

**Town of Rotterdam Planning Commission
Minutes of September 2, 2025 Meeting**

The Rotterdam Planning Commission held a meeting on Tuesday, September 2, 2025, at 7:30 p.m. at the Rotterdam Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York 12306.

Present: Kimberly Ricker Scannell, Chairman
Lynn Flansburg, Vice Chairman
Clark Collins
Wayne Calder
Joseph Miglucci
Danielle Ciampino
Peter Comenzo, Town Planner
Stephen Valiquette, Attorney
Jamilee Marino, Secretary

Excused: Joseph Signore

Chairman Scannell called the workshop to order at 7:00 p.m.

Discussion:

1. Lecce Senior Living Phase II – 2200 Helderberg Avenue/Helderberg Avenue (Discussion)

Recommendation was made by Mr. Collins to approve Town Board for inspection of project.

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

Waivers:

- 1. Little Scholars ViaPort Inc. – 93 West Campbell Road.** The applicant requests a Waiver of Site Plan review to expand operation of day care center, Little Scholars ViaPort, Inc., into existing tenant space F-142, ±7,342 square foot from June 1, 2025 – June 1 2026 in the ViaPort Rotterdam Mall.

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

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

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

- 2. Munchkinz Land LLC – 90 W. Campbell Road.** The applicant requests a Waiver of Site Plan to operate a child play center and cafe in existing ±3,000 square foot tenant space, former AT&T, on a ±2.6 acre parcel.

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

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

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

3. **Kids Adventure Daycare – 361 Duanesburg Road.** The applicant requests a Waiver of Site Plan review to operate a daycare center in ±4,324 square foot building, former Little Scholars, on a ±0.33-acre parcel.

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

1. Compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Safety Inspector and/or Building Inspector/Code Enforcement Officer prior to operation.
3. Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.
4. Owner/applicant shall install Knox box for emergency personnel. Please contact Fire District #6 for specifics.
5. Owner/applicant shall stripe and sealcoat parking lot by October 31, 2025.
6. Owner applicant shall fix mansard roof by October 31, 2025.
7. Applicant shall obtain NYS Office of Family and Child Services licensing.

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

Agenda:

Attendance was taken and it was determined there is a quorum.

Chairman Ricker-Scannell: Alright it is 7:30. I'd like to go ahead and call the meeting to order. Jamie, would you please call the roll to establish a quorum?

Ms. Marino: Chairman Ricker-Scannell?

Chairman Ricker-Scannell: Present.

Ms. Marino: Vice Chairman Flansburg?

Mrs. Flansburg: Here.

Ms. Marino: Mr. Collins?

Mr. Collins: Here.

Ms. Marino: Mr. Calder?

Mr. Calder: Here.

Ms. Marino: Mr. Signore?

Chairman Ricker-Scannell: Excused.

Ms. Marino: Mr. Miglucci?

Mr. Miglucci: Here.

Ms. Marino: Mrs. Ciampino?

Mrs. Ciampino: Here.

Ms. Marino: Vice Chairman Flansburg?

Mrs. Flansburg: Here.

Ms. Marino: Chairman Ricker-Scannell?

Chairman Ricker-Scannell: Here. All right, very good. We have a quorum.

Attorney Valiquette is here and Peter Comenzo, our Senior Town Planner, is here. Mrs. Flansburg, could you please lead us in the Pledge of Allegiance?

Mrs. Flansburg: I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one (1) nation, under God, indivisible, with liberty and justice for all.

The first order of business is to approve the minutes from our last meeting. Please remember, if you were not here, you should not be voting. You should abstain from voting.

Everyone has had an opportunity to review them. I would entertain a motion.

Mr. Collins: I'll make that motion.

Mrs. Ciampino: I'll second.

Mr. Collins: Sorry to jump the gun.

Chairman Ricker-Scannell: That's all right. Thank you, Mr. Collins. Thank you, Mrs. Ciampino. Jamie, please call the roll.

Ms. Marino: Mr. Collins?

Mr. Collins: Yes.

Ms. Marino: Mr. Calder?

Mr. Calder: Yes.

Ms. Marino: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Marino: Mrs. Ciampino?

Mrs. Ciampino: Yes.

Ms. Marino: Vice Chairman Flansburg?

Mrs. Flansburg: Abstain as I wasn't present.

Ms. Marino: Chairman Ricker-Scannell?

Chairman Ricker-Scannell: Yes. Motion carried.

1. Thomas Feulner - 4866 Pattersonville-Rynex Corners Road. Final Site Plan/Special Use permit Public Hearing to operate a personal private stable with paddock, turn-out structures, and a newly constructed 4,800 square foot ancillary building with two (2) horse stalls on a ±60.0-acre parcel. Engineer: Empire Engineering, PLLC.

Chairman Ricker-Scannell: All right. First up, we've got Mr. Feulner. Am I saying it the right way?

Mr. Feulner: Yes.

Chairman Ricker-Scannell: All right. Coming on back for 4866 Pattersonville-Rynex Corners Road. You're flying solo.

Mr. Feulner: Yeah, Chris is not, I believe he's out of Town. So, it's just me tonight.

Chairman Ricker-Scannell: That's okay, just you. Is this your lovely, horse-loving person?

