

**Town of Rotterdam
Planning Commission
October 15, 2024**

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

1. **Honeymills Bakery – 1266 Duanesburg Road.** The applicant requests a Waiver of Site Plan review to operate a take-out bakery in space #102 on a ±3.4 acre parcel.
2. **Irr Supply Center – 51 Opus Boulevard.** The applicant requests a Waiver of Site Plan review to operate Wholesale Distribution store in ±25,400 square foot building on a ±1.39 acre parcel.
3. **Bellevue Builders – 498 Duanesburg Road.** The applicant requests a Waiver of Site Plan review to replace 26 Poplar trees that were removed from the site with 26 Little Leaf Lindens approximately 10' – 12' and install a silencer for noise abatement on a ±21.71-acre parcel.

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

Approval of the Summary of Minutes October 1, 2024

1. **Mark DeMeo (owner) and Dominic Leone (owner and contract vendee) – Willow Drive & Suffolk Avenue.** Final Three (3) Lot Major Subdivision with Boundary Line Adjustments Public Hearing: Lot #1= 2.1 acres with proposed improvements to Willow Drive and the construction of a single-family residence. Lot #2 = 24,351 square feet with proposed improvements to Suffolk Avenue and the construction of a single-family residence. Lot #3 = 5.3-acre boundary line adjustment to consolidate lands and increase the lot size of an existing developed lot. Surveyor: Blackstone Land Surveyors.

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

1. **Honeymills Bakery – 1266 Duanesburg Road.** The applicant requests a Waiver of Site Plan review to operate a take-out bakery in space #102 on a ±3.4 acre parcel.
2. **Irr Supply Center – 51 Opus Boulevard.** The applicant requests a Waiver of Site Plan review to operate Wholesale Distribution store in ±25,400 square foot building on a ±1.39 acre parcel.
3. **Bellevue Builders – 498 Duanesburg Road.** The applicant requests a Waiver of Site Plan review to replace 26 Poplar trees that were removed from the site with 26 Little Leaf Lindens approximately 10' – 12' and install a silencer for noise abatement on a ±21.71-acre parcel.

WAIVER OF SITE PLAN REVIEW

Date: October 15, 2024

PC2024-W46

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: Joelle Salisbury/Steve Keohan

Honeymills Bakery

ADDRESS:

250 Stoodley Place

Schenectady, NY 12303

PROJECT ADDRESS: 1266 Duaneburg Road

APPLICANT IDENTIFIED AS: Owner Lessee Contract Vendee

REQUEST: The applicant requests a Waiver of Site Plan review to operate a take-out bakery in space #102 on a ±3.4 acre parcel.

Action Taken by Commission:

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

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

The Commission action on the Waiver application took place at the Planning Commission meeting of October 15, 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

RECEIVED

OCT 03 2024

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

PRESENT OWNER(S): M+M LAND DEVELOPMENT / MIKE GORGIO

APPLICANT(S)/LESSEE: JDELLE SALISBURY / STEVE KEOMAN

MAILING ADDRESS: 250 STODLEY PLACE

CITY: ROTTERDAM STATE: NY ZIP: 12303

DAYTIME TELEPHONE: 518-596-4632 EMAIL ADDRESS Honeymillsbakery@gmail.com

PROJECT ADDRESS: 1266 DUANESBURG RD., 12306

APPLICANT IDENTIFIED AS: Owner ___ Lessee Contract Vendee ___

REQUEST: no structural work needed. OPEN a bakery at
1266 DUANESBURG Rd. location.

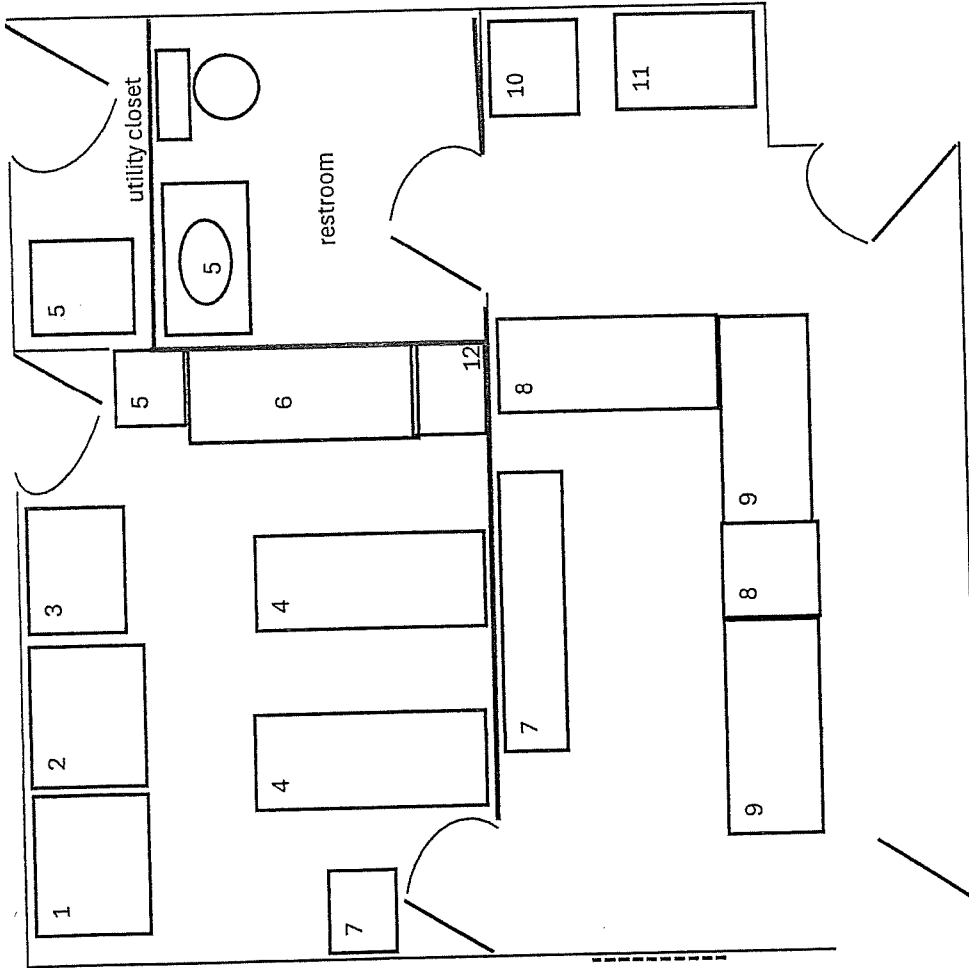
By signing the application, it is understood by the applicant that he/she must fully comply with the Town Code and obtain any required permits.

SIGNATURE OF APPLICANT [Signature] DATE 10-1-24

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

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

Attachment A



Equipment Specification List

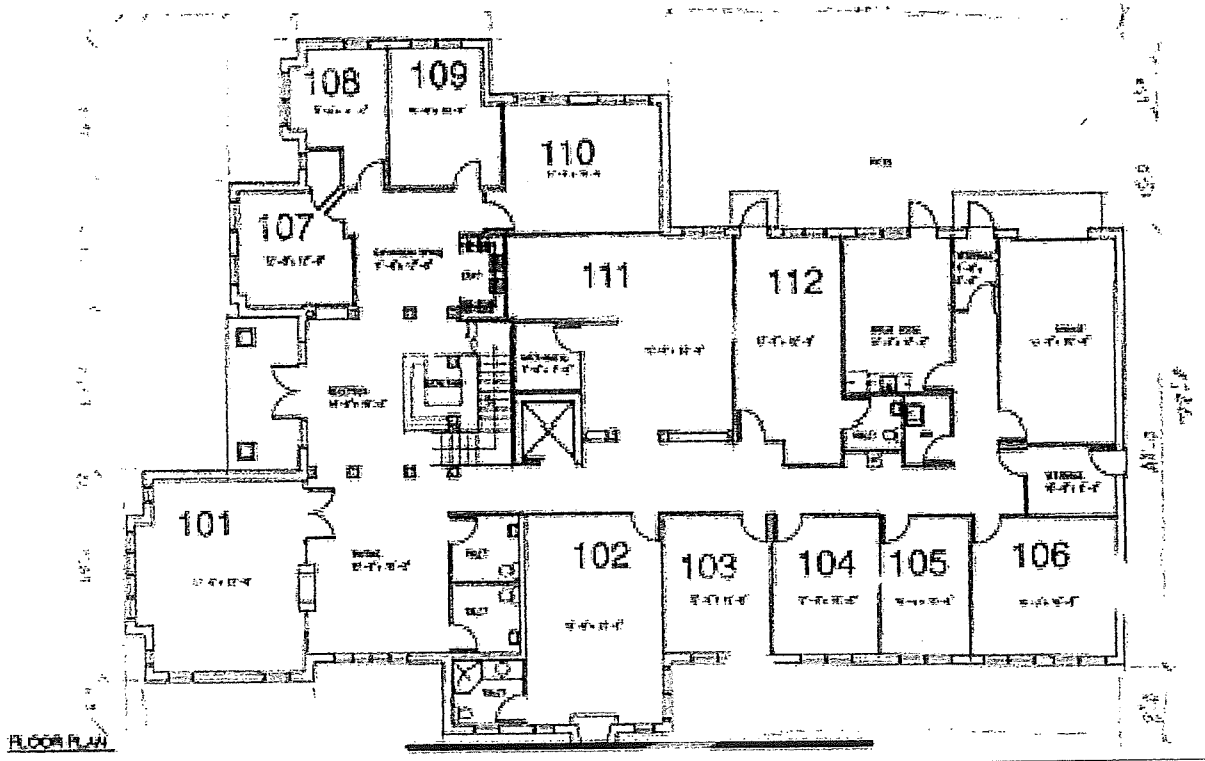
- 1 Freezer
- 2 Refrigerator
- 3 1 Convection oven
- 4 Prep tables and underneath storage shelf
- 5 Utility sinks in restroom, utility closet, baking / prep room
- 6 3 compartment sink
- 7 Storage shelves
- 8 Checkout Countertop with under shelves - custom build
- 9 Countertop with food display case
- 10 Cake display case
- 11 Coffee machine
- 12 Drying counter

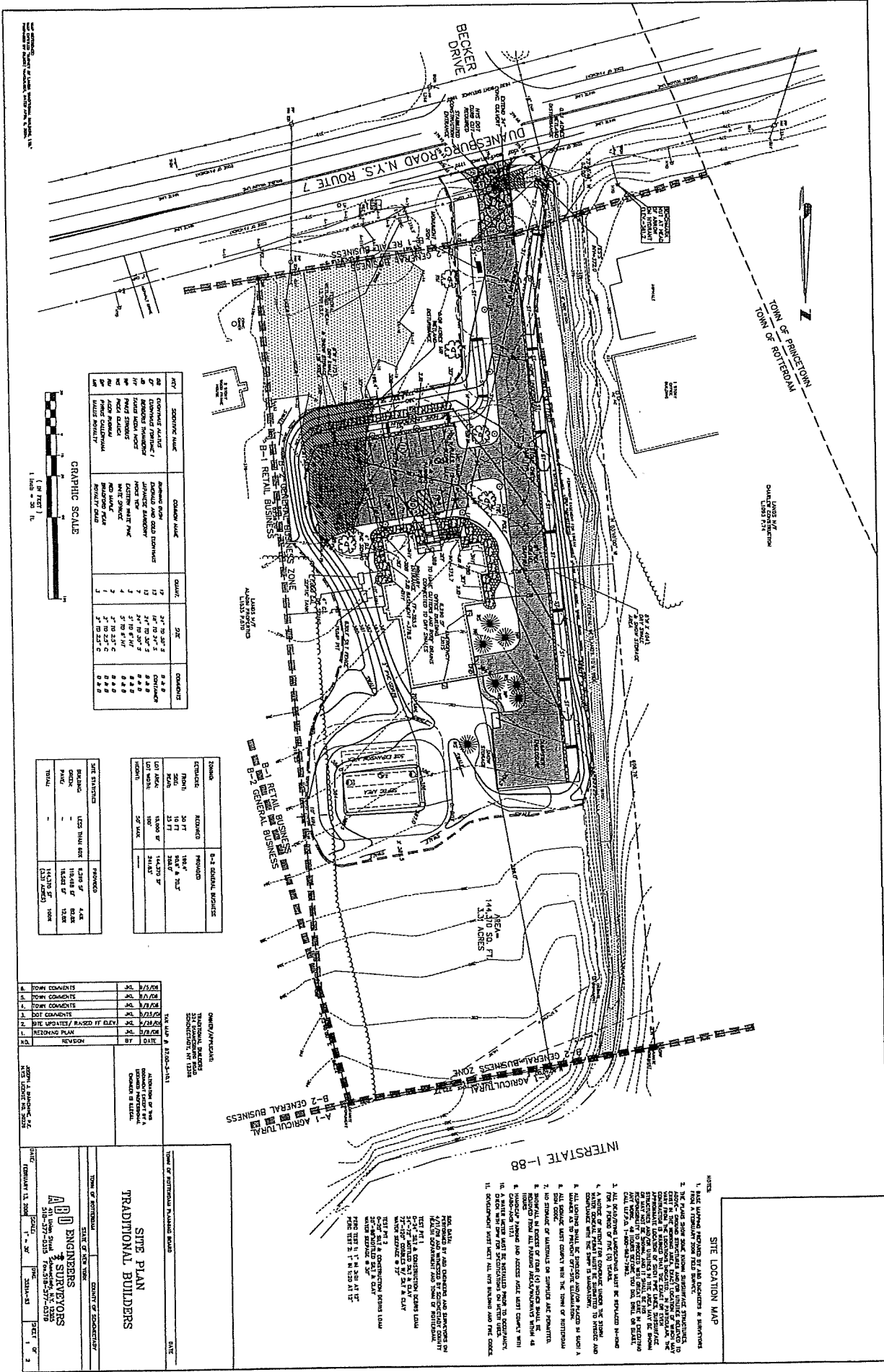
Plumbing Schedule

- Hot water lines to restroom and units 10, 18
- Cold water lines to restroom sink, toilet and units 10, 18
- Sewage lines from units 10, 18
- Water Supply: Rotterdam town water (purified)
- Sewage Disposal: Rotterdam Town

Scale: .5" = 3'.0"
 Date: 9/14/2024
 Note: Numbers on plan correspond to specification list

Example Floor Plan
 Honey Mills Bakery Inc
 1266 Duaneburg Rd
 Rotterdam, NY 12303
 Owner: Joelle Satisbury





KEY	DESCRIPTION	QUANTITY	COMMENTS
1	EXISTING BUILDING	1	EXISTING BUILDING
2	EXISTING DRIVE	1	EXISTING DRIVE
3	EXISTING DRIVE	1	EXISTING DRIVE
4	EXISTING DRIVE	1	EXISTING DRIVE
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6	EXISTING DRIVE	1	EXISTING DRIVE
7	EXISTING DRIVE	1	EXISTING DRIVE
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100	EXISTING DRIVE	1	EXISTING DRIVE



STANDARD	REQUIRED	PROVIDED	COMMENTS
AREA	144,310 SQ. FT.	144,310 SQ. FT.	
PERMITS	10 FT.	10 FT.	
SETBACKS	25 FT.	25 FT.	
UTILITIES	10 FT.	10 FT.	
ADDITIONAL	10 FT.	10 FT.	
REMARKS			

NO.	REVISION	DATE	BY
1	REWORKING PLAN	10/15/20	JD
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4	REVISION	10/15/20	JD
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TRADITIONAL BUILDERS

