdivision.

Peter J. Comenzo
Senior Planner

Kimberly Ricker-Scannell, Chairman
Planning Commission

Project Narrative

1200 Sandra Court

Town of Rotterdam

ABD Project 1827D

Dominick DeAngelo owns 1200 Sandra Court and would like to construct a pole barn garage on this property. The lot was developed with a house in 1999 as a part of Diane Estates and was owned by Mr. DeAngelo since 2008. His lot contained an old ash landfill that had previously been used in the 1940's by the City of Schenectady for disposal of ash waste from the City's incinerator. An extensive study by Evergreen Testing was conducted as a part of Diane Estates in 1998. The results of testing were that "The landfilled materials found at the site are composed of cinders, ash cans, and bottles."

The materials have now been at the site for about seventy-five (75) years and have not shown or caused any significant settlement or other issues. Occasionally a few minor pieces of metal or glass have been noted by the Owner and a neighbor. At the time of approval of Diane Estates, the Planning Commission required a note on the plans requiring that no buildings could be planned on the landfill area and a note requiring a deed restriction also be placed in the deeds for each lot containing the old landfill.

Now, 25+ years after the original construction of Diane Estates, Mr. DeAngelo would like to construct a pole barn on the old landfill, and so is seeking a variance and revision to the previously approved subdivision.

The 3,000 square foot pole barn garage would have a slab on grade (no basement) and would essentially sit slightly above grade, so that the only excavation would be for the pole barn foundation. Mr. DeAngelo has a two-car garage on his house but needs additional space for property maintenance equipment, recreation equipment, and storage of other personal items.

The pole barn would be 50 feet deep and 60 feet long (3,000 SF), one-story with a pitch roof (4/12), 20± feet high, two overhead doors, and two personal doors. The exterior would be finished in a similar fashion to the house. The building would be set back significantly from the road (62 feet) and from the side lines (30 feet and 41 feet).



**TOWN OF ROTTERDAM
OFFICE OF THE PLANNING COMMISSION**

Town of Rotterdam Boundary Line Adjustment Application

100.00 Application Fee

The purpose of this application is to allow the property owner to request an amendment to restrictions of an existing approved subdivision.

Tax Map Number(s) # 71.8-1-42

#1 Property Owner's Name: Dominick DeAngelo

Mailing Address: 1200 Sandra Court

Phone Number(s) and e-mail _____

Contractor's/Agent/Representative's Name (if Applicable) Joseph J. Bianchine, P.E., ABD Engineers & Surveyors, LLP

Address: 411 Union Street, Schenectady, NY 12305

Phone Number(s) and e-mail 518-377-0315 joe@abdeng.com

Parcel Size(s) (acreage or sq. ft): #1: 1.07± acres

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, Dominick DeAngleo, being duly sworn declare that I am the
(PROPERTY OWNER)

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

Tax Parcel Number(s): 71.8-1-42

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

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

Signature (Authorized Representative): *Dominick DeAngleo*

Date: 6-18-24

NOTARY

STATE OF NEW YORK) ss:
COUNTY OF Schenectady)