Mr. Feulner: It is. I dug her a lot.

Chairman Ricker-Scannell: We decided last time we were here that he's quite a guy, that he's building all this horse stuff for you.

Mr. Feulner: So I know that, I believe Chris spoke with Peter about the revised building drawings to show the horse stalls in the building, as well as, I don't know if he revised the aerial view of the topographical map to kind of show where the riding paddock and all of, you know, things of that nature would be. I know that I spoke with him on the phone late Friday evening, so I'm trying to kind of go in a little in the dark here, but I guess if you guys have any further questions for me in regards to this, then I can answer them the best that I can.

Chairman Ricker-Scannell: Sure, it sounds good. We appreciate you coming back, and we appreciate a little bit more of a narrative than we had before, and what we're going to be doing tonight is we're going to have a Public Hearing on this matter, and we are going to have a conversation with you, and then we're... I would be entertaining at one (1) point a motion to approve the Special Use Permit, and then finally a motion to approve the Site Plan.

So, I think we'll open it up to the Planning Commission. I had a couple questions.

Mr. Feulner: Okay.

Chairman Ricker-Scannell: Let's see. So, what kind of horses are going to live, it's 10 by 12, how big are the stalls, they're 10 X 12.

Mr. Feulner: Ten (10) X 12.

Chairman Ricker-Scannell: Those are ten (10) X 12, and that's normal size for a stall?

Mr. Feulner: I would say yeah.

Chairman Ricker-Scannell: Okay, and how tall are the stalls?

Mr. Feulner: Well, I would say they'll probably be roughly eight (8) feet the building itself. The walls are 18 feet tall.

Chairman Ricker-Scannell: So how does the ventilation work with that? I mean, is that like a standard would you say for an eight foot (8') tall?

Mr. Feulner: The ventilation in the building?

Chairman Ricker-Scannell: Yeah, for the horses to breathe.

Mr. Feulner: Oh, yeah, they'll be not so much exhaust fans, but there's two (2) overhead doors right next to the stalls and then I plan on putting you know an exhaust fan or two (2) in there. You know for the summer months when it's dusty or warm, you know in the building. So...

Chairman Ricker-Scannell: Yeah, I mean I had to ask the Google because I don't know how big a horse stall

Mr. Feulner: Yeah.

Chairman Ricker-Scannell: That's kind of small if it's a bedroom, yeah, all right. So yeah, it seems like a...

Mr. Feulner: Yeah, they usually don't spend too much time in there, right? Unless it's a monsoon outside type of thing, right?

Chairman Ricker-Scannell: So, I think it's a great use of the parcel. We appreciate you being here. Let's see, Mr. Collins questions, comments, concerns?

Mr. Collins: No, I'm good with it.

I give you a lot of credit for doing it for. I think it's good use of the land. I'm glad that you know, it's getting used again.

Mr. Feulner: Yes. Awesome. Thank you.

Chairman Ricker-Scannell: Great. Mr. Miglucci?

Mr. Miglucci: It's good project. I really have no questions about it. I mean, it was originally a horse farm, right?

Mr. Feulner: Yeah, more industrial, larger scale.

Mr. Miglucci: No, I'm good with it.

Chairman Ricker-Scannell: Super. Mrs. Flansburg?

Mrs. Flansburg: I think it's a great project. Obviously, it's the same similar use only less commercial purposes for your own private use. So, part of what we have is comments from our DPW. So, the only one (1) that I had on here was and if you're able to address it is something to do with water. That said water improvements have not been installed to date, applicant will need to coordinate with the Town of Rotterdam Water Department prior to connection. Existing transmission tower are located in the vicinity of the proposed connection. Do you know anything about the water?

Mr. Feulner: So, they're talking about before I purchased the property the previous owner applied for a water permit. So, that was approved. So that could be what they're talking about.

Mrs. Flansburg: To hook up to where?

Mr. Feulner: To the city property or to the city water.

Mr. Comenzo: So, I can fill you in a little bit.

I did have a conversation with Chris before he went out of Town. We spoke on Friday. There is an existing contract that the previous owner had entered into with the Town, but the improvements were never completed. It's the water main that comes out. There is a water tank at the former landfill that runs down the driveway to access that facility, but there's also a transmission tower that runs parallel to that roadway. The property itself is owned by the Town of Rotterdam, but there may be some restrictions or some additional signage or something along those lines for that line when you run that water line.

So really, it's going to be just coordination with the Town and making sure that you know the appropriate things take place in terms of connection to the water and that we can handle that at DPW, okay?

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

Chairman Ricker-Scannell: Fantastic. Thank you, Mr. Calder?

Mr. Calder: No, I like the project. It's a little different than I thought originally it was going to be but now it's explained pretty well. You sure got a lot of room up there.

Mr. Feulner: Oh, yeah.

Mr. Calder: You could get lost for a week up there.

Mr. Feulner: Yeah, thank you.

Chairman Ricker-Scannell: Thank you, Mrs. Ciampino?

Mrs. Ciampino: Oh, I was also going to address number three (3) of the DPW comments.