SITE PLAN

TOWN OF PENNETOWN
COUNTY OF SHERBROOKE

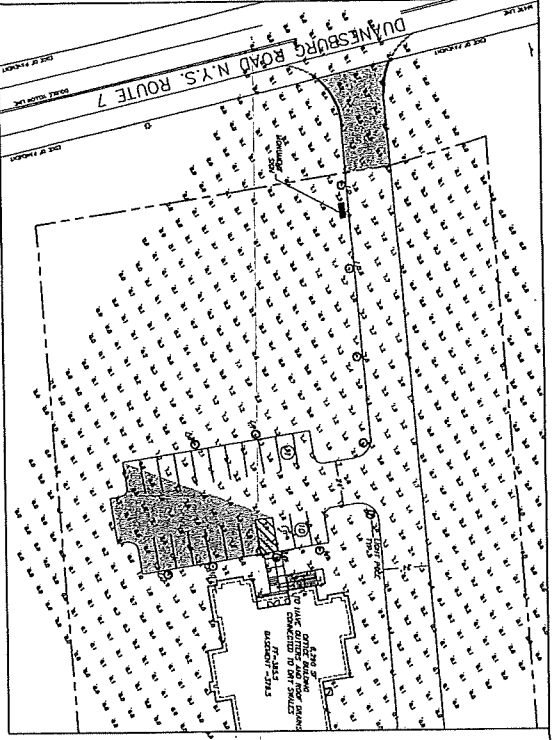
ABD ENGINEERS & SURVEYORS

2111 WILSON AVENUE
SUITE 200
WILSON, ONTARIO L0R 1A0

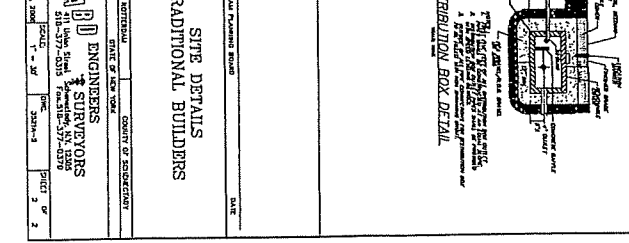
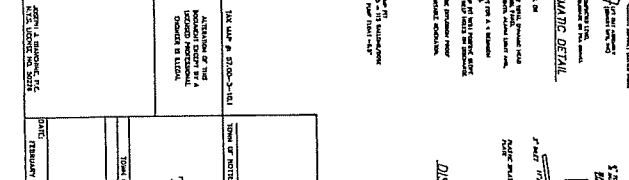
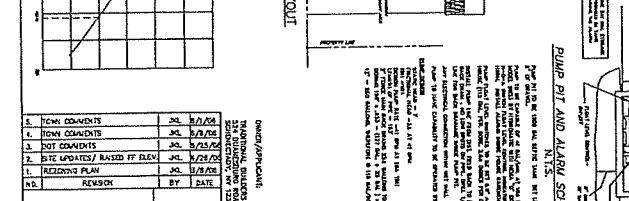
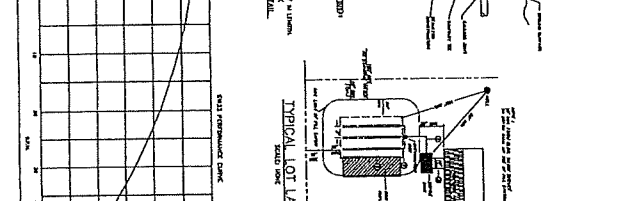
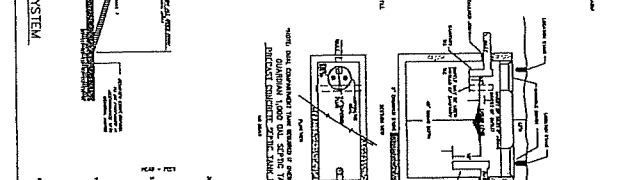
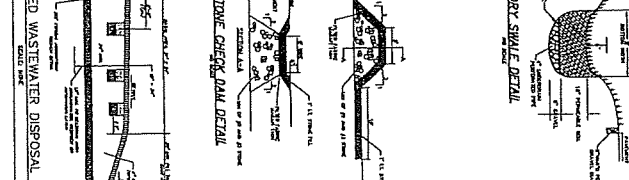
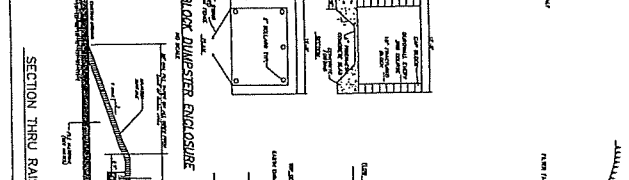
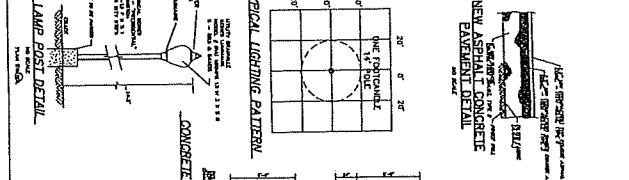
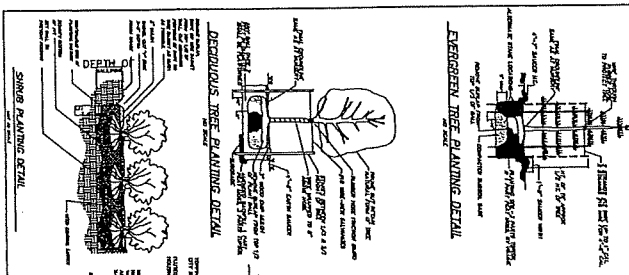
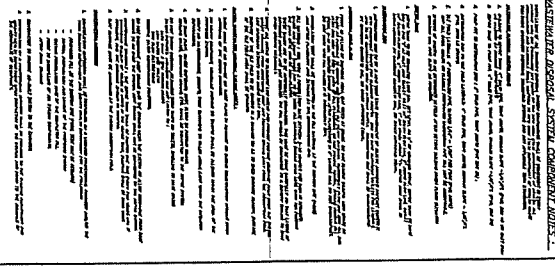
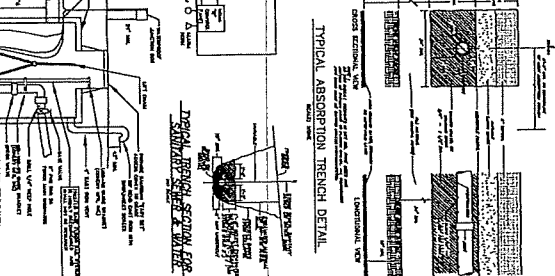
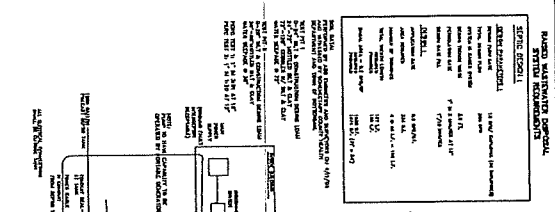
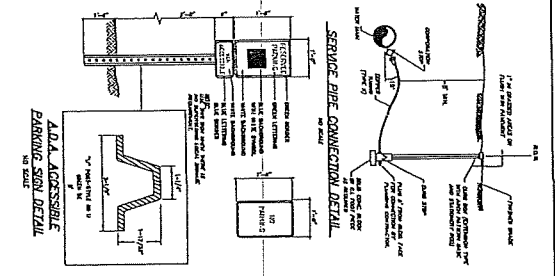
DATE: 10/15/20

PROJECT: 2

- SITE LOCATION MAP**
1. THIS MAP IS A PRELIMINARY MAP AND SHOULD NOT BE USED FOR ANY PURPOSES OTHER THAN TO LOCATE THE SITE.
 2. THE PLANNED SITE IS SHOWN IN SHADING AND IS BOUNDARY LINES ARE SHOWN WITH DASHED LINES.
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LIGHTING PHOTOMETRICS
SCALE 1" = 50'



NO.	REVISION	DATE	BY	CHKD.
1	REVISED	10/15/10	JL	MS
2	REVISED	10/15/10	JL	MS
3	REVISED	10/15/10	JL	MS
4	REVISED	10/15/10	JL	MS
5	REVISED	10/15/10	JL	MS
6	REVISED	10/15/10	JL	MS
7	REVISED	10/15/10	JL	MS
8	REVISED	10/15/10	JL	MS
9	REVISED	10/15/10	JL	MS
10	REVISED	10/15/10	JL	MS

DATE	10/15/10
SCALE	AS SHOWN
PROJECT	300-3
SHEET	2

SITE DETAILS
TRADITIONAL BUILDERS

ABD ENGINEERS
STRUCTURAL ENGINEERS

110 West Street
Syracuse, NY 13202
315-477-2015 Fax: 315-477-2019

DATE: FEBRUARY 13, 2008

Honey Mills Bakery Inc. Description of Use and Operation Details

Honey Mills Bakery Inc. is a solely owned and operated limited menu bakery. It's located within the small office building at 1266 Duanesburg Rd and its menu consists of cakes, cupcakes, cookies, brownies and muffins. Coffee will be available during morning hours for pickups and walk-in orders.

Bakery hours will be Monday – Friday, 8:00am-4:00pm and Saturday, 10:00am-2:00pm. The bakery will service primarily on-line orders and does not offer any seating capacity or eat-in availability. The bakery will have two entrances, one exterior entrance from parking lot and one interior entrance for office workers in the building. Expected customer traffic is estimated at 10-20 customers per day.

WAIVER OF SITE PLAN REVIEW

Date: October 15, 2024

PC2024-W47

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: Irr Supply Center
Attn: Patrick Duffy
ADDRESS: 908 Niagara Fall Boulevard
N. Tonawanda, NY 14120

PROJECT ADDRESS: 51 Opus Boulevard

APPLICANT IDENTIFIED AS: Owner Lessee Contract Vendee

REQUEST: The applicant requests a Waiver of Site Plan review to operate Wholesale/Retail Distribution in ±25,400 square foot building on a ±1.39 acre parcel.

Action Taken by Commission:

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

1. Compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Inspector.
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 No. 6 for specifics.

The Commission action on the Waiver application took place at the Planning Commission meeting of October 15, 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

RECEIVED

OCT 04 2024

TOWN OF ROTTERDAM
PUBLIC WORKS

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

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

PRESENT OWNER(S): Irr Supply Centers

APPLICANT(S)/LESSEE: Irr Supply Centers

MAILING ADDRESS: 908 Niagara Falls BLVD

CITY: N. Tonawanda STATE: NY ZIP: 14120

DAYTIME TELEPHONE: 716-192-1600 EMAIL ADDRESS pat.duffy@irrsupply.com

PROJECT ADDRESS: 51 Opus BLVD, Rotterdam NY 12306

APPLICANT IDENTIFIED AS: Owner Lessee ___ Contract Vendee ___

REQUEST: Looking for approval to operate a wholesale Distribution Store for plumbing, heating, & electrical items

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 Patrick Duffy DATE 10/3/24

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

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



Irr
Supply Centers

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OCT 04 2024

Use and Activity for 51 Opus Blvd, Rotterdam, NY 12306

TOWN OF ROTTERDAM
PUBLIC WORKS

*The intended use of the building would be for warehousing and distribution of Plumbing, Heating and Electrical supplies for contractors in the Albany Markets. The type of building with high ceiling and open space make it a perfect location for a warehousing/distribution businesses.

*Our location would have contractors coming in and out throughout the day to pick up supplies as needed. Normal contractor volume at the location would be 2-3 trucks at any one time. Our stores usually have around 15-30 customers in a day for pickup items.

*We would have occasional tractor trailers with deliveries to the site. Usually 1-2 a day.

*Our store would make deliveries to contractors all around the Albany market. A typical location will have 1 pick up and 1 box truck for deliveries.

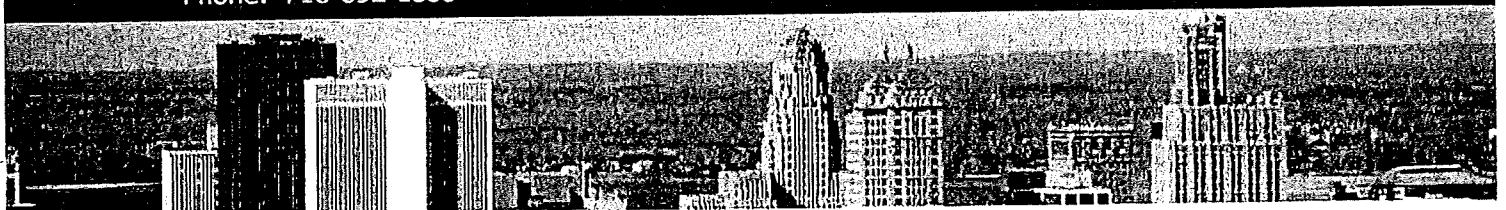
*We currently plan to have 5-6 employees at this location, but hope to eventually have more with growth of our customers in the market.

*Hours of Operation – Monday-Friday: 7:30-4:30pm, Saturdays 8-12pm (Closed Saturdays July-August)

Phone: 716-692-1600

Fax: 716-692-1611

www.irrsupply.com



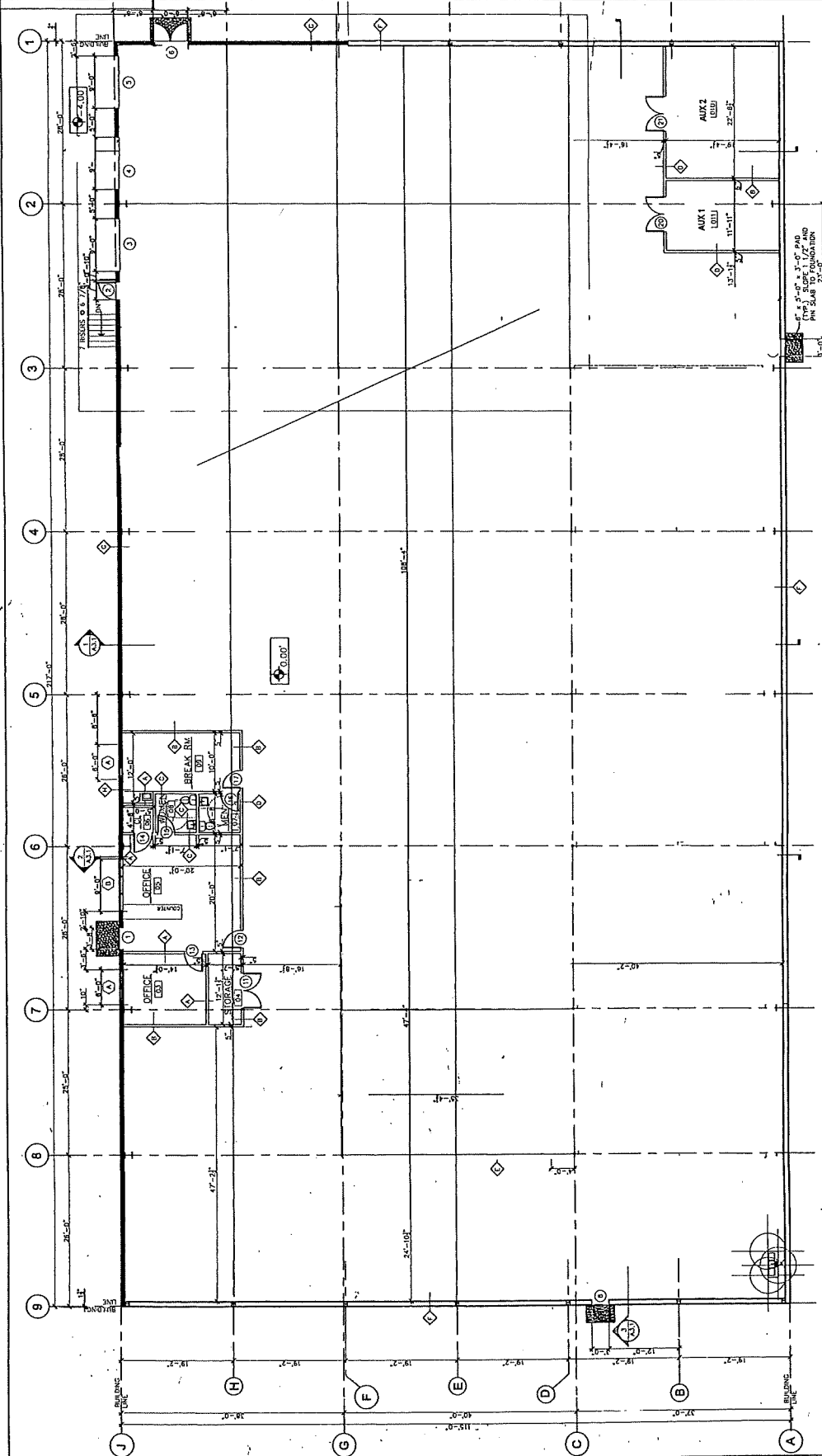
TOWN OF ROTTERDAM BUILDING PERMIT APPLICATION Commercial & Multiple Dwelling

Application is hereby made to the Building Department for the Issuance of a Building Permit pursuant to the New York State Building Construction Code for the construction of buildings, addition, alterations, or accessory structures, or for removal or demolition, as herein described. The applicant or owner agrees to comply with all applicable laws, ordinances, and regulations, and also will allow all Inspectors to enter the premises for the required inspections. All Electrical work must be inspected and a Certificate of Approval granted from an approved Electrical Inspection Agency.