SUBSCRIBED AND SWORN to before me this 18th day of June, 2024

NOTARY SEAL

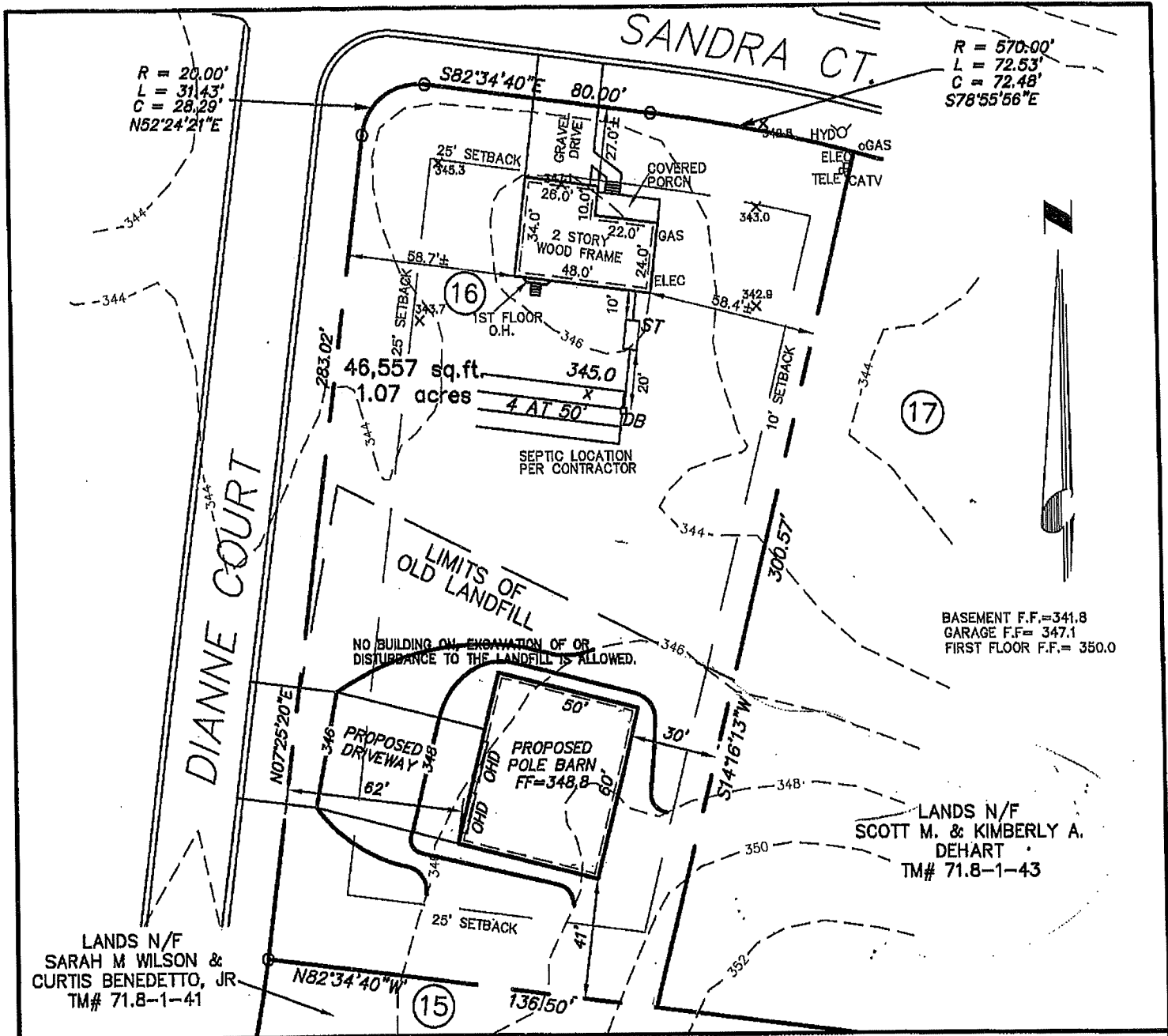
Angela Cozzolino
Notary Signature

Notary Public in and for the State of New York

Residing at: Schenectady NY

My appointment expires: 12/28/2025

ANGELA COZZOLINO
Notary Public in the State of New York
No. 01CO6215301
Qualified in Albany County
My Commission Expires 12/28/2025



R = 20.00'
L = 31.43'
C = 28.29'
N52°24'21"E

R = 570.00'
L = 72.53'
C = 72.48'
S78°55'56"E

LANDS N/F
SARAH M WILSON &
CURTIS BENEDETTO, JR.
TM# 71.8-1-41

LANDS N/F
SCOTT M. & KIMBERLY A.
DEHART
TM# 71.8-1-43

NO.	REVISION	BY	DATE

ALTERATION OF THIS DOCUMENT EXCEPT BY A LICENSED PROFESSIONAL ENGINEER IS ILLEGAL

JOSEPH J. BIANCHINE, P.E.
N.Y.S. LICENSE NO. 50226

POLE BARN
1200 SANDRA COURT
DIANNE ESTATES

TOWN OF ROTTERDAM COUNTY OF SCHENECTADY

STATE OF NEW YORK

ABD ENGINEERS
SURVEYORS

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

DATE: APRIL 22, 2024	SCALE: 1" = 50'	DWG. 1827A-L0T 16	SHEET OF 1 1
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TOWN NOTES:

- 1.) FURTHER DIVISION OR CHANGES IN CONFIGURATION OF LOTS DESCRIBED ON THIS PLAN MUST NOT BE MADE WITHOUT PRIOR APPROVAL OF THE SCHENECTADY COUNTY HEALTH DEPARTMENT.
- 2.) WATER FROM CELLAR, FOOTING, OR ROOF DRAINAGE WILL NOT BE DISPOSED OF IN THE SANITARY SEWER DISPOSAL SYSTEM. SUCH WATER SHALL BE DAYLIGHTED TO A POSITIVELY DRAINED DITCH, STORM PIPE, OR CATCH BASIN.
- 3.) NO SEWAGE DISPOSAL SYSTEM WILL BE LOCATED UNDER DRIVEWAYS, ACCESS ROADS, OR AREAS RECEIVING VEHICULAR TRAFFIC.
- 4.) THIS SHEET NOT FOR CONSTRUCTION UNTIL IT BEARS THE APPROVAL STAMP OF THE SCHENECTADY COUNTY HEALTH DEPARTMENT.
- 5.) LOTS #15-20 CONTAIN PORTIONS OF THE OLD LANDFILL, NO BUILDING, EXCAVATION OR DISTURBANCE OF THE LANDFILL SHALL BE ALLOWED, AND SO SHALL BE NOTED ON DEEDS FOR THESE PROPERTIES.
- 6.) LOTS #26-29 CONTAINS WATERS OF THE UNITED STATES (FEDERAL WETLANDS) AS SHOWN. DISTURBANCE (CLEARING, EXCAVATION, GRADING FILLING, ETC.) OF ANY PORTION OF THESE AREAS MAY REQUIRE A PERMIT FROM THE U.S. ARMY CORP OF ENGINEERS.

NOTES:

- 1.) BASE MAPPING PREPARED BY ABD ENGINEERS & SURVEYORS FROM A FIELD SURVEY, UPDATED MAY 1997, AND RECORD MAPPING PROVIDED BY THE TOWN OF ROTTERDAM, AND THE N.Y.S.D.O.T.
- 2.) THE PLANS SHOW SOME KNOWN SUBSURFACE STRUCTURES, ABOVEGROUND STRUCTURES AND /OR UTILITIES BELIEVED TO EXIST IN THE WORKING AREA, EXACT LOCATION OF WHICH MAY VARY FROM THE LOCATIONS INDICATED. IN PARTICULAR, THE CONTRACTOR IS WARNED THAT THE EXACT OR APPROXIMATE LOCATION OF SUCH PIPE LINES, SUBSURFACE STRUCTURE AND/OR UTILITIES IN THE AREA MAY BE SHOWN OR MAY NOT BE SHOWN, AND IT SHALL BE HIS RESPONSIBILITY TO PROCEED WITH GREAT CARE IN EXECUTING ANY WORK. 48 HOURS BEFORE YOU DIG, DRILL OR BLAST, CALL U.F.P.O. 1-800-962-7962.
- 3.) SURVEY SHOWN IS SUBJECT TO ANY SUBSURFACE EASEMENTS, RESTRICTIONS OR CONDITIONS THAT EXIST, IF ANY.
- 4.) THIS SURVEY HAS BEEN PREPARED IN ACCORDANCE WITH THE CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS AS LAST REVISED JULY 1985.
- 5.) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN UP TO DATE ABSTRACT OF TITLE OR TITLE REPORT AND IS SUBJECT TO ANY STATEMENT OF FACT THAT SUCH ABSTRACT OF TITLE OR TITLE REPORT MAY REVEAL.
- 6.) ELEVATIONS BASED ON USGS DATUM.