Chairman Ricker-Scannell: Okay super. Well, I think this is a great project, and I'm going to go ahead and open the Public Hearing. You should probably stand up and say what an awesome fiancé you have. But, let's open the Public Hearing. Public Hearing is open. Going once. Going twice. Okay, I'm going close the Public Hearing. At this point I would entertain a motion to approve a Special Use permit to allow for the private stables taking into consideration all of the comments from DPW that are noted on September 2, 2025 comments and DPW comments from July 15, 2025 and anything that we've discussed or agreed upon here this evening. I would entertain that motion.

Mr. Miglucci: I'll make the motion with everything included.

Mrs. Flansburg: I'll second.

Chairman Ricker-Scannell: Thank You, Mr. Miglucchi. Thank You, Mrs. Flansburg. Jamie could you please call the roll?

Ms. Marino: Mr. Collins?

Mr. Collins: Yes.

Ms. Marino: Mr. Calder?

Mr. Calder: Yes.

Ms. Marino: Mr. Miglucchi?

Mr. Miglucchi: Yes.

Ms. Marino: Mrs. Ciampino?

Mrs. Ciampino: Yes.

Ms. Marino: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Ms. Marino: Chairman Ricker-Scannell?

Chairman Ricker-Scannell: Yes, we do have a SEQR Neg Dec. Would I need to approve that as well?

Mr. Valiquette: Yes, so that actually has to happen before for the other one (1) Special Use Permit, right? So, let's let the record reflect that we're going to do the motion for the Negative Declaration for SEQR prior to any motion for the Special Use Permit.

Chairman Ricker-Scannell: Okay, so now I would entertain a motion to accept a Neg Dec for SEQR.

Mrs. Flansburg: I'll make that motion.

Chairman Ricker-Scannell: Thank you, Mrs. Flansburg.

Mr. Collins: I'll second.

Thank you, Mr. Collins. Jamie, please call the roll.

Ms. Marino: Mr. Collins?

Mr. Collins: Yes.

Ms. Marino: Mr. Calder?

Mr. Calder: Yes.

Ms. Marino: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Marino: Mrs. Ciampino?

Mrs. Ciampino: Yes.

Ms. Marino: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Ms. Marino: Chairman Ricker-Scannell?

Chairman Ricker-Scannell: Yes.

Mr. Valiquette: Yeah, I think we should just reapprove the motion for the special-use permit with all of the conditions that were previously mentioned that way, the SEQR permit is completed first.

Mr. Miglucci: I'll make the motion.

Mrs. Flansburg: I'll second.

Chairman Ricker-Scannell: Thank you, Mr. Miglucci. Thank You, Mrs. Flansburg. Jamie, could you please call the roll?

Ms. Marino: Mr. Collins?

Mr. Collins: Yes.

Ms. Marino: Mr. Calder?

Mr. Calder: Yes.

Ms. Marino: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Marino: Mrs. Ciampino?

Mrs. Ciampino: Yes.

Ms. Marino: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Ms. Marino: Chairman Ricker-Scannell?

Chairman Ricker-Scannell: Yes. Motion carried again. Okay, now I would entertain a motion to approve final Site Plan.

Mr. Collins: I'll make that motion.

Mr. Calder: I'll second.

Chairman Ricker-Scannell: Thank you, Mr. Collins. Thank you, Mr. Calder. Jamie, could you please call the roll?

Ms. Marino: Mr. Collins?

Mr. Collins: Yes.

Ms. Marino: Mr. Calder?

Mr. Calder: Yes.

Ms. Marino: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Marino: Mrs. Ciampino?

Mrs. Ciampino: Yes.

Ms. Marino: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Ms. Marino: Chairman Ricker-Scannell?

Chairman Ricker-Scannell: Yes, motion carried. Thank you all, congratulations best of luck to you.

Mr. Feulner: Thank you.

Chairman Ricker-Scannell: Thank you. Happy riding.



Town of Rotterdam
Office of the Planning Commission

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

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

Resolution Number PC50-2025

Moved by Mr. Miglucci seconded by Mrs. Flansburg
Applicant: Thomas Feulner (Owner)

- Applicant:** Thomas Feulner (Owner)
- Project Location:** 4866 Pattersonville-Rynex Corners Road.
Rotterdam, New York
- Tax Number or Numbers:** 12.-3-15.1
- Proposed Project:** Special Use Permit Public Hearing to operate a personal private stable with paddock, turn-out structures, and a newly constructed 4,800 square foot ancillary building with two (2) horse stalls on a ±60.0-acre parcel.
Engineer: Empire Engineering, PLLC.

WHEREAS, public meetings were conducted by the Town of Rotterdam Planning Commission on July 15, 2025 and a public hearing on September 2, 2025 to consider the above referenced Special Use Permit; and,

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

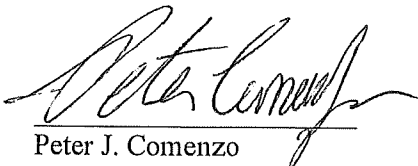
WHEREAS, the Town of Rotterdam Planning Commission after careful consideration of the application, testimony of the applicant and/or representative and members of the public in attendance at the hearing, and all other materials of record **HEREBY APPROVES THE SPECIAL USE PERMIT; NOW**

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

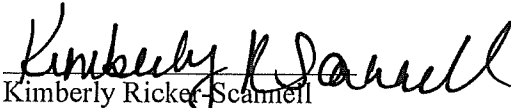
1. Final Fees Due:

Final Site Plan	\$350.00
Special Use Permit	500.00
<u>Advertising</u>	<u>39.05</u>
Total	\$889.05
2. Add note to plan: "Ancillary building shall not be utilized for commercial purposes."
3. An out of district contract for water service was approved by the Rotterdam Town Board on June 12, 2024 – Resolution #239.24 for the previous landowner. Water improvements have not been installed to date. Applicant will need to coordinate with the Town of Rotterdam water department prior to connection. Existing transmission tower are located in the vicinity of the proposed connection.