OFFICE USE ONLY	
Application # _____	Approved: <input type="checkbox"/> Disapproved: <input type="checkbox"/>
Cost of Permit: \$ _____	
INITIALS _____	

COST OF CONSTRUCTION:	\$\$\$
RECEIVED	
OCT 04 2024	
TOWN OF ROTTERDAM PUBLIC WORKS	
Property Address:	51 Opus Blvd, Rotterdam NY 12306
Property Owner:	Irr Supply Centers
Property Owner Address:	908 Niagara Falls Blvd, N.Tonawanda NY 14120
Property Owner Phone No.:	(716) 609-0160
Email Address:	pat.duffy@irrsupply.com
Applicant:	Patrick Duffy (President Irr Supply Centers)
Applicant Address:	908 Niagara Falls Blvd, N.Tonawanda NY 14120
Applicant Phone No.:	716-609-0160
Email Address:	pat.duffy@irrsupply.com
Contractor:	
Contractor Address:	
Contractor Phone No.:	
Email Address:	
Contractor Insurance:	Liability Workers Compensation (submit with application)
Classification of Work: <input type="checkbox"/> New Construction <input type="checkbox"/> Alteration <input type="checkbox"/> Repair <input type="checkbox"/> Demolition <input type="checkbox"/> Accessory Building <input checked="" type="checkbox"/> Other (Describe) <u>Request for C.O</u>	
Do you have: <input checked="" type="checkbox"/> Septic <input type="checkbox"/> Sewer	
Looking to get a Certificate of Occupancy for 51 Opus Blvd.	
Setbacks:	
Front Yard:	Existing _____ Proposed _____
Side Yard:	Existing _____ Proposed _____
Rear Yard:	Existing _____ Proposed _____
Description of Construction	

Applicant's Signature: Patrick Duffy Date: 10/3/24



RECEIVED

OCT 04 2024

TOWN OF ROTTERDAM
 PUBLIC WORKS

FLOOR PLAN
 SCALE: 1/8"=1'-0"

PARTITION TYPES

-
-
-
-
-
-
-
-
-
-

WAIVER OF SITE PLAN REVIEW

Date Reviewed: **October 15, 2024**

PC2024-W05

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: **USLBM Bellevue Builders Supply**

Attn: Lisa MacDonald

ADDRESS: **500 Duanesburg Road**
 Schenectady, NY 12306

PROJECT LOCATION: **498 Duanesburg Road**

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

REQUEST: The applicant requests a Waiver of Site Plan review to replace 26 Poplar trees that were removed from the site with 26 Little Leaf Lindens approximately 10' – 12' apart and install a silencer for noise abatement on a ±21.71-acre parcel.

Action Taken by Commission:

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

Conditions imposed, if any, are as follows:

1. Approvals are contingent upon compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Inspector/Code Enforcement Officer prior to operation.
3. Owner/applicant shall install Knox box for emergency personnel. Please contact Fire District #6 for specifications.

The Commission action on the Waiver application took place at the Planning Commission meeting of October 15, 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

RECEIVED

FEB 01 2024

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

PRESENT OWNER(S): Arknew at Tiranderoga LLC

APPLICANT(S)/LESSEE: USCBM Bellevue Builders Supply

MAILING ADDRESS: 500 Duaneburg Rd

CITY: Schenectady STATE: NY ZIP: 12306

DAYTIME TELEPHONE: 518-355-7190 EMAIL ADDRESS: lisa.mcdonald@bellevuebuilders.com

PROJECT ADDRESS: _____

APPLICANT IDENTIFIED AS: Owner ___ Lessee Contract Vendee ___ REQUEST:

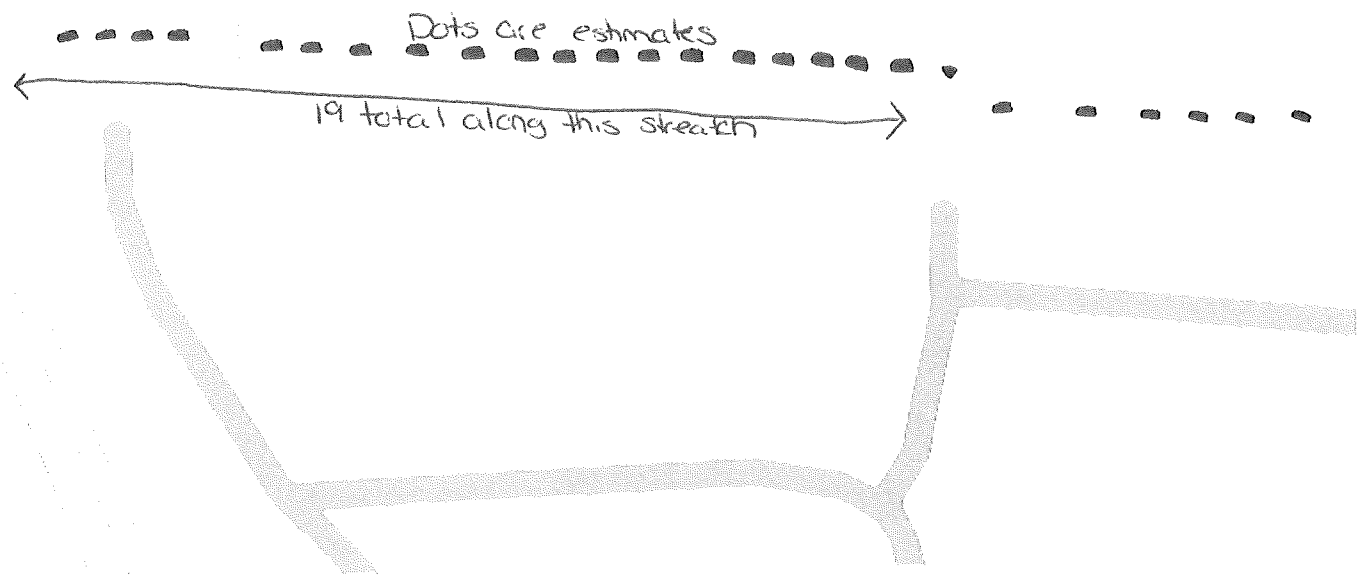
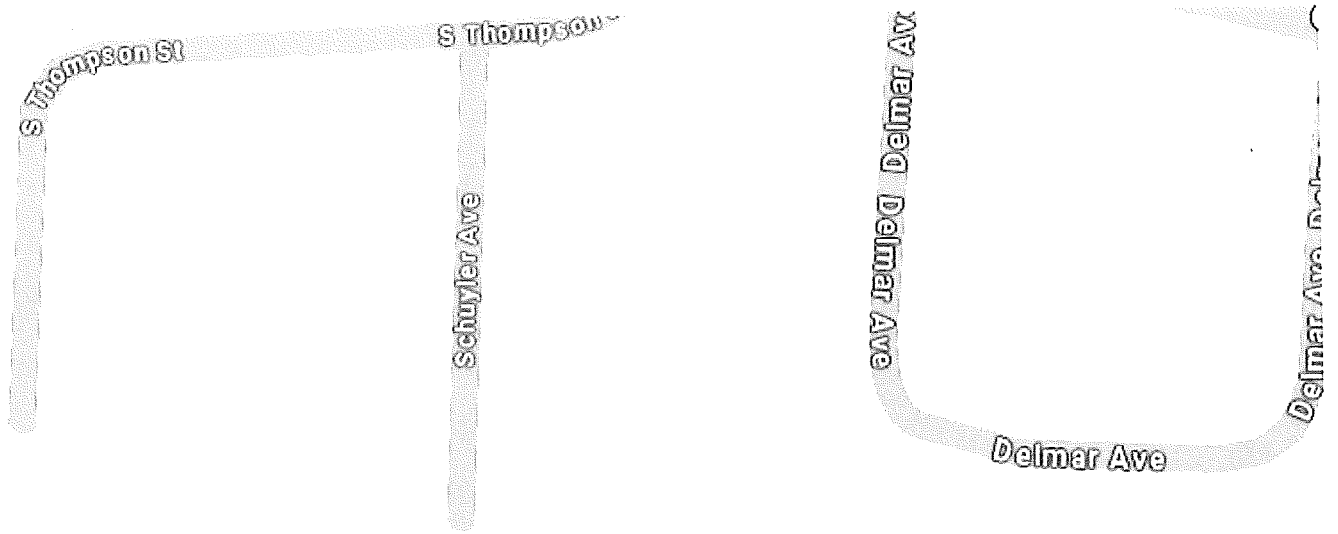
Plant (19) Little leaf Lindens approx 10-12'

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

SIGNATURE OF APPLICANT [Signature] DATE 1/25/24

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

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



All a estimate

Yellow dot:-
 There is natural trees dropping seeds in this area.
 They are 3' high now since excavating. They grow 2-4'/yr
 we cant plant there ~~per~~
 because the seedling will keep dropping & kill new trees

DPW Comments
October 15, 2024

1. **Mark DeMeo (owner) and Dominic Leone (owner and contract vendee) – Willow Drive & Suffolk Avenue.** Final Three (3) Lot Major Subdivision with Boundary Line Adjustments Public Hearing: Lot #1= 2.1 acres with proposed improvements to Willow Drive and the construction of a single-family residence. Lot #2 = 24,351 square feet with proposed improvements to Suffolk Avenue and the construction of a single-family residence. Lot #3 = 5.3-acre boundary line adjustment to consolidate lands and increase the lot size of an existing developed lot. Surveyor: Blackstone Land Surveyors.
 1. Subdivision was approved by the Rotterdam Planning Commission on October 6, 2009 but never filed. See attached resolutions, DPW comments, TDE comments, and verbatim minutes.
 2. Due to the 15+ years that have elapsed, the subdivision will need to be revisited and approvals from the current Highway Superintendent secured for the proposed turnaround located at the terminus of Willow Drive and Sandy Lane.

DPW Comments from October 6, 2009

- 1) Approval is conditioned upon applicant addressing all Town Designated Engineer (TDE) and Rotterdam Department of Public Works (DPW) comments and full and final approval of the TDE and DPW.
- 2) Final approval is contingent upon receiving permits from the Town of Rotterdam Highway Department for access onto Willow Drive and Suffolk Avenue.
- 3) The developer shall be required to enter into a three-party contract with the Town of Rotterdam and an engineering firm(s) to provide construction oversight for all infrastructure improvements (both public and private) and compliance with Town of Rotterdam and NYSDEC stormwater regulations.
- 4) The applicant shall provide the Town of Rotterdam Department of Public Works paper and electronic file copies of the utility "As-Built Record Drawings" upon completion and testing of the utilities.
- 5) Prior to the issuance of Site Development and/or Building Permit(s) by the Town of Rotterdam, the applicant shall attend a pre-construction meeting with the Building Inspector, DPW staff, and the TDE to confirm the completion of the above stated conditions.
- 6) All lot corners shall be pinned and capped prior to the Chairman's Signature for all lots in the subdivision and shall be shown on the as-built drawings.
- 7) Add note to plans and place on detail sheets: "All fire hydrants shall be equipped with a 4' galvanized spring flag with reflective bands."
- 8) Add note to plan: "Water lines shall not be installed underneath driveways for residential lots."
- 9) Add note to plan: "No stockpiling or burying of debris, slash, stumps, or construction material is permitted."
- 10) Add note to plan: "All fill material to be utilized on site shall meet the requirements of Chapter 17 and Chapter 18 of the New York State Building Code and verified by the Rotterdam Building Inspector."

- 11) Area below top of bank of Lot #1 shall be crosshatched on subdivision map and note added that no construction or fill material is permitted.
- 12) Final Fees Due:

Parkland Fees	\$2250.00
Lot Fee	150.00
Advertising	No bill yet

DPW Comments from July 23, 2009

1. Add perc and deep hole tests witnessed by Schenectady County Health, Rotterdam Building Inspector, and Town Designated Engineer.
2. Proposed Lot #1 has a woodshed encroaching on it from the neighboring property.
3. **ADD THE FOLLOWING WETLAND NOTES TO THE SUBDIVISION:**
 - a) The Town of Rotterdam has no control over and accepts no responsibility for future drainage problems that could occur in wetland areas. This pertains whether such problems are a result of leaving the areas as they presently exist, or a result of future lot owners filling in or around the areas without regard for the local drainage patterns.
 - b) For all lots having state and/or federally regulated wetlands, such wetlands will be shown on the plot plans submitted to the Town Building Department for a building permit.
 - c) The deeds conveying these lots shall contain a statement that state and/or federally regulated wetlands exist within the bounds of the deeded lot. Any disturbance, filling, excavating, grading, or re-grading of the wetlands will require authorization from state and/or federal regulatory authorities. No construction or building activities whatsoever is permitted in these areas.
 - d) All wetlands that are not shown as disturbed areas on this map shall remain undisturbed during project construction. Prior to commencement of any construction activity in the vicinity of such areas, the undisturbed wetlands shall be field located and delineated with protective fencing erected at their boundary.
4. Provide legal descriptions for all proposed right of way and land dedication to the Town of Rotterdam.
5. All infrastructure improvements for proposed roadway improvement and t-turnaround areas shall be constructed to Town Roadway Standards and shall be reviewed and supervised by the Town Designated Engineer during construction.

DPW Comments from March 3, 2009

1. Discussion of utilities, extension of town roadway and easements must occur with DPW and Town Highway Superintendent. Maps should be amended to show existing and proposed improvements.
2. Contour lines must be added to depict drainage and useable space.
3. Perc tests and deep hole tests must be performed and witnessed by SCDOH and the Town. Data should be added to the subdivision map.
4. Show wetland areas.

SEQR Requirement: 6 NYCRR 617 Unlisted Action. The Rotterdam 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
Fire District #2
Mohonasen School District
Schenectady School District



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OCT 08 2024

TOWN OF ROTTERDAM
PUBLIC WORKS

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: Dominick Leone and Mark DeMeo
Mailing Address: 1001 Sandy Lane 4 Worden Drive Saratoga Springs
City: Schdy 12303 State: NY Zip: 12866
Daytime Phone: 3555719 ~~518~~ 518 528 8013

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: Mark Blackstone, Land Surveyor
Mailing Address: 1152 Fort Hunter Road
City: Schdy State: NY Zip: 12303
Daytime Phone: 518 3551791 E-mail: markblackstone298@gmail.com

If you do not hold title to property, what is your interest in it? Representing DeMeo & Leone application

Street Address of Proposed Site (if any): Suffolk Avenue & Willow Drive

Project/Proposal Site Area: (Acres or sq. ft.) 6 acres 59.05-8-14.51

Assessor Tax Parcel No.(s) of Proposal Site: 59.06-2-43.1 59.06-10-1.1

Describe Existing Use(s) on Proposed Site: (buildings, well, sewer drainfield, etc.)
lot 1 & lot 2 are vacant lots lot 3 has residences, garage & on site septic systems

Existing Zoning Classification: R-1

LEGAL INFORMATION

Location of Proposal Site: (General description by which direction and how far from roads and intersections and other community features)
lot 1 @ northerly end of Willow Drive lot 2 @ westerly side of northerly end of Suffolk Avenue lot 3 @ easterly end of Sandy Lane

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.

Width of Property Fronting on Public Road in Linear Feet: lot 1 51.76' lot 2 200.90'

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

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

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

What impact will the proposed subdivision have on the adjacent properties?
None, due to proposals limited to one house on each street in an area of residential occupancies.

What factors support this subdivision? favorable soils for septic & drainage
town road access with proposed turnarounds for town plows.

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

SUBDIVISION INFORMATION

Number of Lots: 3
Typical Lot Size: _____
Smallest Lot Size: 0.55 acre

Gross Area: 6 acres
Proposed Net Density: _____
Minimum Frontage: 51.76'

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: 85' extension of Suffolk Avenue w/turn
30' extension of Willow Drive w/turn

Estimated Time Period Expected for Complete Development of Subdivision: one year

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.
Suffolk Avenue extension, road maintenance & snow
stockpile area easements & turn area easements
for town snowplows.