MAP REFERENCE:

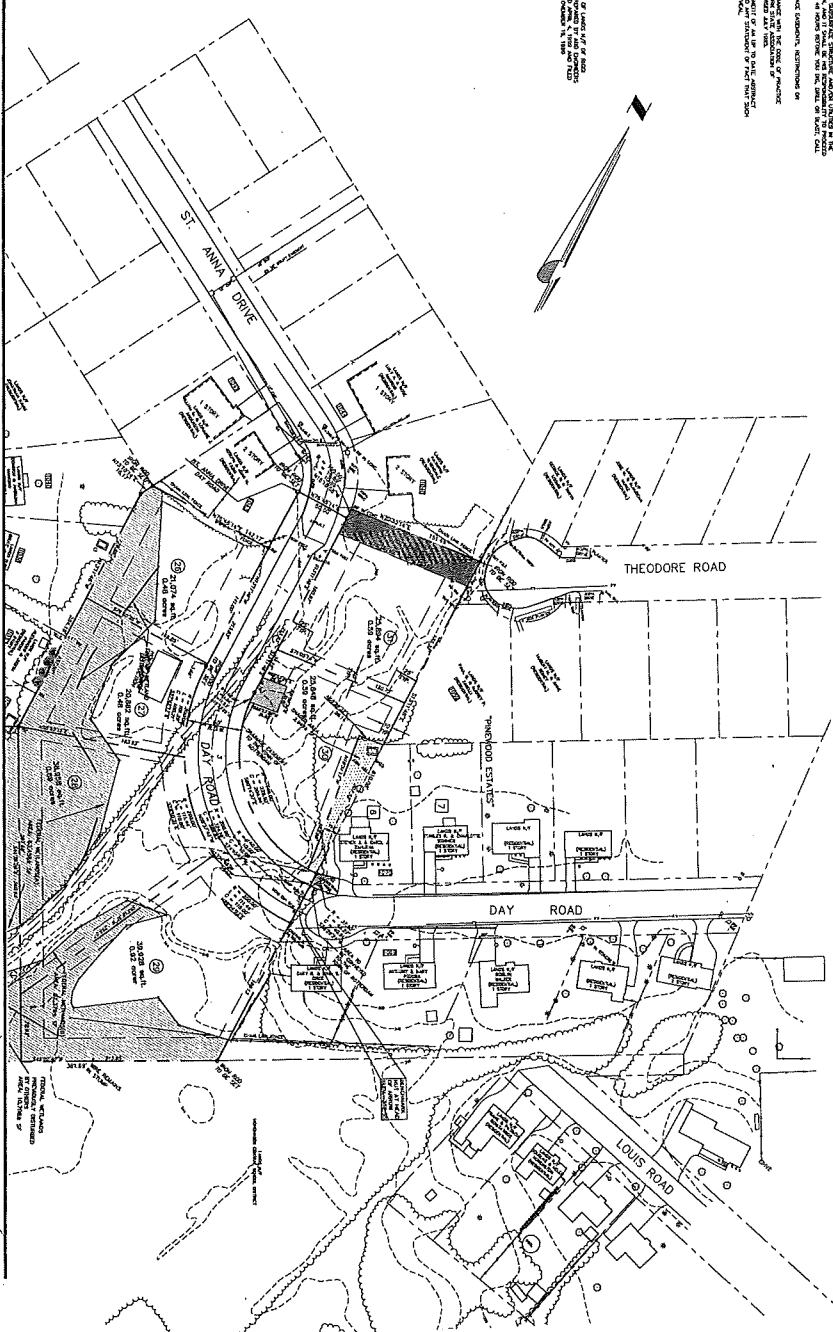
1. "SUBDIVISION PLAN - DIANNE ESTATES, SUBDIVISION OF LANDS N/F OF RIGGI FOR THE CREATION OF NEW LOTS 1 THRU 25" AS PREPARED BY ABD ENGINEERS AND SURVEYORS, DATED DEC. 2, 1997, LAST REVISED APRIL 4, 1999 AND FILED IN THE SCHENECTADY COUNTY CLERK'S OFFICE ON NOVEMBER 19, 1999 AS MAPS J 298- J 301.