Resolution Number PC50-2025
Thomas Feulner (Owner)
September 2, 2025
Page 2



Peter J. Comenzo
Senior Planner



Kimberly Ricker-Scammell
Planning Commission Chairman



Town of Rotterdam
Office of the Planning Commission

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

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

Resolution Number PC51-2025

Moved by Mr. Collins seconded by Mr. Calder
Applicant: Thomas Feulner (Owner)

- Applicant:** Thomas Feulner (Owner)
- Project Location:** 4866 Pattersonville-Rynex Corners Road.
Rotterdam, New York
- Tax Number or Numbers:** 12.-3-15.1
- Proposed Project:** Final Site Plan to operate a personal private stable with paddock, turn-out structures, and a newly constructed 4,800 square foot ancillary building with two (2) horse stalls on a ±60.0-acre parcel. Engineer: Empire Engineering, PLLC.

WHEREAS, public meetings were conducted by the Town of Rotterdam Planning Commission on July 15, 2025 and a public hearing on September 2, 2025 to consider the above referenced Special Use Permit; and,

WHEREAS, this matter was discussed and approved, as meeting the standards for a Site Plan Review as set forth in Chapter 270 of the Code of the Town of Rotterdam entitled ZONING; and,

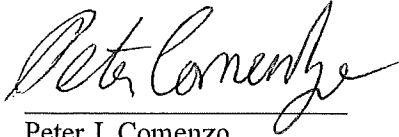
WHEREAS, the Town of Rotterdam Planning Commission after careful consideration of the application, testimony of the applicant and/or representative and members of the public in attendance at the hearing, and all other materials of record **HEREBY APPROVES THE SITE PLAN; NOW**

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

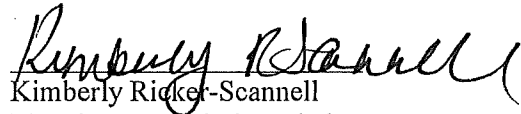
1. Final Fees Due:

Final Site Plan	\$350.00
Special Use Permit	500.00
<u>Advertising</u>	<u>39.05</u>
Total	\$889.05
2. Add note to plan: "Ancillary building shall not be utilized for commercial purposes."
3. An out of district contract for water service was approved by the Rotterdam Town Board on June 12, 2024 – Resolution #239.24 for the previous landowner. Water improvements have not been installed to date. Applicant will need to coordinate with the Town of Rotterdam water department prior to connection. Existing transmission tower are located in the vicinity of the proposed connection.

Resolution Number PC51-2025
Thomas Feulner (Owner)
September 2, 2025
Page 2



Peter J. Comenzo
Senior Planner



Kimberly Ricker-Scannell
Planning Commission Chairman

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

Date: September 2, 2025

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

SEQRA Status: Type I
Type II
Unlisted

Conditioned Negative Declaration: Yes
No

Owner: Thomas Feulner
4983 Pattersonville-Rynex Corners Road
Pattersonville, NY 12137

Location: 4866 Pattersonville-Rynex Corners Road
Pattersonville, NY 12137

Tax Map Number(s): #12.00-3-15.1

Zoning: Agriculture (A-1) Zoning District.

Action: Special Use Permit and Site Plan to operate a personal private stable with paddock, turn-out structures, and a newly constructed 4,800 square foot ancillary building with two horse stalls on a ±60.0-acre parcel.

Reasons Supporting This Determination:

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

This project was conducted as a SEQR uncoordinated review. The applicant has supplied an Environmental Assessment Form and the Planning Commission has or has caused to complete Part 2 of this checklist.

The applicant has requested Special Use Permit and Site Plan to operate a personal private stable with paddock, turn-out structures, and a newly constructed 4,800 square foot ancillary building with two horse stalls on a ±60.0-acre parcel.

This is in an existing agricultural zoning district and the prior use was the Dusty Boot Riding Stable. The applicant is proposing improvements and to utilize the property for private stables and the construction on a single-family residence. The applicant has recently been granted permission to access municipal water with an out of district contract. The newly constructed ancillary building will be connected to municipal water and may contain an on-site wastewater disposal system.

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

- (i) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;
- (iii) the impairment of the environmental characteristics of a Critical Environmental Area.
- (iv) the creation of a material conflict with a community's current plans or goals as officially approved or adopted;
- (v) the impairment of the character or quality of important historical, archaeological, architectural, or aesthetic resources or of existing community or neighborhood character;
- (vi) a major change in the use of either the quantity or type of energy;
- (vii) the creation of a hazard to human health;
- (viii) a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;
- (ix) the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;
- (x) the creation of a material demand for other actions that would result in one of the above consequences;

(xi) changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or

(xii) two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision.