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: Mark Blackstone License No: 49542
Address: 1152 Fort Hunter Road Schdy 12303
Telephone No. 518 3551791
E-mail or Fax: mark.blackstone298@gmail.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: Dominick Leone Date: 09/30/2024
Address: 1001 Sandy Lane Phone: 518 3555719
Zip: _____

Dominick Leone
Signature of Applicant or Representative

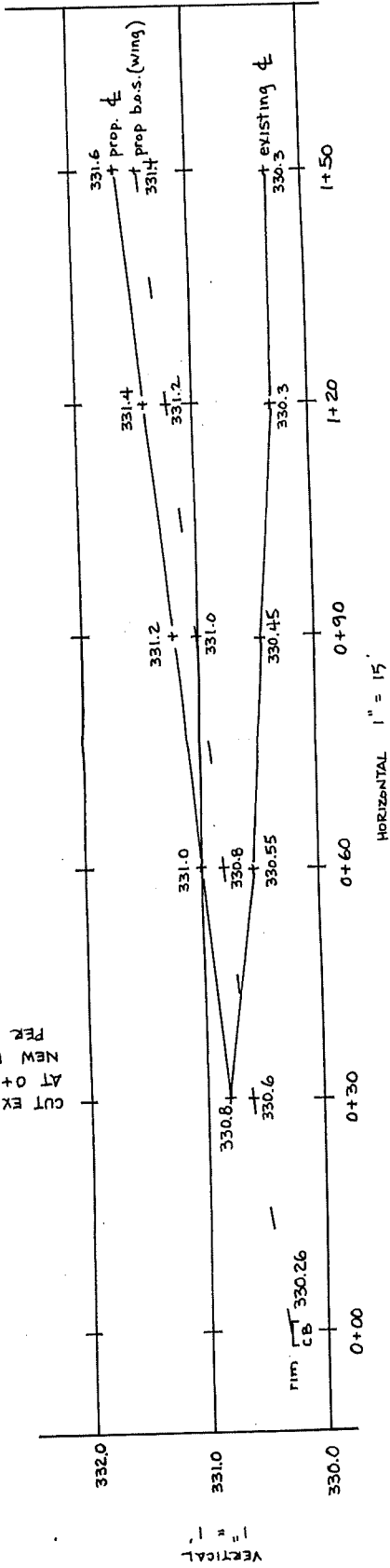
Date

#2 Name: Mark DeMeo Date: _____
Address: 4 Worden Drive Phone: 518 528 8013
Saratoga Springs Zip: 12866

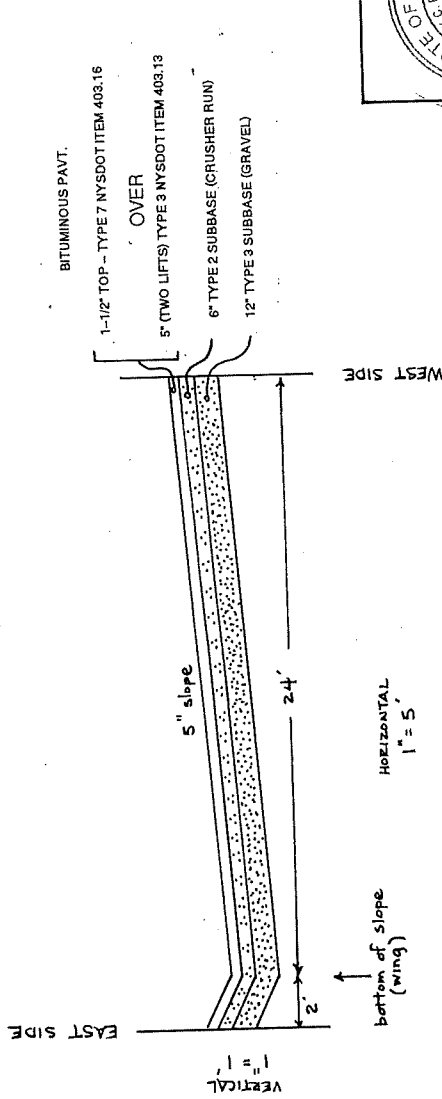
Mark DeMeo
Signature of Applicant or Representative

09/30/2024
Date

CUT EXISTING PAVT.
AT 0+30 TO BEGIN
NEW PAVEMENT AS
PER CROSS-SECTION
DETAIL



HORIZONTAL 1" = 15'



BITUMINOUS PAVT.

1-1/2" TOP - TYPE 7 NYS DOT ITEM 403.16

OVER

5" (TWO LIFTS) TYPE 3 NYS DOT ITEM 403.13

6" TYPE 2 SUBBASE (CRUSHER RUN)

12" TYPE 3 SUBBASE (GRAVEL)

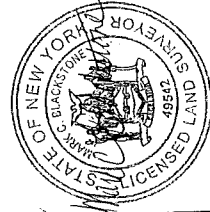
WEST SIDE

HORIZONTAL
1" = 5'

bottom of slope
(wing)

ROAD PROFILE & CROSS-SECTION OF

PROPOSED EXTENSION OF SUFFOLK AVENUE

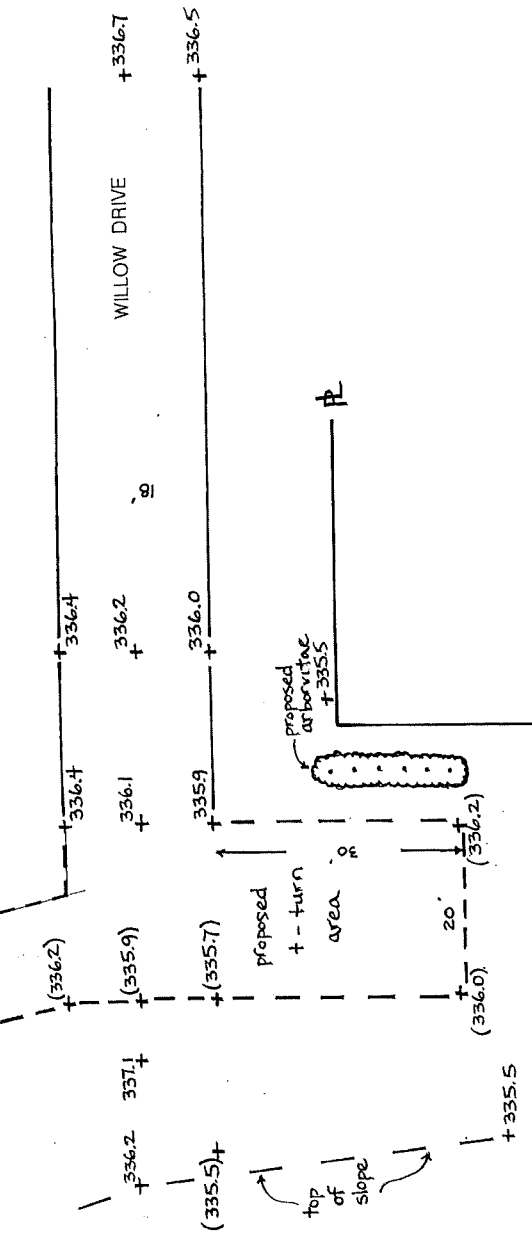


SCALE: AS SHOWN
MARCH 6, 2009

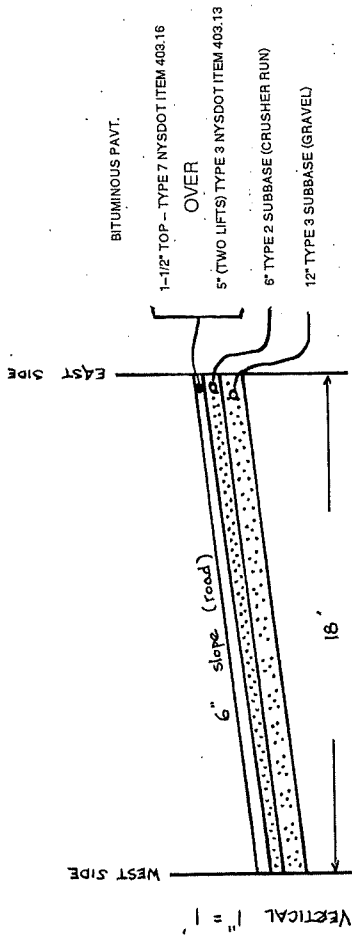
TOWN OF ROTTERDAM
SCHENECTADY COUNTY, N.Y.

BLACKSTONE LAND SURVEYORS
1152 FORT HUNTER RD. SCHTIDY, NY 12303

grades
existing
proposed (100.0)



335.2



VERTICAL 1" = 1'
HORIZONTAL 1" = 4'-5'



PROPOSED GRADING & CROSS-SECTION OF

"T" TURN AREA AT NORTH END OF WILLOW DRIVE

TOWN OF ROTTERDAM
SCHENECTADY COUNTY, N.Y.

SCALE: AS SHOWN
AUGUST 7, 2009

BLACKSTONE LAND SURVEYORS
1152 FORT HUNTER RD. SCH'DY, NY 12303



BLACKSTONE LAND SURVEYORS

1152 FORT HUNTER ROAD SCHENECTADY, NY 12303 (518)3551791

Proposed parcel description, DeMeo Lot 1, Willow Drive

ALL THAT TRACT, PIECE OR PARCEL OF LAND, situate, lying and being in the Town of Rotterdam, County of Schenectady and State of New York, being along the northerly end of Willow Drive and being more particularly bounded and described as follows:

BEGINNING at the northwesterly end of Willow Drive, said point also being the northeasterly corner of the lands of Piccirillo;

THENCE westerly 100 feet along the northerly bounds of Piccirillo, to a point;

THENCE northerly 171.4 +/- feet along the easterly bounds of DeMarco, to a point;

THENCE easterly 855 +/- feet along the southerly bounds of Conrail, to a point;

THENCE southerly 60 +/- feet along the westerly bounds of Leone, to a point;

THENCE westerly 560 +/- feet along the northerly bounds of Tomaselli, Burke, Bronstein & Romano, to a point;

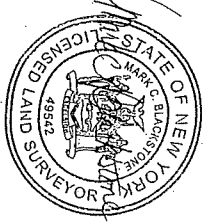
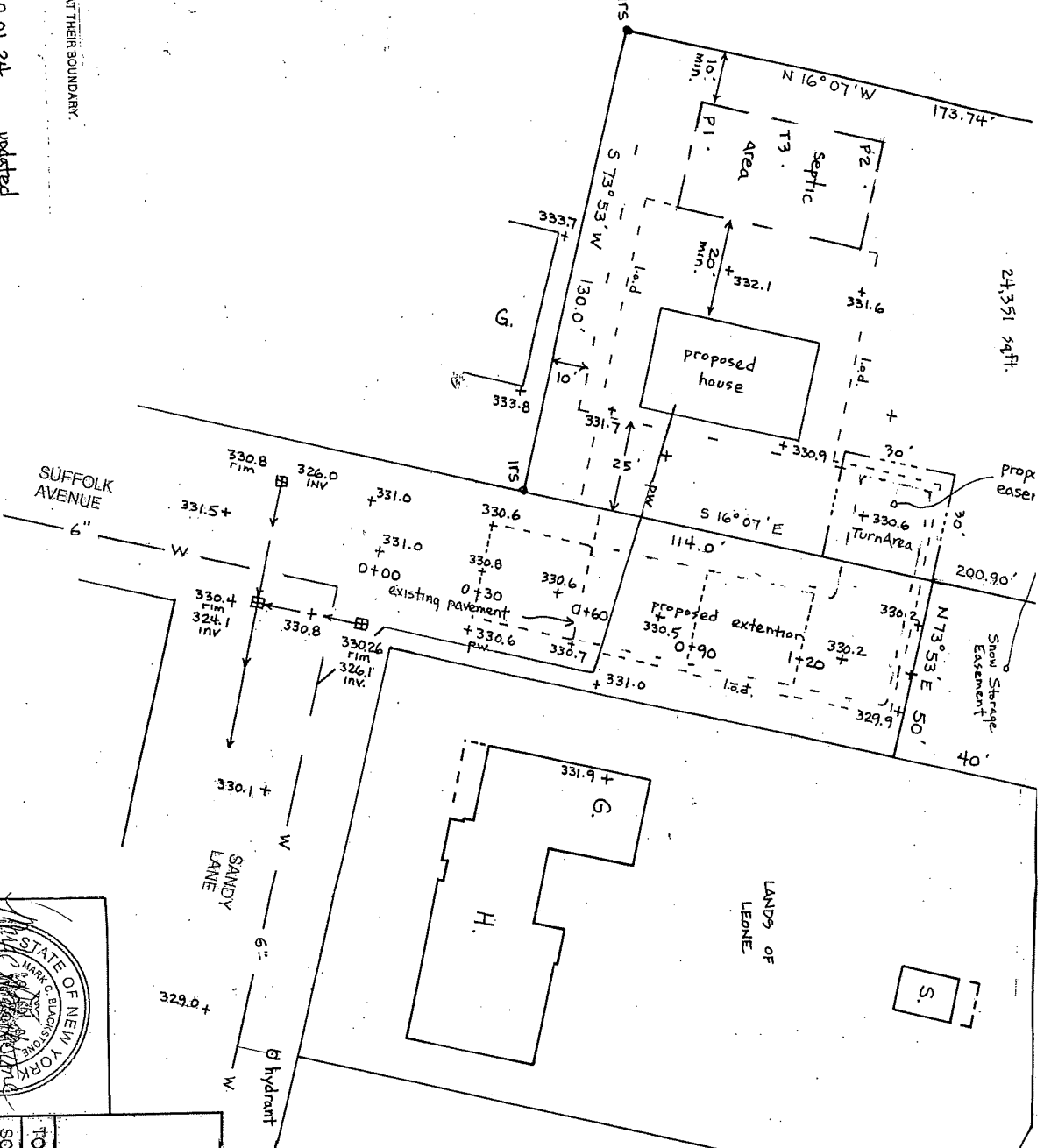
THENCE southerly 155.6 +/- feet along the westerly bounds of Romano, to a point;

THENCE westerly 180.44 +/- feet along the northerly bounds of Markell and the northerly end of Willow Drive, to a point, being the point or place of beginning.

CONTAINS 2.1 +/- Acres

- 03.09.09 Add gradings, load, soil tests, turn areas, etc.
- 09.17.09 Add notes, slopes, site stats, legend, etc.
- 07.15.10 Add general notes & guardrail " " ?
relocate Lot 1 water service
- 10.01.24 updated
Revise Lot 3, crosshatch & note Lot 1

AT THEIR BOUNDARY.



CHAIRMAN, ROTTERDAM PLANNING COMMISSION

date

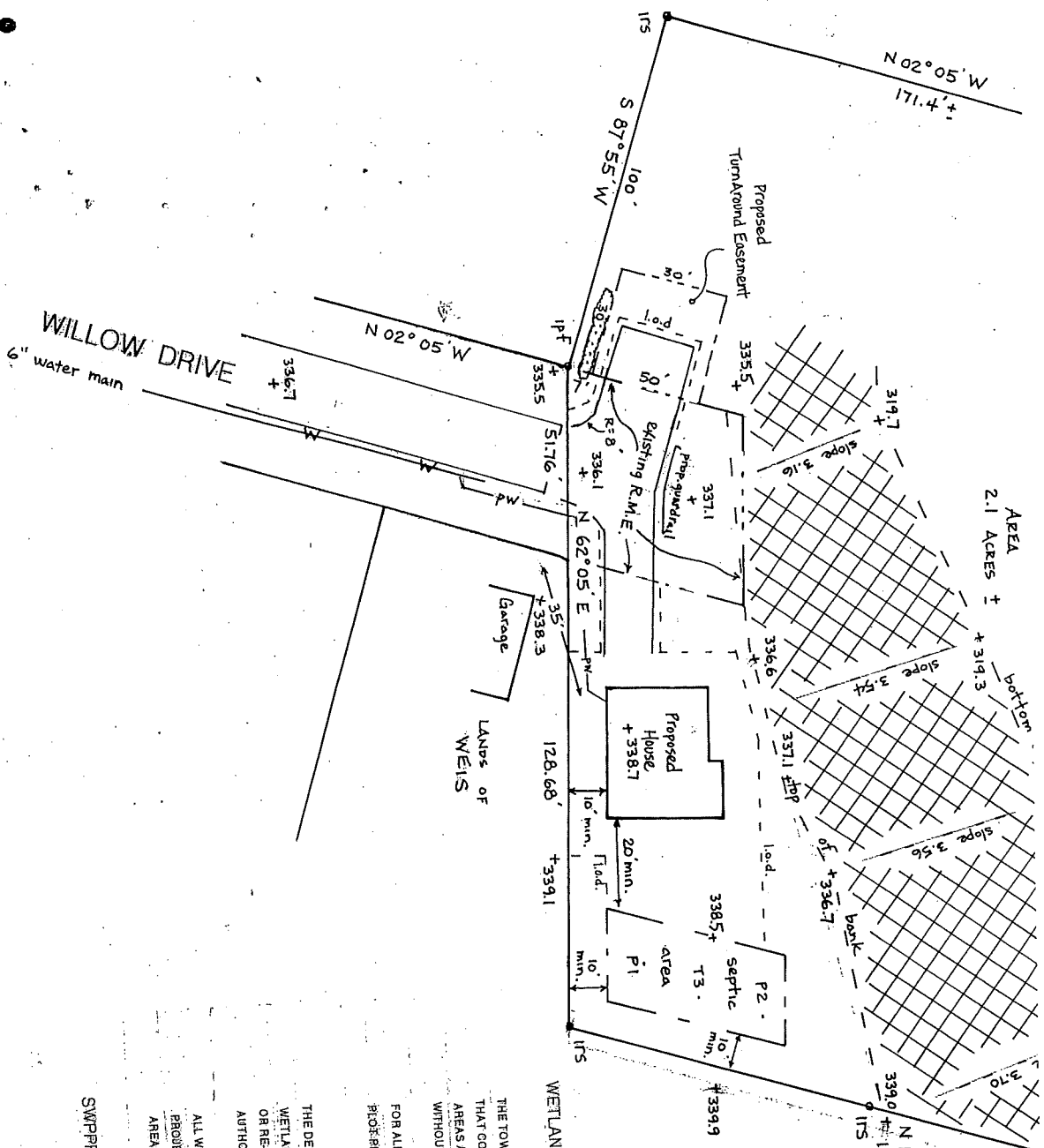
MAP SHOWING SUBDIVISION OF
THE LANDS OF DEMEO &
THE LANDS OF LEONE

TOWN OF ROTTERDAM
SCHENECTADY COUNTY, N.Y.