DEED NOTES:

- 1) THESE NOTES are intended to supplement the deed records on this property and are not intended to modify or alter the deed records.
- 2) THE PROPERTY described herein is located in the City of St. Louis, Missouri, and is subject to the provisions of the Subdivision Map Act, Chapter 66, R.S.Mo., and the provisions of the Revised Code of Public Safety, Chapter 175, R.S.Mo.
- 3) THE PROPERTY described herein is subject to the provisions of the Revised Code of Public Safety, Chapter 175, R.S.Mo., and the provisions of the Subdivision Map Act, Chapter 66, R.S.Mo.
- 4) THE PROPERTY described herein is subject to the provisions of the Revised Code of Public Safety, Chapter 175, R.S.Mo., and the provisions of the Subdivision Map Act, Chapter 66, R.S.Mo.
- 5) THE PROPERTY described herein is subject to the provisions of the Revised Code of Public Safety, Chapter 175, R.S.Mo., and the provisions of the Subdivision Map Act, Chapter 66, R.S.Mo.
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- 7) THE PROPERTY described herein is subject to the provisions of the Revised Code of Public Safety, Chapter 175, R.S.Mo., and the provisions of the Subdivision Map Act, Chapter 66, R.S.Mo.
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- 10) THE PROPERTY described herein is subject to the provisions of the Revised Code of Public Safety, Chapter 175, R.S.Mo., and the provisions of the Subdivision Map Act, Chapter 66, R.S.Mo.

PLAN NOTES:

- 1) THE PROPERTY described herein is subject to the provisions of the Revised Code of Public Safety, Chapter 175, R.S.Mo., and the provisions of the Subdivision Map Act, Chapter 66, R.S.Mo.
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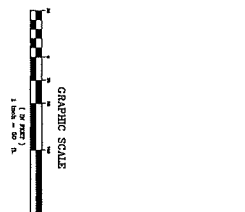


MATCH LINE SHEET 1 OF 6

SHEET AREA		SHEET AREA	
3144 ACRES / 2.100	3144 ACRES / 2.100	3144 ACRES / 2.100	3144 ACRES / 2.100
3144 ACRES / 2.100	3144 ACRES / 2.100	3144 ACRES / 2.100	3144 ACRES / 2.100
3144 ACRES / 2.100	3144 ACRES / 2.100	3144 ACRES / 2.100	3144 ACRES / 2.100
3144 ACRES / 2.100	3144 ACRES / 2.100	3144 ACRES / 2.100	3144 ACRES / 2.100

LOT DIMENSIONS - ZONING 6-1	
LOT WIDTH	100 FT. MIN. (75 FT. MINIMUM ON SIDE-DEAD-END)
LOT DEPTH	15 FT.
MIN. SETBACK	25 FT.

OWNER: A. B. BENDERS, INC.
 ENGINEER: A. B. BENDERS, INC.
 SURVEYOR: A. B. BENDERS, INC.



NO.	DESCRIPTION	DATE
1	PRELIMINARY PLAN	10/15/20
2	FINAL PLAN	11/15/20

SUBDIVISION PLAN - DIANNE ESTATES
 AND AMENDMENT TO "DIANNE ESTATES" FOR THE
 CREATION OF NEW LOT 20 "DIANNE ESTATES"
 AND AMENDED LOT 8 "THIRWOOD ESTATES"

A. B. BENDERS, INC.
 ENGINEERS & SURVEYORS
 11111 MARKET STREET, ST. LOUIS, MO 63143
 TEL: 314-437-1111 FAX: 314-437-1112

WAIVER OF SITE PLAN REVIEW

Date: September 17, 2024

PC2024-W43

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: MBMG Fashion House
Keshon Harrirarain
ADDRESS: 1026 Raymond Street
Schenectady, NY 12308

PROJECT ADDRESS: 93 W. Campbell Road – ViaPort Rotterdam Mall

APPLICANT IDENTIFIED AS: Owner X Lessee Contract Vendee

REQUEST: The applicant requests a Waiver of Site Plan to operate a retail store in tenant space G-114, former Christopher Banks, ±2,913 square feet from September 1, 2024 to August 31, 2025 in ViaPort Rotterdam Mall.

Action Taken by Commission:

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

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

The Commission action on the Waiver application took place at the Planning Commission meeting of September 17, 2024 and authorized the Commission Chairman to execute the Waiver. The issuance of this Waiver is contingent upon the applicant complying with all conditions as stated above. Failure to adhere to conditions may result in revocation of Waiver by the Town of Rotterdam Planning Commission and requirement of a full Site Plan.

Peter J. Comenzo
Senior Planner

Kimberly Ricker-Scannell, Chairman
Planning Commission



Town of Rotterdam
Waiver of Site Plan Review Application
93 W. Campbell Road

RECEIVED
SEP 11 2024
TOWN OF ROTTERDAM
PUBLIC WORKS

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

1. Copy of Site Plan Map (8 X 11) that identifies:
 - Kiosk or tenant space (highlighted).
 - Clearly identified with space number
2. On a separate sheet of paper provide a descriptive narrative of use and activity occurring on the site including but not limited to:
 - Number of employees
 - Exact nature of business and hours of operation.
3. A completed Commercial Building Permit Application and/or Fire Inspection Application.
4. \$100.00 application fee (Checks to be made payable to the Town of Rotterdam).

APPLICANT(S): MGB LLC.

ADDRESS: 93 W. Campbell Road Schenectady NY 12306

DAYTIME TELEPHONE: 518-407-9053 (FAX) _____

PROJECT ADDRESS: 93 W. Campbell Road, Schenectady, NY 12306

REQUEST: Detail custom shirts - sneakers - storage

LICENSE AGREEMENT DATE: 9/11/2024 AREA: 2913 SF

TERM: FROM 9/1/24 TO 8/31/25 KIOSK OR TENANT SPACE #: C-114

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 Keshon Brown DATE 9/11/2024

* The Planning Commission meets on the first and third Tuesday of each month. All pertinent information and fee 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.