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

(i) included in any long-range plan of which the action under consideration is a part;

(ii) likely to be undertaken as a result thereof; or

(iii) dependent thereon.

(3) The significance of a likely consequence (i.e., whether it is material, substantial, large or important) has been assessed in connection with:

(i) its setting (e.g., urban or rural);

(ii) its probability of occurrence;

(iii) its duration;

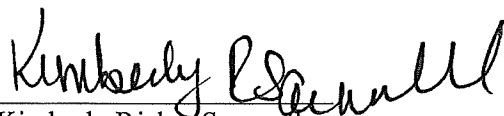
(iv) its irreversibility;

(v) its geographic scope;

(vi) its magnitude; and

(vii) the number of people affected

The environmental effects of the above-described action were discussed at regularly scheduled Planning Commission Public Hearing held on September 2, 2025 at the Rotterdam Town Hall, 1100 Sunrise Boulevard, Rotterdam, NY 12306. Adoption of this Negative Declaration was moved by Mrs. Flansburg, seconded by Mr. Collins, and approved by the Rotterdam Planning Commission.



Kimberly Ricker Scannell
Planning Commission Chairman

2. BW Solar Holding, Inc. – Putnam Road. Discussion on Site Plan/Special Use permit to develop Two (2) 5-megawatt solar energy facilities on ±53 acres of property. Engineer: Fisher Associates.

Chairman Ricker-Scannell: All right, next up we've got BW Solar Holding Inc on Putnam Road discussion on a Site Plan special-use permit to develop two (2) five (5) megawatt solar energy facilities on a ±53 acres of property.

Who'd you bring with you tonight, Hamza?

Mr. Khalil: Hello everyone, I'm Hamza. I'm the project developer from BW Solar that's the lead on this project. With me today is our Director of Development Daniel Huntington and Brian our Engineer from Fisher Associate.

This is our second time coming in front of the Town since then we have submitted some new materials that have to go with the application. We've had some discussion with the Town, with the DPW and I would like to go over some of the points that we have made and where everything is. These are two (2) five (5) megawatt projects both of them community solar. They are located south of Putnam Road; they're kind of located off the main road. For example, this part of the work here, you need to have access to another part of the work similarly, over on this side, the project itself is behind this particular part of the plan. So, when you're looking at the projects from the Putnam Road side, you're basically just looking at the access road. That's pretty much how wide the view shed is over there. Talking about the project themselves our main parcels are two (2) of the projects. One (1) is completely contained over on this parcel belonging to Ms. Susan Gallo and the other part of the project is located on the other area.

Chairman Ricker-Scannell: Can you talk into the microphone? I know that it's difficult.

Mr. Comenzo: You can move everything around.

Mr. Khalil: Is that visible to everyone? I don't want to block the view.

Mrs. Flansburg: You can move the microphone a bit toward you

Ms. Marino: I just need to be able to understand you and hear you.

Mr. Khalil: Please let me know if I'm not coming across clear or anything. So, we started with that. We believe that this is a great location for the two (2) projects primarily because of where they're located. They're right next to the transmission lines that go down Putnam Road and there's a gas station and a gas line that goes parallel to them. They're right next to those two (2) things. They're on our eastern border so they kind of fit into the general location. Towards the south, we have commercial properties. We have the storage unit that just recently got built. There was a junkyard next to the storage unit that used to exist before. I believe it's kind of gone out of business or maybe it's being revamped. Then the latest development is that there's a residential condominium or something like that that's being built on the south of that. But in general location, the only neighbors that we have that are immediate to us are the Ketchum's over here in the north and then the rest of the neighbors that are immediate to us most of them are part of the project themselves.

Chairman Ricker-Scannell: So, I'm going to stop you for a second. So, the Coffenberg's, Pirro's, and the Zawilinski are participating property owners?

Mr. Khalil: The Zawilinski's are participating. Coffenberg's and the Zawilinski's are participating property owners. And for this parcel, Ketchum is the only other owner. Here, the access parcel this

and this parcel belongs to Mrs. Gallo who's the owner of our project parcel too. There are three (3) other neighbors here, that kind of have a boundary that is shared with our project on the other part.

Chairman Ricker-Scannell: So that would be Coffenberg, Pirro, and one (1) other?

Mr. Khalil: Yes. In terms of viewshed and everything. We've recently submitted the findings on that a glint and glare analysis and the viewshed analysis. The project itself would not be visible from any location even without any additional screening. As of right now, it should be pretty much covered. The glare from that project, there's only two (2) locations where the glare is kind of visible and even there, it's green glare, which is the lowest of all the glares. Kind of the least intrusive and even in that, it's up to from 6 hours to 11 hours a year which comes down to from a minute to two (2) minutes a day. The only two (2) places that is possible is Mariaville Road and then on Phillips Road, kind of over here. But as we've noted in our glint and glare analysis the current vegetation and everything that does exist will stop any of that glare from actively going into any of those locations. And plus, once the project is completed, we will install additional screening and the fence, wherever that's necessary.

Going into the project themselves, like we mentioned we do have some relief that we are requesting. I'll start with the things that are still missing from the project. I'll address those first and then I will talk about the things that we are kind of requesting.