SCALE AS SHOWN
JANUARY 21, 2009

BLACKSTONE LAND SURVEYORS
1152 FORT HUNTER RD. SCHUYLER, NY 12808

RECEIVED
OCT 03 2009
TOWN OF ROTTERDAM
PUBLIC WORKS



SITE STATISTICS SUMMARY

ZONING R-1

MIN. LOT AREA	15,000 sqft.	LOT 1	2.1 ± acres	LOT 2	24,351 sqft.
MIN. LOT WIDTH	100'		51.76'		114.0'

(VARIANCE GRANTED)
7-15-09

MIN. BLDG SETBACKS			
FRONT	25'	35'	30'
BACK	25'	60'	70'
SIDE	10'	10'	25'

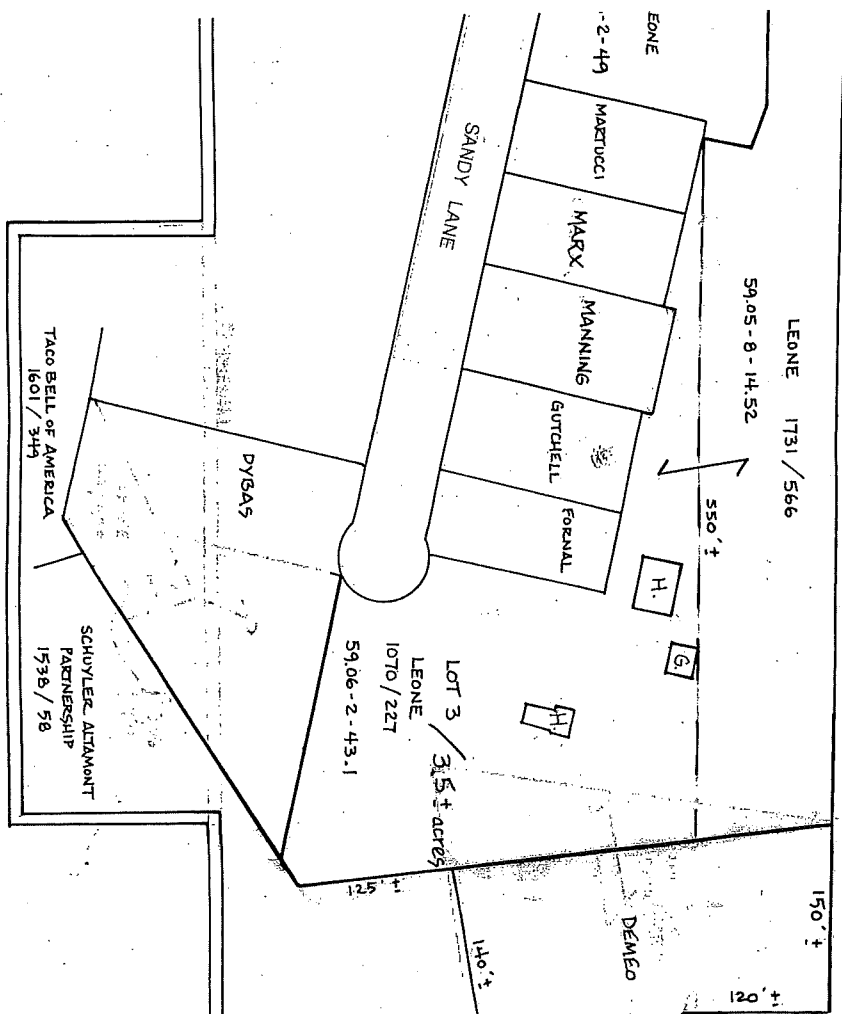
AREA OF DISTURBANCE	0.16 A	0.41 A	0.25 A
< 0.5 ACRE		total	

SEPTIC SYSTEM SEPARATION DISTANCES

- HOUSE TO TANK 10'
- HOUSE TO LEACH FIELD 20'
- LEACH FIELD TO PROPERTY LINE 10'

LEGEND

- - - - - limits of disturbance
- ip.f. iron pipe found
- irs. iron rod set
- ir.f. iron rod found
- ip.f. iron pipe found
- pw. proposed water service
- w. existing water main
- R.M.E. road maintenance easement



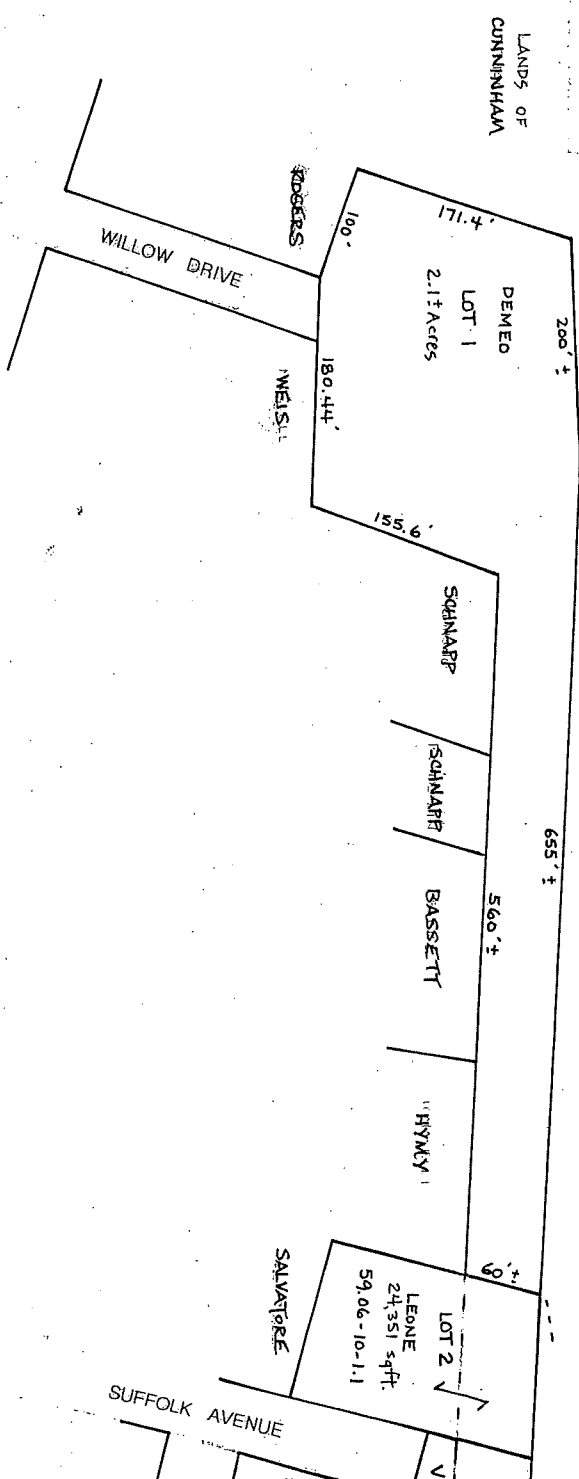
NOTE: LOT 2 + Road Extension limits of disturbance (l.o.d.) area = 11,000 sqft. = 0.25 acre

SOIL TESTS: P1 perc rate 4 min. 5 sec.
P2 perc rate 5 min. 20 sec.
T3 0-12" topsoil

12"-36" fine brown sand
36" mottling / clay
residuals in residual band ...

GENERAL NOTES

1. WATER LINES SHALL NOT BE INSTALLED UNDERNEATH DRIVEWAYS FOR RESIDENTIAL LOTS
2. NO STOCKPILING OR BURNING OF DEBRIS, SLASH, STUMPS OR CONSTRUCTION MATERIAL IS PERMITTED.
3. ALL FILL MATERIAL TO BE UTILIZED ON SITE SHALL MEET THE REQUIREMENTS OF CHAPTER 17 & CHAPTER 18 OF THE NEW YORK STATE BUILDING CODE & VERIFIED BY THE ROTTERDAM BUILDING INSPECTOR.
4. PROPOSED ROAD PROFILE/GRADING & CROSS SECTION FOR EACH OF WILLOW DRIVE & SUFFOLK AVENUE ARE DETAILLED ON ADDENDUM SHEETS DATED 03.08.09 (SUFFOLK) & 08.07.09 (WILLOW)



SCALE 1" = 100'

NOTE : LOT 1 limits of disturbance (load) area = 7,000 sq.ft. = 0.16 acre
 northerly edge to be protected w/ silt fence prior to grading / disturbance activities

SOIL TESTS : P1 perc rate 4 min. 0 sec.
 P2 perc rate 3 min. 18 sec.
 T3 0-12" topsoil
 13"-65" course brown sand

3. **Mark DeMeo and Dominic Leone – Willow Drive & Suffolk Avenue. Sketch Three (3) Lot Major Subdivision with Boundary Line Adjustments: Lot 1 = 2.1 acres with proposed single family residence, Lot 2 = 24,351 square feet with proposed single family residence and extension of roadway with easements, and Lot #3 Consolidation Subdivision with two (2) existing residences. Land Surveyor: Blackstone Land Surveyors.**

The hearing commenced at 8:02 p.m.

Chairman DiLallo: With us tonight we have Mark Blackstone from Blackstone Land Surveyors.

Mr. Blackstone: Good evening. The map that was submitted has a double line running through it to separate the two (2) views of the property. The top view being an overall picture given the proposal and spreads out the significant width and the bottom of the parcels shows where the last “inaudible...” proposed houses would be situated.

To get the ball rolling, I will use the top portion of the map to identify some of the features that are pertinent. With Willow Drive being at the far left of the property we are proposing “inaudible...” just below it. We are proposing to create a two (2) acre lot that would provide a setting for the construction of one single family residence. It is similar to the DeMeo property subdivision that went through the Planning Commission five (5) years ago. This was the eastern end of the property and the western end of the property was improved by one single family residence in back of them.

The Willow Drive property would come in and end here which is where Lot 2 begins which is Lands of Leone. Leone has acquired a piece of property from Mr. DeMeo without going through subdivision and what we are trying to do is basically retroactively bring that in compliance with the subdivision regulations. That piece that he had acquired from Mr. DeMeo, a small portion of it would be added to an existing parcel that he already owns at the northerly end of Suffolk Avenue to enlarge that lot and the remainder would be added to the existing property that he owns which would enlarge Lot #3 which “inaudible” a land hook which means this piece would become part of this piece and the development of the drug store and Taco Bell on Altamont Avenue and Crane Street came up with the existence of a small piece of land that was created and put up for auction. Mr. Leone acquired that from the County for a tax sale. He wishes to eliminate that tax map parcel also and land hooks it to this piece. So Lot 3 is a compilation of three (3) different pieces on this map.

As part of the negotiations, that have been ongoing with Mr. DeMeo and Mr. Leone, Lot 3 would also be land hooked and would eliminate this Lot 4. So this line that created the division line between Lot 3 and Lot 4 would be eliminated making Lot 3 that much larger.

Chairman DiLallo: Lot 3 is going to encompass all of that.

Mr. Blackstone: That is correct. As we look at what is being proposed for Lot 1 which is the piece that is at the end of Willow, similar to the piece at the end of ...and I forget the name of the street. It was the subdivision that we did in 2003-2004. It had an “inaudible” similar to this situation which provided “inaudible” space. What we are proposing at the end of Willow is the same thing that we did at the end of the other street which is utilize the 51.76 feet of frontage along that dead end of Willow and provide a driveway access for the proposed house.

Chairman DiLallo: That road would be a continuation of a town road?

Mr. Blackstone: No. I met with Mr. Longo and discussed this with him and as it pertains to Willow, we would just be providing an easement, there is an existing road maintenance easement area that is 50' in depth off of the extension of Willow. That was for snow plowing and snow storage that we created in 2003 or 2004. What we will do is expand upon that road maintenance agreement and install a T turn around for his snow plows to come down and be able to turn around in that area. There's several houses fronting Willow and it is currently a difficult maneuver to accommodate an orderly method of plowing snow in there. This gives him an opportunity to have the applicant install blacktop in there to give him a T turn around so that his plow can turn around. That would be accomplished by enlarging the road maintenance easement that is existing and adding a space for him to give him that.

I've done the necessary soil tests with County Health last fall and both properties that are being proposed for with construction have ideal soil conditions and would allow the perc rate, depth of water table scenario "inaudible..." proposed septic system. The septic on Willow would be as far to the back. What we would be providing at the next submittal would be some elevations identifying the top of slope and we need to get the bottom of the slope identified and how far this drops down.

What we did five (5) years ago as it related to this, we've identified the top of slope as the limits of clearing as well as creating a line that is significantly tighter to the property that "inaudible" be developed than any federal wetlands would be. The federal wetlands can exist down at the bottom of slope but we basically created the slope as a buffer five (5) years and stated we wouldn't go past the top of slope so it is more restrictive than any identification relative to the limits of the jurisdiction of the federal wetlands in there and that is what we would be proposing in this situation as well. We would limit the top of slope area of disturbance.

On the Suffolk Avenue property, we would be installing the blue section as it runs north/south "inaudible" extension of Suffolk Avenue. That would be in the improvements that boost this up to being a major subdivision because we would be constructing the road and providing drainage for that new pavement and directing it down to catch basins that are currently at the intersection of Suffolk and Sandy. We would also create an easement for the highway's department T turn around. I met with Mr. Longo at this site also and discussed a proposal relative to creating drainage situation that would reflect the elevation on the westerly side where the proposed lot is situated. "Inaudible..." that would bring it all across the way and down into the existing drainage structures so that we are not looking at extending any stormwater structures up Suffolk but we can bring it to the existing ones.

Lot 2 is a little bit bigger than 24,000 square feet. That is accomplished by having this small 60' strip added to the existing piece that Mr. Leone has and creates a good setting for a single family residence and Mr. Leone's residence is immediately across the street.

Additionally, what we have already put together and it's been since we've provided the submittal for agenda placement, we have looked at the area of disturbance as far as SWPPP. The total area of disturbance combined the two proposed sites for construction as well as the pavement would put us below the threshold of the ½ acre which is the town ordinance for stormwater but, I do believe as we did five (5) years ago we would proposing the installation of stormwater protection silt fencing even though it's not necessary to meet the regulations. I think "inaudible" top of slope on Lot 1 to protect any disturbance in stormwater issues that could be raised there as well as on that section with construction extension of Suffolk Avenue and the construction of the house on Suffolk to keep runoff and "inaudible" infiltrating into the existing structures that are at the intersections. I believe that above and beyond what the regulations are, it would be "inaudible..." and we would be proposing some stormwater maintenance measures to go above and beyond what's required.

I'd be happy to answer any questions.

Chairman DiLallo: Thank you. Just to inform the commission members, there will be a TDE on this project to consider the easements and the town road construction.

Mrs. Flansburg any questions?

Mrs. Flansburg: A couple of things that I want to address and once you have tied it altogether and now I realize your land is adjacent to what was a relative of mine so I will address that since I see the name Marco on the map. It was my grandfather that owned the property and he has since passed and I don't know who maintains the property now.

Mr. Blackstone: I think the property has changed hands and no longer in the family.

Mrs. Flansburg: I don't know who owns it...

Mr. Blackstone: I don't either but I do know that the Marco's no longer own it.

Mrs. Flansburg: Okay. My point is, whether they owned it or not, I can certainly be objective on it because I have no tie to that property any longer.

Second, it sounds like overall, although it is very convoluted, it may actually clean up some of the craziness of all the different lots that are going on back there. Ultimately, I think it's a great thing.

I just have one question on the Willow T turn that you were talking about it looks like the beginning of it is also the beginning of the proposed homes driveway. Is that sort of a reasonable/common practice to have done in this kind of a situation so that the town still maintains some type T turn but it is also part of the driveway?

Mr. Blackstone: I discussed this with Mr. Longo about the T turn around there the remainder of the road maintenance easement would still provide sufficient area for snow storage to push it off. He was comfortable with the fact that as long as he can end up with a T turn around, and has room to push snow to keep it clean and that was fine. The end result is just like on a street in all reality. He will be using that pavement to push snow off so he can turn his truck around. It's long enough where it's a real concern. When we first talked about a T turn around on Suffolk with him and when I talked about Willow he stated "that's something" and he says backing out Willow was difficult.

Mrs. Flansburg: Thank you and that is all I have.

Chairman DiLallo: Mr. Brudos?

Mr. Brudos: I have one question and maybe it is a typo but on our agenda it lists Lot 3 as a "Consolidation Subdivision with two (2) existing residences."

Mr. Blackstone: That is correct.

Mr. Brudos: Where are those residences?

Mr. Blackstone: They've been added to the map since this submittal also. They are in close proximity of the "inaudible" property. They are the original structures that were there before Sandy Lane was there. It's the old Leone residence. Leone owned from Crane Street all the way to Suffolk and a good portion of the rear of the drug store and Taco Bell. These are very old residences. They are kept up and I'm not sure who occupies them now but at one point in time he had one as a rental and one as a family member, but I'm not sure if the family member is still there.