VIA | PORT NEW YORK LLC

SPECIALTY LEASE AGREEMENT

This Specialty Lease Agreement ("Agreement") is made as of this 21st day of August 2024 by and between ViaPort New York LLC, a New York Limited Liability Company (the "Landlord") and MGB LLC, a New York Limited Liability Company operating as MBMG Fashion House (the "Tenant"). Landlord and Tenant shall sometimes be referred to herein collectively as the "Parties" or individually as a "Party."

RECITALS

WHEREAS, Landlord is the owner of certain real property, commonly known as ViaPort Rotterdam, which is located at 93 W. Campbell Road, Schenectady, NY 12306 (the "Center"); and

WHEREAS, Tenant desires to lease certain premises at the Center for the Permitted Use.

NOW, THEREFORE, in consideration of the promises and the mutual promises and covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency are hereby acknowledged, the Parties agree as follows.

- 1. Premises.** The "Premises" are located within the portion of the Center known as G-114 containing approximately 2913 square feet, which location is depicted on Exhibit "A" attached hereto and made part of this Agreement by this reference. Tenant may use the Premises to display and sell its services and merchandise in accordance with the Permitted Use set forth in Paragraph 3 of this Agreement. No other portion on the Center may be used by Tenant except that Tenant shall have a non-exclusive easement to use all Common Areas (hereafter defined) within the Center, for vehicular parking and vehicular and pedestrian ingress and egress to and from the Premises, except for those parking facilities located in front of the New York State Office of Tax and Finance, including, but not limited to, those spots marked as being for the exclusive use of the New York State Office of Tax and Finance. As used herein, the term "Common Areas" shall mean all realty improvements in or at the Center now or hereafter made available by Landlord for the general use, convenience and benefit of Tenant and other tenants upon the Center. Tenant agrees that the Premises may be relocated at any time at the discretion of, and without liability to, the Landlord.
- 2. Term.** The "Term" of this Agreement shall commence on September 01, 2024 (the "Commencement Date") and will expire on August 31, 2025, unless sooner terminated as provided herein. The tenant will operate its business upon the premises throughout the term. Landlord shall have the right to terminate this Agreement upon thirty (30) day's written notice in the event Tenant is in violation of this Agreement.

DPW Comments
September 17, 2024

1. **The BDC Group – Mariaville Road.** Report and Recommendation to the Town Board on a Change of Zone from Multi-Family Residential (R-3) to General Business (B-2) for the construction of flex warehouse space: two (2) ±12,000 square foot, five (5) ±10,000 square foot and two (2) ±7,500 square foot on ±16.19 acres of a ±65.8-acre parcel. Engineer: Advance Engineering & Surveying, PLLC.

1. The Rotterdam Town Board referred this Change of Zone to the Rotterdam Planning Commission on September 11, 2024 for a report and recommendation.

SEQR Requirement: 6 NYCRR 617 Unlisted Action. The Town Board should establish lead agency.

Involved/Interested Agencies:

Schenectady County Economic Development and Planning

Schenectady County Department of Health

New York State Department of Environmental Conservation – Region #4

New York State Department of Transportation – Audrey Burneson (cc Guy Tedesco & Chad Corbett on notice)

Rotterdam Police Department

Rotterdam Planning Commission

Metroplex Development Authority

Fire District #6



TOWN OF ROTTERDAM CHANGE OF ZONE APPLICATION

Application Fee \$1,000

Existing Zone Classification: R3 Multiple Family District

Proposed Zone Classification: B-2 General Business District

PART II GENERAL INFORMATION

Legal Owner's Name: The BDC Group
Mailing Address: 11 Herbert Drive
City: Latham 47.-8-13.5 State: NY Zip: 12110
Daytime Phone: 914 424 0359 E-mail: cmarfione@thebdcgroup.com

If applicant is not the owner, include written owner authorization for the below-designated contact to serve as representative.

Owner's Designated Contact: Nicholas Costa-Advance Engineering & Surveying, PLLC

Mailing Address: 11 Herbert Drive
City: Latham State: NY Zip: 12110
Daytime Phone: 518 698 3772 E-mail: ncostape@gmail.com
Project/Proposal Site Area: (Acres or sq. ft.) 65.8+/- Acres (16.19+/- Ac. to be rezoned)
Assessor Tax Parcel No.(s) of Site: 47.-8-13.5
Adjacent Parcels Owned or Controlled and Tax Map Parcel No: (Acres or sq. ft.) 3.88+/- Ac.

Street Address of Proposed Site (if any): 676 Mariaville Road

Describe Existing Use(s) on Proposed Site: (commercial vacant, residential, buildings, well, sewer drainfield, etc.)

Existing parcel is vacant. The adjacent parcel (3.88+/- Ac.) was subdivided by the applicant and is developed with a 3-story Climate

Control building. Access and circulation drive to support the new building have also been constructed.

School District: Schalmont

Fire District: Fire District 6

Water Supply: CW 500

LEGAL INFORMATION

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

The parcel is located on the north side of Mariaville Road with an address of 676 Mariaville Road.

It also has frontage along Cimino Lane which is located just to the east of the subject parcel.

The NYS Thruway is located just to the West of the site of the subject parcel.

Name of Public Road(s) Providing Access: Mariaville Road (NYS Route) & Cimino Lane

Width of Property Fronting on the Existing Public Road in Linear Feet: 541+/-

Does the Proposal Have Access to an Arterial or Planned Arterial? Yes No

Name(s) of Arterial Road(s): Mariaville Road

A legal description of the proposed site must be attached: Yes No

A copy of the assessor's map of the proposed site must be attached: Yes No

A copy of the most current deed(s) of the proposed site must be attached: Yes No

(All applications must contain a legal description that describes the exterior boundaries of the entire area to be rezoned. Please include the legal description for the entire area to be rezoned and also a copy of the assessor's map. A simple copy of the deed is not sufficient to process the change of zone request).