The first major thing that I want to talk about is the Jurisdictional Determination (JD) from the Army Corps of Engineers. In this project, we first submitted a JD to DEC that we got the Negative Determination from them. They're not going to take jurisdictional authority over these wetlands. With the Army Corps of Engineers, we submitted the JD on April 11, 2025 we're still waiting on the answer to that. Our engineers, our partners, Fisher & Associates have indicated that the Army Corps is kind of backlogged a little and that might take a while. So that's one (1) of the concerns with waiting for that we do believe that we will, just because we have one (1) of the access roads well, two (2) parts of the access road. One (1) tiny bit over here and one (1) tiny bit over here going into the wetlands, we will need a joint permit. Which we will apply for with the Army Corps of Engineers. In order to do that, we want to finalize the Site Plan with you guys first so that if there are any changes that we want to incorporate we want to have them inside the Site Plans when we get the permit because otherwise, if any changes happen post then we will have to start the process again. And like I mentioned, the timelines for the Army Corps of Engineers is kind of like huge right now, after that...

Chairman Ricker-Scannell: All right, so I'm going to stop you for a second just so that if there's any questions about this wetland. So, DEC has signed off and you're anticipating Army Corps will. What happens if Army Corps doesn't?

Mr. Khalil: We are anticipating that Army Corps will take jurisdiction. So, we are planning in a way that Army Corps does take authority over it and the way we have planned the site, we have done it according to their specs. So, anything that is happening is usually allowed even the little disturbance that we are doing with the access roads. The new regulations allow 0.24... I believe it's 0.24 acres of land to be disturbed for access ways for solar projects within the wetlands. We are going to be way under that and pounded posts which are going to happen inside the wetlands for installing the panels, those are allowed by Army Corps of Engineers. As a permitted use within their wetland jurisdictions There is not going to be any fill. It's just going to be straight posts that we pound into the ground and the removal will be similarly pretty straight forward like there won't be any concrete.

Chairman Ricker-Scannell: So, you're designing to exactly what Army Corps would want from you? Okay, continue please.

Mrs. Flansburg: Wait, only while we're on wetlands. The letter had said that wetlands were identified in like the southwest corner of one (1) of the properties. Can you just, with one (1) map in front of us because now you pointed to where the access road was and that there's wetlands there. Can you just, not specific, but just generally, what areas are wetlands on the map?

Mr. Khalil: Definitely, so basically there are wetlands on both the parcels. It's not just the parcel to the south. The wetland, the green part over here. All the green areas, those are wetlands here and all the green areas, they are wetland there. We are not touching any of these wetlands on this parcel. We are building around it. They don't have any panels on it. The wetlands we are using exist on these parcels and they are currently being farmed. They are clear-cut, they are used for hay making.

Mrs. Flansburg: That's the one (1) that was referenced in the notes that it was already clear-cut and they were used for activities like farming hay or whatever?

Mr. Khalil: Yeah, exactly. So, there is no natural vegetation or anything, that we will have to clear off of those wetlands. The ones that we have here, we are building around them. We are not disturbing them.

Mrs. Flansburg: And your access road is not over those sets of wetlands that you just identified, a different set?

Mr. Khalil: One (1) little, tiny piece of our access road. This corner of the wetland is basically like a five foot (5') kind of thing. Just because of the 20 feet access road requirement.

Chairman Ricker-Scannell: How wide is the road?

Mr. Khalil: The road is 20 feet wide.

Chairman Ricker-Scannell: So, five feet (5') of the 20'?

Mr. Khalil: Yeah, it's just like a corner that goes into it.

Chairman Ricker-Scannell: Well, it's 25%.

Mr. Khalil: No, just on this one (1) edge, like a tiny bend it's not even the entire road. The rest of the road is out of the wetland

Chairman Ricker-Scannell: So how much of the road itself, of the 25' road? How many feet of your road is going through wetlands?

Mr. Khalil: I would say not more than 10 X 10 over here. Even that, I'm giving a generous margin. And even here, I would assume the same it would be less than that.

Mrs. Flansburg: So insignificant in this scheme less than whatever the percent, .24 or whatever?

Mr. Khalil: Way less than that.

Mrs. Flansburg: All right, that was it for me while we were on wetlands.

Chairman Ricker-Scannell: Yeah, no, that's good.

Mr. Khalil: So, with that being said we would like to our intention with the Town, just to wrap that particular bit about wetlands, is that we would like to have a conditional approval on that based on if the project passes all the standards.

Chairman Ricker-Scannell: With what you just said, what you've just requested from us I'm going to ask our attorney to please answer that question.

Mr. Valiquette: Yeah, I don't think that we can give that conditional approval here. Specifically, because our code here really kind of limits us as to what we can approve when it comes to wetlands. I know the code here specifically has a full prohibition of any size solar project at all on any DEC or Army Corps wetlands or bodies of water. We as a Planning Commission unfortunately don't have the ability to waive that condition or to modify that condition. This code is pretty stringent in that respect. Now I'm certain you're going to get the approvals from DEC, from Army Corps that still doesn't really help us that much.