Mr. Brudos: Thank you.

Chairman DiLallo: Mr. Savini?

Mr. Savini: No questions. Thank you.

Chairman DiLallo: Mr. Karp?

Mr. Karp: I have no questions.

Chairman DiLallo: Mr. Denny?

Mr. Denny: I have no questions.

Chairman DiLallo: I don't have any questions either. Does anyone in the audience have any questions or comments?

Mr. Blackstone: I have a question. At what point in time will a TDE be on board?

Chairman DiLallo: When you provided me more information. Now, we don't have to go through the Town Board and I can hire a TDE tomorrow. Whenever you are ready, let me know and we'll get someone on board.

I will now entertain a motion for Lead Agency.

Mrs. Flansburg: Mr. Chairman, I will make a motion to declare the Rotterdam Planning Commission Lead Agency on this project.

Chairman DiLallo: Motion made by Mrs. Flansburg. Is there a second?

Mr. Denny: I'll second.

Chairman DiLallo: Seconded by Mr. Denny. Please call the vote.

Marlo Carter: Chairman DiLallo?

Chairman DiLallo: Yes.

Marlo Carter: Mr. Savini?

Mr. Savini: Yes.

Marlo Carter: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Marlo Carter: Mr. Karp?

Mr. Karp: Yes.

Marlo Carter: Mr. Brudos?

Mr. Brudos: Yes.

Marlo Carter: Mr. Denny?

Mr. Denny: Yes.

Chairman DiLallo: Motion carried.

The hearing was concluded at 8:20 p.m.

"A Nice Place to Live"

"A Nice Place to Do Business"



Town of Rotterdam
Office of the Planning Commission

Lawrence DiLallo, Chairman
Peter J. Comenzo, Senior Planner

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

Resolution Number Planning Commission 11-2009

Moved by Mrs. Flansburg seconded by Mr. Denny

Applicant: Mark DeMeo and Dominic Leone

Applicant: Mark DeMeo and Dominic Leone

Project Location: Willow Drive and Suffolk Avenue
Rotterdam, New York

Tax Number or Numbers: 59.05-8-14.51, 59.05-8-14.52, 59.06-2-17.11, 59.06-2-43 & 59.06-10-1.1

Proposed Project: Sketch Three (3) Lot Major Subdivision with Boundary Line Adjustments; Lot 1 = 2.1 acres with proposed single family residence, Lot 2 = 24,351 square feet with proposed single family residence and extension of roadway with easements, and Lot #3 Consolidation Subdivision with two (2) existing residences.

WHEREAS, pursuant to 6 NYCRR Part 617 State Environmental Quality Review the above referenced project is an Unlisted Action; and,

WHEREAS, the Rotterdam Planning Commission desires to establish itself as lead agency on this project; **NOW:**

IT IS HEREBY RESOLVED THAT the Rotterdam Planning Commission hereby declares itself lead agency and authorizes the Rotterdam Town Planner to prepare, file, publish, and distribute all documents as necessary to comply with 6 NYCRR Part 617 (State Environmental Quality Review).

Peter J. Comenzo
Senior Planner

Lawrence DiLallo
Planning Commission Chairman

2. **Mark DeMeo and Dominic Leone – Willow Drive & Suffolk Avenue. Preliminary Three (3) Lot Major Subdivision with Boundary Line Adjustments Public Hearing: Lot 1 = 2.1 acres with proposed single family residence, Lot 2 = 24,351 square feet with proposed single family residence and extension of roadway with easements, and Lot #3 Consolidation Subdivision with two (2) existing residences. Land Surveyor: Blackstone Land Surveyors.**

This hearing commenced at 7:40 p.m.

Chairman DiLallo: We haven't seen this project since March. Can you please give us an update on this project? The TDE on this project is Dave Ingalls from Ingalls & Associates.

Mr. Karp: Mr. Chairman was there a revised plot plan submitted for us to look at.

Mr. Blackstone: This plan was previously before the board a few months back. With the time that was taken to revise a TDE contract. It has been a number of months that we have been before the board. In the interim we have been before the ZBA, who have granted an area variance for the lot frontage for the Willow Drive parcel which lies at the lower left hand corner of the plan taking the 51.76 feet of existing frontage at the dead end and granting the variance for that lot width.

The majority of the concerns that we encountered dealing with the area variance were what I really believe are the Planning Commission concerns. They were primarily addressed around the Willow Drive lot especially relating to creating a positive drainage flow off of Willow Drive and allowing it to continue and to drain that area through the proposed turn-around for the storm drain water to allow it to after construction, continue down Willow Drive and drain off the area where there is some minor ponding at this point.

We will be preparing a plan identifying the proposed grades as it relates to that installation. This is something that was just wrapped up last week. We haven't finalized the plans to address that design concept yet but it doesn't present a problem. Additionally, there is much discussion, and I see the DPW comments address the issue too. If need be, we can run these soil tests again but on November 19, 2008, the town was supposed to be there but, did not show up. Dom DeCarlo from Schenectady County Health did show up and we did perform soil tests. The perc test data sheets were submitted to the town and I believe from my conversation with Mr. DeCarlo, he was providing a letter of some sort to identify his attendance at that soil test on November 19th.

There is a note from DPW stating that we should add perc and deep hole test witnessed by Schenectady County Health, Rotterdam Building Inspector and TDE, if need be, we can redo them. The building inspector did not show and there was not a TDE at that particular point in time. I will need some direction relating to the specifics as to how to satisfy DPW concerns relating to that.

Chairman DiLallo: Was Schenectady County Health there?

Mr. Blackstone: Yes, Schenectady County Health was there. I was told they were providing a letter of some sort to the town this week to reassure the town that they were there.

Mr. Comenzo: I did get a phone call from Dom.

Mr. Blackstone: Additionally, there is an existing wood shed that is located on the division line between the proposed Willow Drive lot and the adjoining property of Markel which is situated just south of the proposed house. From what I understand, it will be removed and we will identify the location of that and there hasn't been a resolution to the problem as of yet, even though, there has been multiple court appearances and some litigation ongoing. That will be addressed.

Additionally, with an on site inspection of the property by several members, Mr. Renna, Mr. Eats, Mr. Comenzo, Mr. Ingalls, Mr. Maher, and myself, took a look at the slope and informally discussed the concept, the location of the wetlands in there which is at the bottom of the slope which we are not proposing any disturbance as it would related to SWPPP issues beyond the top of bank. There is a significant buffer between what we are proposing as an area of disturbance and any area of federal wetlands. If that isn't specifically sufficient to address that issue, we will need to have it delineated, located and mapped but, there is about a 50' buffer from the edge of the wetlands and what the top of bank is. We don't believe it is a significant issue as it is being proposed to maintain that buffer.

What the TDE has proposed is to adhere to some of the SWPPP concerns and we are waiting for silt fencing and things to that nature. These are issues that I had voluntarily addressed to the Planning Commission at the last presentation and we will be incorporating that suggestion with a revised plan when we come back for final approval. Even though the total area that we are proposed at last calculation less than ½ acre threshold it kicks in the Town's SWPPP Ordinance.

Other than that, I believe, there haven't been any other significant issues of discussion concerning requiring any significant revisions to the plan and we will be preparing to address the items as I've related already as well as some of the minor requests that the TDE letter requests as far as some other minor issues on the map, just legends and things of that nature. That is where we are at this point in time with the multiple meetings and discussions as well as the ZBA approval of the proposal up to this point.

I would be happy to answer any questions.

Chairman DiLallo: Thank you. Just a point that the Town Highway Department is satisfied with the snow storage area that they will be able to utilize for their trucks. I would like to call Mr. Ingalls up and we don't have in our packet don't have any comments that you made to date. They were not supplied and if you could just give us your comments as to what has been going on for the last few months.

Mr. Ingalls: Dave Ingalls, TDE on this project.

I think Peter lists of conditions for any type of approval action look pretty good. Mark was at the last ZBA meeting and he did get his variance for his lot width on the Willow Street lot. There were a couple of minor items that came out at that meeting. One thing that we do want to take a look at that is not in our letter is that we would like to look at the dead end location on the street and whether or not we need any type of additional signage or barricade so people don't drive off the end of the street. That was an important thing that we said we were going to speak to Mr. Longo on.

We have verified and I believe DEC has it, there are no DEC State wetlands mapped for the site as we saw in our walkover or classified streams. There may be some trapped Army Corps wetlands at the bottom of the slope and again, those would be well out of any of the development areas that they are proposing.

We did put together a letter dated March 6, 2009, and I'm not quite sure how we got that date on it but, that is the date of the letter.

Mr. Comenzo: "Inaudible..."

Mr. Ingalls: Basically, the majority of our comments in the March letter are addressed in the conditions of any approval action. Maybe we might want to add final resolution of any TDE comments as noted in the March 6, 2009 letter from Ingalls.

Mr. Comenzo: Just for clarification, we didn't advertise this for a final public hearing. We wanted to get the Planning Commission up to speed on the project for the last couple of months.

Mr. Ingalls: Mark went over most of our comments, and I think we hit most of them in the comments that are from DPW. Mark did touch upon them. We did want some touch up to the plans relative to some site statistics and legends and things like that, more housekeeping items.

We would also like to see a detailed grading plan for the turn around so that we can basically assure that we have proper drainage at the end of the dead end terminus. Both the turn arounds for Willow Street and Suffolk.

Other than we have spelled everything else out in our March 6th letter. If and when we get to a point of making an approval, it would be appropriate to condition it upon the resolution of the TDE's comments.

Chairman DiLallo: Questions or comments Mr. Renna?

Mr. Renna: Mr. Chairman, I have a comment and I know at one time Mr. DeMeo owned a piece of property at 1705 Altamont Avenue. I'm not sure if he still owns it or not, but if he does own it, it is in pretty bad shape. There are weeds that are growing two feet (2') high and I am sure there are other problems with meeting town code. I know, a while back, we passed and I think the town board adopted some regulations where if someone had a proposal in front of us and they had some property that wasn't in code, that we would not act on the proposal until the property was brought up to code.

Chairman DiLallo: That is correct and we've used that...

Mr. Renna: If that is the case, I would suggest that if Mr. DeMeo does, in fact, own 1705 Altamont Avenue, that that property be brought up to code before we go any further with this project.

Chairman DiLallo: I think you should take notice to your client, Mr. Blackstone, and inform him that there is a possibility that the process could be held up until he comes into compliance with the Altamont Avenue lot.

Mr. Karp?

Mr. Karp: I have no comments. Thank you.

Chairman DiLallo: Mr. Savini?

Mr. Savini: No comments.

Chairman DiLallo: Mrs. Flansburg?

Mrs. Flansburg: No comments.

Chairman DiLallo: Mr. Brudos?

Mr. Brudos: No comments.

Chairman DiLallo: There is a concern with the wetlands and the Army Corps of Engineers states to remain out of the Department of the Army jurisdiction completely, we recommend that the applicant limit the project to those areas upland of any waters or wetlands and that is probably what they intend to do. Not only is this environmentally sound but this could potentially save the applicant considerable time and expense without attempting to obtain the necessary permits.

Those are the only comments that I have and please relay Mr. Renna's comments to your client.

Mark, do you have any questions or comments for the Planning Commission?

Mr. Blackstone: The only other thing that came up that I neglected to recall is the dead end signage or barricade that was raised at the ZBA would be that the plan to be revised at the end of Willow Drive to propose some plantings to screen the turn around area and the headlights on it to the adjoining property. We will be proposing on the revised plan a planting area that runs between the lands...

Chairman DiLallo: So motorists will know that it's a dead end?

Mr. Blackstone: The lands of Picarello and the Willow Drive turn around. That is currently the only signage that is there that it is a dead end but, the ZBA has asked me to request some additional concept of signage or barricade from the Highway Department to create a higher level of safety.

Chairman DiLallo: They would have to be far enough off the road so the plows don't take them down correct?

Mr. Blackstone: That is correct.

Chairman DiLallo: Thank you Mark.

Mr. Blackstone: Thank you.

The hearing was concluded at 7:58 p.m.

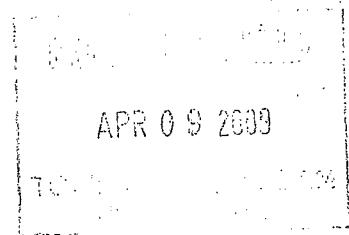
SCHENECTADY COUNTY PUBLIC HEALTH SERVICES
ENVIRONMENTAL HEALTH UNIT
107 Nott Terrace, Suite 306
Schenectady, New York 12308-3170
(518) 386 - 2818
Fax: 386 - 2822

Russell A. Fricke, M.D., Ph.D., Commissioner
Carolyn K. Callner, Deputy Commissioner



Andrew Suflita, Director
Environmental Health Unit

April 7, 2009



Mr. Peter Comenzo
Senior Planner
John F. Kirvin Government Center
1100 Sunrise Boulevard
Rotterdam, New York 12306

Dear Mr. Comenzo:

The Schenectady County Public Health Services' Department of Environmental Health has no objection to the Town's decision to assume Lead Agency Status for the proposed project for Willow Drive and Suffolk Avenue – Mark DeMeo and Dominick Leone in the Town of Rotterdam, County of Schenectady, State of New York.

Our office must witness percolation and deep hole tests.

Sincerely,

Andrew Suflita
Director
Environmental Health Unit

\gm

ZONING COORDINATION REFERRAL
SCHENECTADY COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT & PLANNING

Recommendations shall be made within thirty days after
 Receipt of a full statement of such proposed action by
 Schenectady County Department of Economic Development and Planning

For Use By SCDEDP

Received 4-2-09
 Case No. R-10-09
 Returned 5-5-09

FROM: Legislative Body Municipality **TOWN OF ROTTERDAM**
 Board of Appeals
 Planning Board

TO: Schenectady County Department of Economic Development and Planning (518) 386-2225
 Schaffer Heights, 107 Nott Terrace, Suite 303 (518) 382-5539
 Schenectady, NY 12308

ACTION: New Zoning Ordinance Special Permit
 Zoning Map Amendment Use Variance
 Zoning Text Amendment Area Variance
 Site Plan Review Other (specify) **SUBDIVISION**

RECEIVED SCHENECTADY COUNTY
 PLANNING DEPARTMENT
 2009 APR - 2 AM 11:32

PUBLIC HEARING OR MEETING DATE: Town of Rotterdam Planning Commission meeting **May 2, 2009**

SUBJECT:
Willow Drive and Suffolk Avenue – Dominick Leone and Mark DeMeo
Three (3) Lot Major Subdivision Lot 1 = 2.1 acres with proposed single family residence, Lot 2 =
24,351 square feet with proposed single family residence and extension of roadway with easements, and Lot #3
Consolidation Subdivision with two (2) existing residences

- REQUIRED** 1. Public Hearing Notice including description of proposed change.
ENCLOSURES: 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.

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

3/31/09
 Date

Peter Camp
 Signature of Referring Officer

Title: Senior Planner

Address: 1100 Sunrise Boulevard Schenectady, NY 12306

RECEIVED
 MAY - 6 2009
 TOWN OF ROTTERDAM
 PUBLIC WORKS

This side to be completed by the Schenectady County Department of Economic Development and Planning

ZONING COORDINATION REFERRAL

Case No. R-10-09

**TO: Mr. Peter Comenzo
Senior Planner
Town of Rotterdam – DPW
1100 Sunrise Boulevard
Schenectady, NY 12306**

**Willow Drive & Suffolk Avenue
Mark DeMeo & Dominick Leone
Subdivision**

Receipt of zoning referral is acknowledged on April 2, 2009
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 or comments:

The Schenectady County Department of Economic Development and Planning approves of the proposal contingent upon the town being satisfied with the proposed vehicle turn around areas.

Section 239-m of the General Municipal Law requires that within thirty 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.

4/29/09
Date


Ray Gillen, Commissioner
Schenectady County Department of Economic
Development and Planning
Schaffer Heights, 107 Nott Terrace, Suite 303
Schenectady, NY 12308
Telephone: 382-2225



DEPARTMENT OF THE ARMY
NEW YORK DISTRICT, CORPS OF ENGINEERS
UPSTATE REGULATORY FIELD OFFICE
1 BUFFINGTON STREET, BUILDING 10, 3rd FLOOR
WATERVLIET, N.Y. 12189-4000

REPLY TO
ATTENTION OF

Upstate New York Section

SUBJECT: Proposed Subdivision
by Mark DeMeo and Dominic Leone

Peter Comenzo, Senior Planner
Town of Rotterdam
John F. Kirvin Government Center
1100 Sunrise Boulevard
Rotterdam, New York 12306

MAY 18 2010

Dear Mr. Comenzo:

This letter is in response to your correspondence of March 31, 2009, regarding the proposed 4 lot subdivision by Mark DeMeo and Dominic Leone on property located off Willow Drive in the Town of Rotterdam, Schenectady County, New York.