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

What factors support this rezone? (This may be provided on a separate sheet of paper if necessary)

The Mariaville Road corridor in this section is developed with a mix use of Commercial, Industrial & Residential development and this area is very convenient for traveling to multiple locations. This parcel is located on this corridor and the construction of Flex-Space Buildings may attract potential tenants that want to locate where access is facilitated.

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

UTILITIES

Proposed Source of Water:

- Individual Wells
- Public System
- Private Community System
- Other, please describe _____

Proposed Means of Sewage Disposal:

- Public Sewer
- Dry Sewer
- Community System
- Septic Tank & Leachfield
- Other, please describe _____

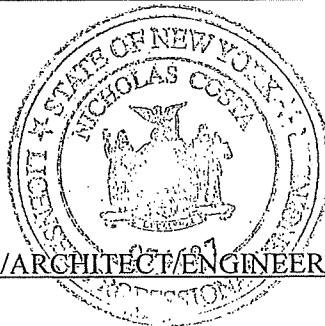
PART III

SURVEYOR/ARCHITECT/ENGINEER VERIFICATION

I, the undersigned, a licensed land surveyor, architect, 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.

Signed: _____
 Address: 11 Herbert Drive
 Latham, NY

Date: Aug 14, 2024
 Phone: 518 698 3772
 Zip: 12110



PLEASE AFFIX SURVEYOR/ARCHITECT/ENGINEER SEAL HERE

LEGAL OWNER SIGNATURE

(Signature of legal owner or representative 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 am the owner of record of the area proposed for the previously identified land use action, or, if not the owner, attached herewith is written permission from the owner authorizing my actions on his/her behalf.

Name: Cosmo Marfione
Address: 11 Herbert Drive
Latham, NY

Date:
Phone: 914 424 0359
Zip: 12110

Cosmo Marfione
Signature of applicant or representative

Date

NOTARY

47-8-13.5

STATE OF NEW YORK) ss:
COUNTY OF Saratoga

SUBSCRIBED AND SWORN to before me this 7 day of August, 2021

NOTARY SEAL

Erin Daly
Notary Signature

Notary Public in and for the State of New York
Residing at: NY, NY
My appointment expires: 01-28-2027

ERIN DALY
NOTARY PUBLIC-STATE OF NEW YORK
No. 01DA6386531
Qualified in Westchester County
My Commission Expires 01-28-2023 2027

PLEASE AFFIX NOTARY SEAL HERE

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, Cosmo Marflone, being duly sworn declare that I am the
(PROPERTY OWNER)

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

Tax Parcel Number(s): 47.-8.13.5

I hereby grant Nicholas Costa-Advance Engineering & Surveying, PLLC 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): Cosmo & Marflone
Date: 8/11/2024

NOTARY

STATE OF NEW YORK) ss:
COUNTY OF Westchester
SUBSCRIBED AND SWORN to before me this 11 day of August, 2024

NOTARY SEAL

ERIN DALY

Erin Daly
Notary Signature

NOTARY PUBLIC-STATE OF NEW YORK

No. 01DA6386531

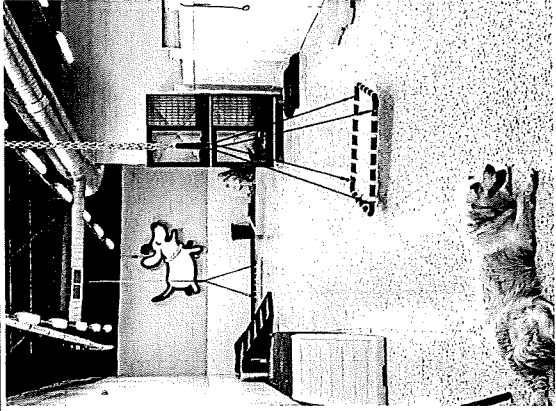
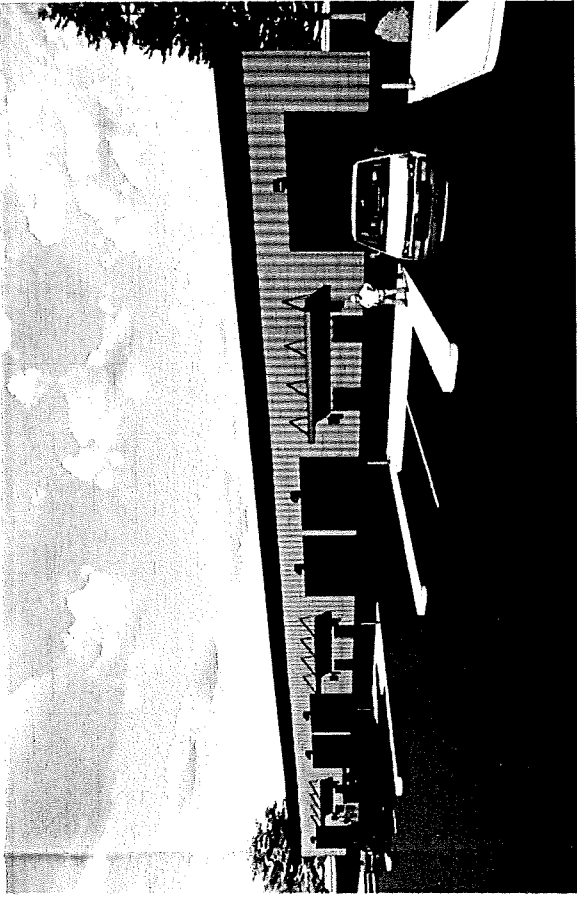
Qualified in Westchester County