Okay this code is still limited here in a very concrete way the only way to really get this type of relief from that provision and I know you mentioned that in your August 15th comments. The only way to really get relief from that is from the Town Board who approved this code, okay. The Planning Commission unfortunately doesn't have the ability to waive that even if DEC waives it, even if Army Corps waives it. It says, hey, you're not going to have some surrounding effect. I know Peter forwarded you the message that I kind of sent out maybe it was on Thursday or Friday. When we had met with our Zoning Board of Appeals attorney who kind of said, hey, here's where we can give you variances, here's where we can't. I think it's important, you know if you guys can go and design the project around those wetlands specifically that would be my suggestion because I'm not sure what the Town Board will say and what their perspective is going to be on trying to get you the relief you're looking for. From that provision of the code. Just to be honest.

Mr. Khalil: No worries. So would that be, just for my own clarity. Would that be an application, separate application that we submit to the Town Board, that we would have to do prior to presenting information?

Mr. Valiquette: So that would be changing the law, okay. That's what we would have to do. That's why I said if there's a way for this to be designed around those wetlands I would recommend that course of action to start. If that is not possible then you would have to go and petition the Town Board to change that law, okay? That can take, typically it takes two (2) meetings, right? You have to have notice and then you have to have a vote on it after a Public Hearing? So that's the process for getting through that. Those are really your two (2) options.

Mr. Khalil: Yes.

Mrs. Flansburg: Only because the majority of my questions fall under the variances and waivers, that they were looking for. Is that the case for all of these things or just the wetlands one (1)?

Mr. Valiquette: I believe the wetlands one (1) and the single property layer requirement. Those are the two (2).

Mrs. Flansburg: So, we don't have the authority or ability to offer waivers even if we wanted to.

Mr. Valiquette: Correct. And I believe the Zoning Board of Appeals for the remainder of the items that were on that list, I think they can provide that type of relief. That's based on state code. So that's what a Zoning Board of Appeals can assist you with. So, there are other items on there that we already have a mechanism for you to get those variances. It's just that as a Planning Commission our hands are handcuffed to this code. We can't give you approval that we don't have the power, the legal authority to provide based on this rule, okay? If that makes some sense, I hope that answers your question.

Mrs. Flansburg: It does because the question that I had was our committee that put this together took significant time and thought and input and all of that. They came up with the various rules or whatever that they set forth. The Town adopted it. So, my questions were going to be particularly the landowner one (1). What was the rationale behind it if we were even able to offer that relief, which we are not. So, it's irrelevant today.

Mr. Valiquette: Today, correct I believe there were comments and I think even when this Planning Commission had Report and Recommendation for the solar code those comments were provided to the Town Board. As to, hey, this code is stringent. There isn't a whole lot of wiggle room. We're really handcuffing the Planning Commission here. Those comments were either received and not acted upon or were said, no, we are happy with the code the way it is. So as a Planning Commission, we have to follow what the Town Board ultimately instituted. They were provided the comments, that's where we're at.

Mr. Khalil: And while we're talking about this can I please ask a little bit of clarification about the single landowner requirement. Like a couple of our parcels are owned by like one (1) is owned by a couple. So, there's two (2) landowners by default on it. The husband and the wife. And then one (1) parcel, that's the Coffenburg parcels It's owned by a trust

Chairman Ricker-Scannell: So, I think the attorney would be best able to let you know what a title holder would be. So, you know, if a husband and a wife that's who's holding title. If an LLC is holding title.

Mr. Valiquette: It's going to be whoever's name is on the deed.

Chairman Ricker-Scannell: Right, but it would be that entity versus I have a parcel, Lynn has a parcel and Steve has a parcel and now we have three (3) different deeds, that are coming together versus the three (3) of us. Are joint tenants in common on a piece of property.

Mr. Khalil: All right, fair enough. Thank you for that clarification.

Chairman Ricker-Scannell: Sure.

Mr. Khalil: Does that make sense? All right, with those things to the side. I'd like to address the rest of the points while we're here.

Chairman Ricker-Scannell: Sure, absolutely.

Mr. Khalil: The second thing that I would like to address is the road use agreement. We have not submitted that yet because going by the Town Law it requires us to assess the condition of the road

right before construction. And to bring it back to that particular condition once the construction is complete, we believe that if we do that now and the permitting process takes X amount of time and by the time we get to the actual construction part the on-ground reality would change. And that would kind of make the road use agreement redundant. So instead of having it before the approval, we are asking just for it to be moved on the other side of that. Where when we start construction, we get that approved before as a conditional approval right before construction.

Chairman Ricker-Scannell: And I think that, and I certainly will defer to Steve again but that would be something that could be conditioned on the Site Plan. Like we would say before anybody's signing anything. Before you get it, we need to have the road use agreement.

Mr. Valiquette: To review.

Chairman Ricker-Scannell: Right.

Mr. Khalil: Excellent.

Chairman Ricker-Scannell: Not a problem.

Mr. Khalil: Awesome. Another thing I would like to highlight. There was a requirement in the Town law that we should include survey data of abutting properties for things like wells and buildings. I wasn't sure if it was like us doing the primary field work and doing the survey or if it was data that was available publicly. That was already done (1) through surveying. We have not been able to do it ourselves. We haven't been able to go and survey each property ourselves because of course....