The New York District, U.S. Army Corps of Engineers does not take a position for or against lead agency selection in the New York State SEQR process for this proposed action. However, we would like to continue to be apprised of the project as an "involved agency". It should be noted that the Full Environmental Assessment Form indicates that there are wetlands located on the parcel and if the development will involve work in waters of the United States, including the discharge of fill material into streams or wetlands, then the proposed activities may require a Department of the Army permit.

The Army Corps of Engineers regulates activities that include dredging or construction activities in or over any navigable waters of the United States, the placement of any dredged or fill material in any waters of the United States (including coastal or inland wetlands), or the accomplishment of any work affecting the course, location, condition or capacity of such areas. Such activities may require a Department of the Army permit, in accordance with 33 CFR 320-330.

Most waterbodies, including wetlands, intermittent streams and natural drainage courses, are considered to be waters of the United States. Currently, the New York State Department of Environmental Conservation (NYSDEC) recognizes and maps state freshwater wetlands as those wetland areas that are 12.4 acres or more and/or are ecologically unique. A NYSDEC determination classifying an area as a non-state regulated wetland does not free a property owner from his or her obligations under the Clean Water Act; the Corps regulates the discharge of dredged or fill material into most freshwater wetlands, regardless of size.

To remain out of Department of the Army jurisdiction completely, we recommend that the applicant limit the project to those areas upland of any waters or wetlands of the United

States. Not only is this environmentally sound, but it could potentially save the applicant considerable time and expense while attempting to obtain necessary federal, state or local permits.

It is possible that a project may qualify for a nationwide general permit, in accordance with 33 CFR 330 and the Issuance of Nationwide Permits in the Federal Register dated March 12, 2007 (72 FR 11092). An activity is authorized under a nationwide general permit only if that activity and the permittee satisfy all of the nationwide permit's terms and conditions. Unless a nationwide general permit contains a condition requiring the applicant to notify the Corps prior to undertaking the proposed activity, a written authorization is not necessary. Activities that do not qualify for authorization under a nationwide general permit may still be authorized by an individual or regional general permit.

To apply for a Department of the Army permit, the applicant should submit a completed Joint Application for Permit form, a work description and project drawings identifying all proposed activities shown in reference to the limits of waters of the United in the project area, and specify the total proposed impacts to waters of the U.S. proposed to be lost or substantially modified, in acres, square feet, linear feet, or as appropriate.

If you have any questions concerning the above, please contact the undersigned at (518) 266-6352. Additional information on the New York District Corps of Engineers regulatory program can also be found at <http://www.nan.usace.army.mil>.

Sincerely,



Victoria Bova
Legal Instruments Examiner
Upstate New York Section

Cf: NYSDEC-Region 4, Schenectady

"A Nice Place to Live"

"A Nice Place to Do Business"



TOWN OF ROTTERDAM

James E. Longo
Rotterdam Superintendent of Highways

RECEIVED

JUN 30 2009

TOWN OF ROTTERDAM
PUBLIC WORKS

June 30, 2009

Phil Eats
Chairman, Zoning Committee
Town of Rotterdam
207 Ford Street
Schenectady, NY 12306

Dear Phil:

Per our conversation on June 23, 2009 regarding the proposed construction at the end of Willow Street, I have met with Mark Blackstone on two occasions and am satisfied with the snow storage area and the turnaround that we will be able to utilize for our trucks.

If you have any questions, please contact me at the Highway Department.

Very truly yours,

A handwritten signature in cursive script that reads "James E. Longo".

James E. Longo
Highway Superintendent

JEL/ksb

Rotterdam Highway Department

54 Duanesburg Road, Rotterdam, New York 12306 • Telephone: 518/355-7722 • Fax: 518/357-2645

Here to serve you



1039M



ingalls & associates, LLP
engineers / surveyors

March 6, 2009

RECEIVED

JUL 21 2009

TOWN OF ROTTERDAM
PUBLIC WORKS

Town of Rotterdam
1100 Sunrise Boulevard
Schenectady, New York 12306

Attn: Mr. Peter Comenzo, Senior Planner

Re: TDE Review
Demeo & Leone 3 Lot Subdivision
Willow Drive & Suffolk Avenue

Dear Mr. Comenzo & Planning/Zoning Board Members:

Ingalls & Associates, LLP (I&A) have received the following information for the above referenced proposed residential subdivision:

- Subdivision Plan, prepared by Blackstone Land Surveyors dated, February 21, 2009 and last revised March 9, 2009. These plans depict (2) proposed building lots (one lot at the end of Willow Drive and one lot at the end of Suffolk Avenue), plus remaining lands to be Lot 3 and consolidated with existing Lands of Leone. A Variance is required for Lot 1 (Willow Avenue) for proposed lot width of 51.76 feet versus the 100 required in the R-1 Zone.
- Road profile & Cross-Section of Proposed Extension of Suffolk Avenue, prepared by Blackstone Land Surveyors and dated March 6, 2009.
- Subdivision Application and Long Environmental Assessment Form (EAF) dated March 9, 2009.

Based on our review of these materials we offer the following comments:

SUBDIVISION PLANS

Zoning Compliance

The proposed Subdivision Plans were reviewed for overall compliance with the Zoning Code, specifically requirements of Article VI, entitled "R-1 One-Family Residential District" (Section 270-26 to 276-35).

Lot Area & Width

The **minimum lot area** required is 15,000 SF.

The **minimum lot width** is 100 feet.

ingallsllp.com 2603 guilderland avenue schenectady, ny 12306
telephone:518.393.7725 facsimile:518.393.3761

Required Yards:

Front yard depth shall be 25 feet or a depth of not less than 1/2 the total setback depths of the dwellings on properties which adjoin on each side, provided that both of such dwellings are set back less than 25 feet.

Side yard width shall be not less than 10 feet.

Rear yard depth shall be not less than 25 feet, except that a garage may be built five feet from the rear and side property lines.

With the exception of the lot width of 51.76 feet versus the required width of 100 feet on Lot 1, the proposed lots appear to meet all of the zoning requirements.

SWPPP

The applicant/engineer should verify that the proposed limits of disturbance, cumulative for both proposed lots to be developed and associated roadway improvements, do not exceed the ½ acre threshold that require the development of a Stormwater Pollution Prevention Plan (SWPPP), including Stormwater Management Report and Erosion & Sediment Control Plan in accordance with the Town Zoning Article XXVI- "Erosion & Sediment Control."

In accordance with Town Code Chapter 249, "Subdivision of Land", we offer the following comments relative to the subdivision plan:

General

1. The Subdivision Plan should be revised to include a Legend of symbols, survey data per code section 249-25 (including description data by bearing and distances and corner monumentation) and a Site Statistics summary, including zoning and related requirements (required versus proposed). The overall parcel size should be indicated as well as area of proposed subdivision of lots.
2. All public utilities within the Town Right-of-Way (ROW) should be shown on the plans. Existing Town waterlines and proposed water service connections should be shown on the plans.
3. Both of the proposed dead end street "turnarounds" shall be constructed to Town Highway Standards and the necessary details, notes and roadway cross-section should be included on the plans. A grading plan showing existing and proposed grades for each "turnaround" should also be prepared to aid in proper construction and related positive surface drainage.
4. If approved, easement descriptions for the "turnaround" will have to be prepared and submitted for review and executed for dedication to the town.
5. Prior to Building Permit, a Grading Plan shall be prepared for each lot to show existing and proposed grades. This plan shall document that proposed garage floor elevations are 18 inches minimum above the centerline of street elevations

and that basement floor elevations provide adequate Town required separation to groundwater (+2 feet).

6. Please confirm that the septic system soil investigations, including percolation tests and deep test holes, were observed and confirmed by Schenectady County DOH. Include the appropriate DOH Appendix 75 A notes/table regarding proposed septic system minimum separation distances from existing features and proposed houses. Based on the number of proposed bedrooms and soil test results, a detailed septic design will need to be prepared as part of the Grading Plan as described in item 5. above.
7. Even if the total site disturbance is less than the ½ acre threshold requiring a SWPPP, it is recommend that basic Erosion and Sediment Control measures be included and detailed on the plan, i.e. silt fence along the down slope limits of soil disturbance, stabilized construction entrance at each proposed driveway and stabilization of all disturbed areas as soon as practicable.

Willow Street- Lot1

1. All encroachments from the neighboring Lands of Markel should be added to the plan.
2. Since the proposed house is less than 15 feet from the top of the existing slope, compliance with NYS Building Code relative to foundations must be documented or a slope stability report provided from a Licensed Professional Geotechnical Engineer.
3. As requested in Item 3. above, the grading Plan for the "turnaround" should show proposed grades to ensure that surface runoff does not collect and pond near the end of the existing pavement.

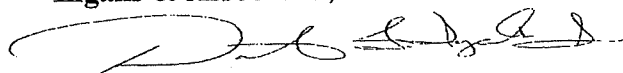
SEQR-LONG ENVIRONMENTAL ASSESSMENT FORM (LEAF)

We have no comments on the LEAF.

- Once the Board is satisfied that all required materials have been received and interested/involved agency comments addressed, evaluation of potential environmental impacts can be completed and a SEQR Determination of Significance can be prepared.

I&A is available to meet with the applicant to discuss any of the above comments. If you have any questions or require anything further, please do not hesitate to contact this office a 393-7725, Ext. 113.

Sincerely,
Ingalls & Associates, LLP



David F. Ingalls, Jr., PE, CPESC

cc: Mr. Joe Bianchine, ABD Engineers and Surveyors



BLACKSTONE LAND SURVEYORS

1152 FORT HUNTER ROAD SCHENECTADY, NY 12303 (518)3551791

James Longo
Superintendent of Highways
Town of Rotterdam

RECEIVED

SEP 28 2009

September 21, 2009

TOWN OF ROTTERDAM
PUBLIC WORKS

Jim,

The Zoning Board of Appeals approved an area variance for the lot width of the lot at the northerly end of Willow Drive at their July 15, 2009 hearing. At that meeting the Board expressed concern over the safety of the dead-end terminus because of a downward slope that exists. They requested I convey this concern to you for the consideration of the installation of a guard-rail, or some other structure, to reduce the chance of an accident. They defer to your expertise and discretion to address the potential safety issue.

Respectfully submitted,

Mark C. Blackstone



BLACKSTONE LAND SURVEYORS

1152 FORT HUNTER ROAD SCHENECTADY, NY 12303 (518)3551791

Peter Comenzo
Senior Planner
Town of Rotterdam

RECEIVED September 21, 2009

SEP 28 2009

TOWN OF ROTTERDAM
PUBLIC WORKS

Peter,

The map for the proposed subdivision for Leone & DeMeo has been revised to address the comments of the July 23, 2009 Planning Commission hearing and the comments from the incorrectly dated March 6, 2009 letter from Ingalls & Associates. The revisions include :

1. Wetlands notes added
2. SWPPP note added
3. Legend of symbols, Site statistics summary and Area of lots added
4. Water mains & proposed services added
5. Addendum sheets for each turnaround completed
6. Septic separation note added
7. Wood shed encroachment has been removed
8. NYS Building Code requirements apply to slopes steeper than 1 unit vertical in 3 units horizontal. (RR 403.1.7) The slopes at the end of Willow are shown to identify they are not steep enough to fall under the Code requirements.

Respectfully submitted,

Mark C. Blackstone

1. **Mark DeMeo (owner) and Dominic Leone (owner and contractor vendee) – Willow Drive & Suffolk Avenue. Final Three (3) Lot Major Subdivision with Boundary Line Adjustments Public Hearing: Lot #1 = 2.1 acres with proposed improvements to Willow Drive and the construction of a single family residence. Lot #2 = 24,351 square feet with proposed improvements to Suffolk Avenue and the construction of a single family residence. Lot #3 = 5.3 acre boundary line adjustment to consolidate lands and increase the lot size of an existing developed lot. Land Surveyor: Blackstone Land Surveyors.**

The hearing commenced at 7:32 p.m.

Mr. Blackstone: Good evening. Since we were here last discussing this, a number of revisions have been made to address the comments from the Planning Commission as well as comments from TDE.

We have added wetland notes as requested. I put on a SWPPP note to identify the threshold of the half acre is not being met so SWPPP regulations aren't applicable but we are proposing to utilize some of the preliminary SWPPP concepts as it would relate to the construction especially as it concerns the slope on the lot that is on the end of Willow as well as protection of the storm drainage system that lot on Suffolk will eventually be draining into. The TDE suggested utilizing some SWPPP and we will be doing that. It is included in the note.

I've prepared an addendum sheet for the Willow Drive turn around. The TDE as well as the Planning Commission raised questions relative to the drainage of Willow and we are providing for a paved swale, so to speak, to maintain positive drainage of the turn around taking what is now a ponding situation and providing the proper grading to alleviate that problem and take care of the stormwater that we will be adding and allow it to flow to the slope that is there now.

There was also a question relative to whether the NYS Building Code requirements dealt with the slopes here on Willow. I have identified the slopes that exist on Willow and they are all a gentler slope than what the threshold for consideration. The state building code is a three (3) on one (1) slope and they all exceed that which means there is a gentler slope.

In addition to that, I believe there are some minor issues and I have just received the comments from the October 2 letter from Mr. Ingalls. We can deal with the requests relative to notes for a few of the items that are mentioned but the subdivision requirement number one (1) what would be requesting would be that we've provided bearings and distances for the Suffolk Avenue lot and I have prepared them and identified the bearings and distances for a portion of the Willow Street lot but given that the Willow Street lot is, for all intents and purposes, that two (2) acres runs a significant distance all the way down in there. I did not prepare survey data to reflect that 60' strip that was once upon a time a portion of the railroad property that was transferred to the town prior to Mr. DeMeo purchasing it from the Town.

I would request relief from that requirement as it would relate to providing exact dimensions of the length along the Con-Rail as well that piece that is just south of it because the train is somewhat unforgiving and chasing a half of foot or less for survey information is somewhat of a waste of "inaudible" because the property is inaccessible in all reality given the fact of the bottom of the slope is a federal wetland. It precludes any potential use of the property at any point of time in the future.

The only other item of Mr. Ingalls that raises any significance would be his identification number to his consideration should be given to extending the existing six inch (6') water main. Until such time when that is excavated, we don't know where the end of the water main is. The water department is uncertain and it's not mapped.

Chairman DiLallo: It will eventually have to be found to put a tap in if that is the route that the Town wants to take.

Mr. Blackstone: Yes.

Chairman DiLallo: So, it's not good to put a water service in more than 100' or tap into a main.

Mr. Blackstone: I live “inaudible...” and 360’ water service to my house and I had no problems with it. It’s all relative.

Mr. Comenzo: I think if there were potential for additional development you would definitely want a large water main.

Chairman DiLallo: And there isn’t.

Mr. Blackstone: No. So you would just upgrade the radius of the pipe so that what you are really worrying about is friction over the length of the water service so you make a larger diameter pipe to accommodate for the friction loss for the water traveling 100’.

Chairman DiLallo: I think we can agree and I don’t think it’s necessary to continue a six inch (6’) water main for one house.

Mr. Blackstone: Okay. Those are the only items that were of any significance other than the requesting a note to really to reflect it.

Chairman DiLallo: Peter, you’re on.

Mr. Comenzo: Here are the standard DPW comments:

1. Approval is conditioned upon applicant addressing all TDE and Rotterdam DPW comments and full and final approval of the TDE and DPW.
2. Final approval is contingent upon receiving permits and approvals for improvements from the Town of Rotterdam Highway Department for access onto Willow Drive and Suffolk Avenue.
3. The developer shall be required to enter into a three-party contract with the Town of Rotterdam and an engineering firm(s) to provide construction oversight for all infrastructure improvements (both public and private) and compliance with the Town of Rotterdam and NYSDEC stormwater regulations.

Mr. Blackstone: I believe that was part of the contract with the TDE.

Mr. Comenzo: We put it in there in case the property is sold.

4. The applicant shall provide the Town of Rotterdam DPW paper and electronic file copies of the utility “As-Built Record Drawings” upon completion and testing of the utilities.
5. Prior to the issuance of Site Development and/or Building Permit(s) by the Town of Rotterdam, the applicant shall attend a pre-construction meeting with the Building Inspector, DPW staff, and the TDE to confirm the completion of the above stated conditions.
6. All lot corners shall be pinned and capped prior to the Chairman’s Signature for all lots in the subdivision and shall be shown on the as-built drawings.

Chairman DiLallo: Except the one he brought up right?

Mr. Comenzo: I think we can pin and cap the corners...

Chairman DiLallo: The corners of the back lots?

Mr. Blackstone: That is not a problem. This one requires placing a rod there and I can place one here it's just the exact distance between the two is an irrelevant point.

Mr. Comenzo: Are any fire hydrants going here?

Mr. Blackstone: No.