My Commission Expires 01-28-2023
2024

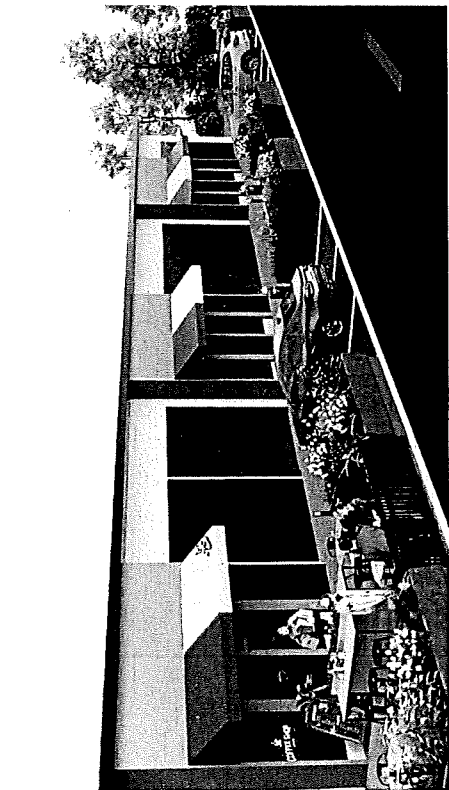
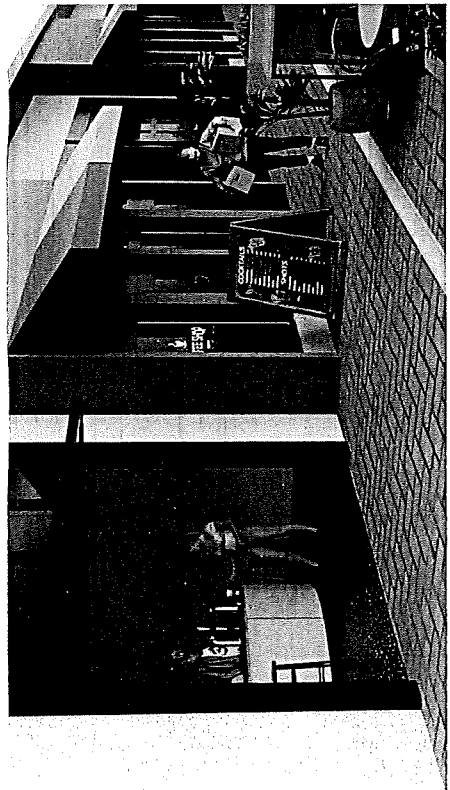
Notary Public in and for the State of New York

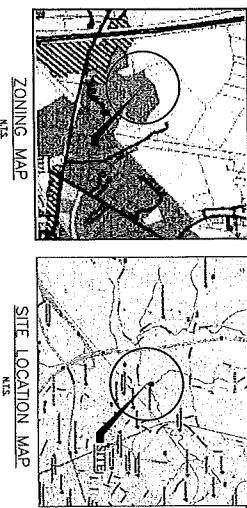
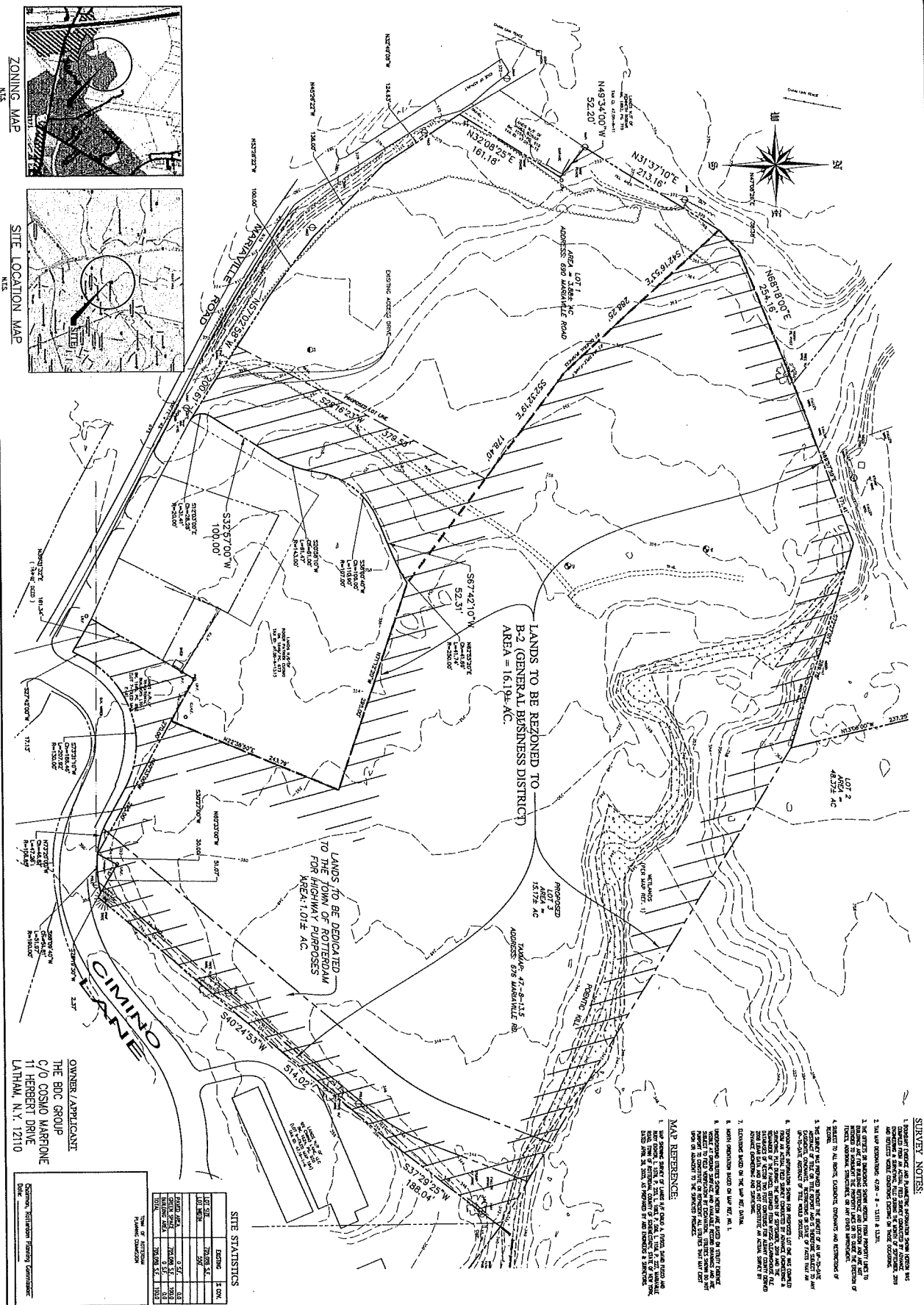
Residing at: NY NY