Mr. Comenzo:

8. Add note to plan: "Water lines shall not be installed underneath driveways for residential lots."
9. Add note to plan: "No stockpiling or burying of debris, slash, stumps, or construction material is permitted."
10. Add note to plan: "All fill material to be utilized on site shall meet the requirements of Chapter 17 and Chapter 18 of the NYS Building Code and verified by the Rotterdam Building Inspector."
11. Area below top of bank of Lot #1 shall be crosshatched on subdivision map and note added that no construction or fill material is permitted.

I think we had issues with a previous subdivision with Mr. DeMeo with folks and it was unclear as to what they could and couldn't do on the map.

Mr. Blackstone: That wasn't unclear on the map. It was just an excuse and we can alleviate that with a note.

Mr. Comenzo:

12.	Final Fees Due:	Parkland Fees	\$2250.00
		Lot Fee	150.00
		Advertising	No bill yet

This is a major subdivision.

Mr. Blackstone: It is a major subdivision so there is a fee due on the third lot even though there are no improvements being proposed as far as it being a new lot? We can address that at a later point. I'm not sure what the wording was. I thought it was for new lots.

Mr. Comenzo: It's for per new lot created so it should be...

Mr. Blackstone: It could be interpreted that the \$2250.00 is accurate then.

Mr. Comenzo: Just for your information, we did amend our Code to make it clear that minor subdivisions are also included in parkland fees.

Mr. Blackstone: I kind of figured that would happen.

Chairman DiLallo: This is from James Longo "Regarding the proposed construction at the end of Willow Street, I have met with Mark Blackstone on two occasions and am satisfied with the snow storage area and the turn around that we will be able to utilize for our trucks."

And Schenectady County Department of Economic Development and Planning approves of the proposal contingent upon the town being satisfied with the proposed vehicle turn around areas.

You have met with Jim Longo and have you decided on a barrier or not? Mr. Longo has been busy and hasn't gotten back to us. We are waiting and that is why we are making one of the conditions...

Mr. Blackstone: He hasn't identified what specifically. I think he wants to take a look at it again. I'm sure he will want some sort of structure because it raises safety issues that I am sure he doesn't want any responsibility for.

Chairman DiLallo: That is what we have for number two as far as the highway department is concerned?

Mr. Comenzo: I think we are going to add approvals for improvements.

Chairman DiLallo: Whatever improvements that he recommends within reason.

Mr. Blackstone: Yes. Right.

Chairman DiLallo: Questions Mr. Denny?

Mr. Denny: I don't have any.

Chairman DiLallo: Mr. Karp?

Mr. Karp: I have no questions.

Chairman DiLallo: Mr. Renna?

Mr. Renna: No questions.

Chairman DiLallo: Mrs. Flansburg?

Mrs. Flansburg: No comments.

Chairman DiLallo: Mr. Brudos?

Mr. Brudos: No comments.

Chairman DiLallo: Mr. Comenzo?

Mr. Comenzo: No comments.

Chairman DiLallo: Mr. Coan?

Mr. Coan: No comments.

Chairman DiLallo: Are there any questions or comments from the public? Please state your name and address for the microphone.

Mr. Piccirillo: My name is Robert Piccirillo and I live on 4 Willow Drive. The proposed turn around as requested by Mr. Longo would actually boarder my property and I had a couple of concerns that I've discussed with Mr. Blackstone and I just want them on record for this evenings meeting.

The turn around is actually going to border my property and I've requested some privacy landscaping to be done at Mr. DeMeo's expense for the "inaudible" expense and I believe that is illustrated on the latest drawing and I just want to make sure that it is a matter of record and that it will be done by the developer and it will run the entire length of the proposed turn around.

Chairman DiLallo: Is it on the map?

Mr. Piccirillo: I haven't looked at the map but I know it's on the amended drawing.

Mr. Blackstone: It is shown on this map but it is more adequately depicted on the addendum.

Chairman DiLallo: It states the proposed arborvitaes.

Mr. Piccirillo: That's correct. I just wanted to make sure that it is a matter of record.

Chairman DiLallo: Arborvitaes is satisfactory to you?

Mr. Piccirillo: Yes, it is.

Chairman DiLallo: Did you settle on a particular height?

Mr. Piccirillo: That is not stated in there but considering the height of a snow plow is probably, I would say...

Chairman DiLallo: They grow fast. You are not going to get a 15' arborvitae.

Mr. Piccirillo: Six (6) to seven (7) footers are reasonable in cost and I think that would meet the requirements.

Chairman DiLallo: We will put six (6) to seven (7) footers on the plan.

Mr. Piccirillo: That would be great. I've discussed in the past the second issue and the storm water drainage with Mr. Longo and I've actually requested in the past a storm drain there which he has been unable to do because that property is owned by Mr. DeMeo. I'm glad that the grading is included in the proposal but a far better option would be a storm drain running off to the embankment down below.

Chairman DiLallo: The engineer states that the grading will make the water drain passed the turn around correct?

Mr. Blackstone: Yes.

Chairman DiLallo: The designs showing proposed grades indicate a service run off does not collect and pond near the end of the existing pavement but will continually northerly off the proposed turn around. That is the way that it is proposed.

Mr. Piccirillo: Right now, there is no run off and it actually backwashes into my property.

Chairman DiLallo: This should eliminate that.

Mark, what is the purpose of the arborvitae? To give you privacy?

Mr. Piccirillo: Privacy from that turn around and from the vehicles that are going to be using it.

Chairman DiLallo: How many feet is that long, Mark? It doesn't give any dimensions as to how far it is going to go. It looks like it is less than 30'.

Mr. Blackstone: It doesn't show.

Chairman DiLallo: My point is, if we are going to make it a certain distance...

Mr. Blackstone: To be part of the record, I understand.

I would say about 18'.

Chairman DiLallo: Is 18' going to be long enough?

Mr. Blackstone: It should block the headlights as they back out. As they pull in, the headlights will be heading north but as they back out they will hit the arborvitae so it doesn't impact the front of his house. That is what we are aiming to accomplish.

Mr. Piccirillo: If it runs the entire length of the proposed turn around then it meets the purpose that it is there for. That is really my request.

Chairman DiLallo: Right now it starts a little above and it goes to the end of the turn around correct?

Mr. Blackstone: That is correct.

Chairman DiLallo: And that turns out to be 18'. So no less than 18'. Six shrubs that are 6' in height and they are going to be about 3' apart. That is good enough for you, Bob?

Mr. Piccirillo: That is fine. Thank you.

Mr. Blackstone: I think to raise the issue more specifically, I will also place a note on each of the turn around areas identifying that there are addendums. I don't think they need to be filed in the County Clerk's office but it will raise the issues that there are addendums specifically for proposed grading and proposed plantings relative to it so that someone is aware that there is a more detailed plan.

Chairman DiLallo: Is that okay Peter?

Mr. Comenzo: Yes. Another thing to keep in mind too is that we will have a TDE who will be overseeing the project and before any building permits are going to be issued the road will have to be up to snuff in terms of us accepting it as a town road. Hopefully it will improve things. I know at the end of the road it gets a little rough.

Mr. Blackstone: Currently the grade goes up so there is nowhere for the water to go.

Mr. Comenzo: I'm hoping at the end of this process here the water will drain properly.

Chairman DiLallo: Anything else?

Mr. Piccirillo: No. You addressed my concerns. Thank you.

Chairman DiLallo: You are welcome. Thank you for coming up.

Mr. Karp: We were just having a little side bar over here because it is a little bit confusing because when you look at this addendum that is lacking the measurements and when you look at the big map, where exactly are those arborvitaes running because there is a 30' length shown and part of that is marked as proposed turn around easement but those arborvitaes don't run to the back of the...

Mr. Blackstone: Just to the pavement. We are covering the portion where the pavement would run. Mr. Longo requested 30' of area in there to pull the plow into in addition to whatever the existing width of Willow Drive was to get maneuvering space. Currently they drive down, back up, drive down, back up, drive down and back up and this will allow them to drive down to...

Mr. Denny: They'll drive down and back into that turn around and then go back out the street right?

Mr. Blackstone: I don't think so because the street is long enough that it will probably require pass to run through. That is why we gave them snow storage easements a number of years ago to push that snow to that end.

Mr. Karp: Thank you.

Chairman DiLallo: Hearing no other comments or questions, I will close the public hearing and entertain a motion for negative declaration.

Mr. Karp: Mr. Chairman, I make a motion on negative declaration contingent upon all the oral and written statements that were made here this evening.

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

Mrs. Flansburg: I'll second.

Chairman DiLallo: Seconded by Mrs. Flansburg. Please call the vote.

Marlo Carter: Chairman DiLallo?

Chairman DiLallo: Yes.

Marlo Carter: Mr. Renna?

Mr. Renna: Yes.

Marlo Carter: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Marlo Carter: Mr. Karp?

Mr. Karp: Yes.

Marlo Carter: Mr. Brudos?

Mr. Brudos: Yes.

Marlo Carter: Mr. Denny?

Mr. Denny: Yes.

Chairman DiLallo: Motion carried.

I will now entertain a motion on the final three (3) lot major subdivision with boundary line adjustments.

Mrs. Flansburg: Mr. Chairman, I make a motion that the Planning Commission approve the final three (3) lot major subdivision with boundary line adjustments subject to all the oral and written comments made on this project and to include the comments from the highway superintendent whatever his recommendations may be.

Chairman DiLallo: Motion made by Mrs. Flansburg. Is there a second?

Mr. Karp: I'll second.

Chairman DiLallo: Seconded by Mr. Karp. Please call the vote.

Marlo Carter: Chairman DiLallo?

Chairman DiLallo: Yes.

Marlo Carter: Mr. Renna?

Mr. Renna: Yes.

Marlo Carter: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Marlo Carter: Mr. Karp?

Mr. Karp: Yes.

Marlo Carter: Mr. Brudos?

Mr. Brudos: Yes.

Marlo Carter: Mr. Denny?

Mr. Denny: Yes.

Chairman DiLallo: Motion carried.

The hearing was concluded at 7:55 p.m.



Town of Rotterdam
Office of the Planning Commission

Lawrence DiLallo, Chairman
Peter J. Comenzo, Senior Planner

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

Resolution Number Planning Commission 42-2009

Moved by Mrs. Flansburg seconded by Mr. Karp

Applicant: Mark DeMeo (owner) and Dominic Leone (owner and contract vendee)

Applicant: Mark DeMeo (owner) and Dominic Leone (owner and contract vendee)

Project Location: Willow Drive & Suffolk Avenue
Rotterdam, New York

Tax Number or Numbers: 59.06-2-43, 59.05-8-14.52, 59.06-10.1.1

Proposed Project: Three (3) Lot Major Subdivision with Boundary Line Adjustments: Lot #1 = 2.1 acres with proposed improvements to Willow Drive and the construction of a single family residence, Lot #2 = 24,351 square feet with proposed improvements to Suffolk Avenue and the construction of a single family residence, Lot #3 = 5.3 acre boundary line adjustment to consolidate lands and increase the lot size of an existing developed lot.

WHEREAS, public meetings were conducted by the Town of Rotterdam Planning Commission on March 3, 2009, July 23, 2009 and an public hearing on October 6, 2009 to consider the above referenced Subdivision; and,

WHEREAS, this matter was discussed and approved, as meeting the standards for Subdivision as set forth in Chapter 249 of the Code of the Town of Rotterdam entitled SUBDIVISION OF LAND; and,

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

IT IS HEREBY RESOLVED THAT this Subdivision is approved with the following conditions as stipulated by the Planning Commission:

1. Approval is conditioned upon applicant addressing all TDE and Rotterdam DPW comments and full and final approval of the TDE and DPW.
2. Final approval is contingent upon receiving permits and approvals for improvements from the Town of Rotterdam Highway Superintendent for access onto Willow Drive and Suffolk Avenue.
3. The developer shall be required to enter into a three-party contract with the Town of Rotterdam and an engineering firm(s) to provide construction oversight for all infrastructure improvements (both public and private) and compliance with the Town of Rotterdam and NYSDEC stormwater regulations.

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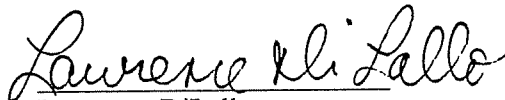
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4. The applicant shall provide the Town of Rotterdam DPW paper and electronic file copies of the utility "As-Built Record Drawings" upon completion and testing of the utilities.
5. Prior to the issuance of Site Development and/or Building Permit(s) by the Town of Rotterdam, the applicant shall attend a pre-construction meeting with the Building Inspector, DPW staff, and the TDE to confirm the completion of the above stated conditions.
6. All lot corners shall be pinned and capped prior to the Chairman's Signature for all lots in the subdivision and shall be shown on the as-built drawings.
7. Add note to plan: "Water lines shall not be installed underneath driveways for residential lots."
8. Add note to plan: "No stockpiling or burying of debris, slash, stumps, or construction material is permitted."
9. Add note to plan: "All fill material to be utilized on site shall meet the requirements of Chapter 17 and Chapter 18 of the NYS Building Code and verified by the Rotterdam Building Inspector."
10. Area below top of bank of Lot #1 shall be crosshatched on subdivision map and note added that no construction or fill material is permitted.
11. Final Fees Due:

Parkland Fees	\$1500.00
Lot Fee	150.00
<u>Advertising</u>	<u>43.05</u>
Total	\$1693.05
12. Six foot (6') arborvitaes buffer adjacent to the lands N/F of Piccirillo to the south shall extended and be planted three foot (3') apart along the entire length of proposed turn around for Willow Drive.



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

Date: October 6, 2009

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

After a review of the application materials, Short Environmental Assessment Form, and comments received on this proposal, the Planning Commission of the Town of Rotterdam has determined that the proposed action described below will not have a significant adverse impact on the environment and an Environmental Impact Statement will not be prepared.

SEQRA Status: Type I
Type II
Unlisted

Conditioned Negative Declaration: Yes
No

Owner: Mark DeMeo (owner) and Dominic Leone (owner and contract vendee)

Location: The northern terminus of Willow Drive and Suffolk Avenue and the eastern terminus of Sandy Lane in the Town of Rotterdam

Tax Map Number(s): 59.06-2-43, #59.05-8-14.52, and #59.06-10.1.1

Action: Three (3) Lot Major Subdivision. The subdivision consists of the following: Lot #1= 2.1 acres with proposed improvements to Willow Drive and the construction of a single family residence. Lot #2 = 24,351 square feet with proposed improvements to Suffolk Avenue and the construction of a single family residence. Lot #3 = 5.3 acre boundary line adjustment to consolidate lands and increase the lot size of an existing developed lot.

Zoning: Single Family Residential (R-1) Zoning District

Reasons Supporting This Determination:
(See 617.7(a)-(c) for requirements of this determination)

The Department of Public Works for the Town of Rotterdam transmitted the application information on to all involved and interested agencies for review. All comments have been addressed. The applicant is seeking to subdivide and boundary line adjust three parcels to create 2 building lots and also consolidate miscellaneous acreage. The DeMeo property consists of lands that were acquired from the Town of Rotterdam that exists at the terminus of Willow Drive and Suffolk Avenue. Some of this land consists of steep slopes and wetland areas that will be denoted on the map as unbuildable and not to be disturbed.

The soils in this area are sandy and conducive to the installation of a conventional septic system. The applicant will be installing improvements and turnarounds to Willow Drive and Suffolk Avenue. These improvements have been reviewed and approved by the Town Highway Superintendent. A Town Designated Engineer has reviewed this project and deemed the proposed improvements acceptable.

The subdivision consists of the following: Lot #1= 2.1 acres with proposed improvements to Willow Drive and the construction of a single family residence. Lot #2 = 24,351 square feet with proposed improvements to Suffolk Avenue and the construction of a single family residence. Lot #3 = 5.3 acre boundary line adjustment to consolidate lands and increase the lot size of an existing developed lot.

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;

SEQRA Determination of Non-Significance
Mark DeMeo and Dominic Leone - Willow Drive and Suffolk Avenue
October 6, 2009

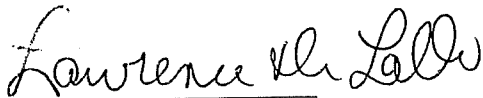
- (xi) changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or
- (xii) two or more related actions undertaken, funded or approved by an agency, none of which 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 a regularly scheduled Planning Commission Public Hearing held on October 6, 2009 at Rotterdam Town Hall, 1100 Sunrise Boulevard, Rotterdam, NY 12306. Adoption of this negative declaration was moved by Mr. Karp, seconded by Ms. Flansburg, and approved by the Rotterdam Planning Commission.

For further information please contact: Peter J. Comenzo – Senior Planner
1100 Sunrise Boulevard
Rotterdam, New York 12306
(518) 355-7575 Extension 338



Lawrence DiLallo
Planning Commission Chairman

Next Meeting: October 20, 2009

Motion to adjourn made by Mrs. Flansburg and seconded by Mr. Brudos.

Meeting Adjourned at 7:57 p.m.

Respectfully Submitted,

Marlo L. Carter
Planning Commission Secretary