My appointment expires: 01-28-2027



BDC
The BDC Group





LANDS TO BE REZONED TO
B-2 (GENERAL BUSINESS DISTRICT)
AREA = 161.9 AC.

LANDS TO BE DEDICATED
TO THE TOWN OF ROTTERDAM
FOR HIGHWAY PURPOSES
AREA = 1.01 AC.

OWNER/APPLICANT:
THE BDC GROUP
C/O COSMO WARDONE
11 HERBERT DRIVE
LATHAM, N.Y. 12110

DATE: FEBRUARY 8, 2023 SCALE: 1" = 60'

SITE STATISTICS	
ACRES	162.91
SQ. FT.	11,210,000
PERCENTAGE	100.00%
PERMITS	1
REVISIONS	1
DATE	2/8/23
BY	NS
CHKD	NS
APPD	NS
DATE	2/8/23

- MAP REFERENCE:**
1. THE SHOWN PROPERTY OF LOT 1, AREA 1.01 AC. IS SHOWN AS DEDICATED TO THE TOWN OF ROTTERDAM FOR HIGHWAY PURPOSES.
 2. THE SHOWN PROPERTY OF LOT 2, AREA 45.27 AC. IS SHOWN AS ZONED B-2 (GENERAL BUSINESS DISTRICT).
 3. THE SHOWN PROPERTY OF LOT 1, AREA 1.01 AC. IS SHOWN AS ZONED B-2 (GENERAL BUSINESS DISTRICT).
 4. THE SHOWN PROPERTY OF LOT 2, AREA 45.27 AC. IS SHOWN AS ZONED B-2 (GENERAL BUSINESS DISTRICT).
 5. THE SHOWN PROPERTY OF LOT 1, AREA 1.01 AC. IS SHOWN AS ZONED B-2 (GENERAL BUSINESS DISTRICT).
 6. THE SHOWN PROPERTY OF LOT 2, AREA 45.27 AC. IS SHOWN AS ZONED B-2 (GENERAL BUSINESS DISTRICT).
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 8. THE SHOWN PROPERTY OF LOT 2, AREA 45.27 AC. IS SHOWN AS ZONED B-2 (GENERAL BUSINESS DISTRICT).
 9. THE SHOWN PROPERTY OF LOT 1, AREA 1.01 AC. IS SHOWN AS ZONED B-2 (GENERAL BUSINESS DISTRICT).
 10. THE SHOWN PROPERTY OF LOT 2, AREA 45.27 AC. IS SHOWN AS ZONED B-2 (GENERAL BUSINESS DISTRICT).

SURVEY NOTES:

1. BOUNDARY LINES AND PLANNING INFORMATION SHOWN HEREON ARE BASED UPON THE RECORD PLANS AND SURVEY DATA PROVIDED BY THE APPLICANT AND THE RECORD PLANS AND SURVEY DATA PROVIDED BY THE APPLICANT AND THE RECORD PLANS AND SURVEY DATA PROVIDED BY THE APPLICANT.
2. THE APPLICANT HAS REPRESENTED THAT THE INFORMATION PROVIDED IS TRUE AND CORRECT.
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10. THE APPLICANT HAS REPRESENTED THAT THE INFORMATION PROVIDED IS TRUE AND CORRECT.

REZONE

CHANGE IN ZONE
LANDS TO BE REZONED

MARIWILLE ROAD
TOWN OF ROTTERDAM
COUNTY OF SCHENECTADY
STATE OF NEW YORK

DATE: FEBRUARY 8, 2023 SCALE: 1" = 60'

Design of:

ADVANCE ENGINEERING & SURVEYING, PLLC

CONSULTING IN -
CIVIL & ENVIRONMENTAL ENGINEERING
LAND SURVEYING & DEVELOPMENT
COMMERCIAL AND RESIDENTIAL

11 HERBERT DRIVE, LATHAM, N.Y. 12110
PHONE: (518) 655-3772 E-MAIL: NS@AESURV.COM

NO.	REVISION	BY	APPD.	DATE
1	ISSUED FOR PUBLIC APPLICATION	NS	NS	02/08/2023
2	REVISION	NS	NS	02/08/2023