Chairman Ricker-Scannell: Yeah, I don't believe that that would be the requirement. And I guess my advice to you without interpreting the law for you, that's not my role. I would suggest that you see how ORES handles that with their projects. I understand that this is a smaller project. Two (2) smaller projects. ORES has a system in place for adjoining property owners. They send out well surveys. So, if you're familiar with the ORES regulations I would say that it appears to me that the law mimics that.

Mr. Khalil: Fair enough. Just for reference, we didn't find any wells in the specified area anyways but just to make that clear that we didn't personally do that field work on this particular Site Plan. We had initially asked for some relief with the notice of mailing. Which was to send out to a mile, for a mile radius around the project. We have since then decided to go ahead with it. We have set up an independent email account in our office. We have set up some infrastructure that can possibly handle that. So, we're removing that from the list of things we're requesting. We will go forward with it. Same goes for noise study. Our initial comment was that it would be dependent on which particular panel or which particular inverter...

First of all, just because the size of the project is so small it wouldn't be generating much noise anyways. And whichever particular one (1) is done will be dependent on the particular panel or the particular make and model of the thing you're using. Which might change depending on what's available in the market when we go into construction. So that might be something, that eventually ends up being redundant. But we have decided to go ahead with it just to satisfy the Town law. We want to be on the right side of everything so we are currently scheduling that, and we will have that submitted to the Town, as soon as we have completed it. The building and the wetlands requirement we just talked about and the signer and owner.

We asked for variances and waivers, which we are happy to withdraw. We just want some clarity. There was another request we made for variances. Which was related to the 2% reflection from the panels. We had requested for it to be like the standard in the industry. Generally, the range that is specified is less than 5%. Usually that's what you would get specified on it. We weren't sure what the idea was, that all the panels should have anti-reflective coating on it if that was the intent of the law. If that is, the panels that are rated for less than 5%, they do that. If not, if there's anything specific that is related to the 2%, we are okay with the 2%.

Chairman Ricker-Scannell: So, I think that was something that Steve said a variance could be given on.

Mr. Valiquette: There were a couple of comments that we talked about. That potentially area variances could be given on things like, you know the setback requirement. The things that kind of relate to the property dimension aspect or dimensions, you know, the 51% of the entire property versus 50%. I think that the 5% and the 2% for the glare kind of goes back to some of the area. Reflectivity of what's going to be on the property. It kind of goes toward an area variance. The Planning Commission, again doesn't have the ability to give you relief from that. So, I'm trying to find an area that perhaps you might be able to get relief from that. The Zoning Board of Appeals has area variances that are based on state law. Specifically for that reason, to deal with those types of issues, so that's kind of why I said that that might be the best option. For you to proceed forward with that. It would kind of be up to them. Based on what the five (5) criteria are from the state for an area variance and I think that that's probably your best avenue forward.

Chairman Ricker-Scannell: I don't have it. It's on my phone. I don't even know where my phone is anymore. But I believe that of all of the things that you were requesting relief from only two (2) cannot be provided by the Zoning Board of Appeals.

Mr. Valiquette: Yeah, generally again it's about things that are really related directly to the property itself. Like, you know a single landowner requirement doesn't talk about dimensions, doesn't give us measurable characteristics, right? Same thing with the wetlands. There's no measurable characteristics there for them to give you an area variance. You know, like it's a full-on prohibition. It's not a, you're limited to this amount of wetlands. So, I can't tell you that. You can get a variance when it's nothing.

Chairman Ricker-Scannell: Right.

Mr. Valiquette: So, that's the kicker with that code.

Chairman Ricker-Scannell: And to be clear for the sake of the Planning Commission Members as well. This is not because there's two (2) people that hold title. This is not the two (2), you know, the people that own the lion's share of the project. This is not where the problem is. The problem is that you have a total of five (5) participating property owners, five (5) landowners.

Mr. Khalil: A total of three (3) landowners, if you take them as a group.

Chairman Ricker-Scannell: So, you told me Ketchum, right?

Mr. Khalil: Ketchum is the neighbor to the North.

Chairman Ricker-Scannell: Are they, they're not an owner?

Mrs. Flansburg: They're not a participating applicant.

Chairman Ricker-Scannell: So, who are the participating property owners?

Mr. Khalil: The Coffenbergs, Zawilinski and Gallo. Those three (3) are the participating property owners.

Chairman Ricker-Scannell: Okay, I am not an attorney. Have you talked to your attorney to find out, how you solve that problem?

Mr. Huntington: Yes, I'll chime in here. Again, Dan Huntington Director of Development for BW.

Mrs. Flansburg: Can you go to the microphone?

Mr. Huntington: Sorry, Dan Huntington Director of Development for BW. We do completely understand the position the Town has. We know that it is something that has to go to the Town Board for potential law change or some other legal mechanism. We know that that is a high bar to clear. We know that the committee works long and hard and put that law into place for a reason. So, we definitely understand the gravity of what we're asking. We know that it is a difficult ask, we are going to reach out to the Town Board I think part of what Hamza was bringing up is that that is our intention. You know, we typically try not to go in and ask for changes to a law right after it's passed, it kind of defeats the purpose of all the work that was done. We understand why wetlands are protected. We understand a majority of everything I think the only piece we didn't fully understand, the intent of was maybe the single landowner. In our communication with the landowners, they're concerned and we do plan on having them write impact statements. Potentially join us at the next meeting. The fear is that it creates winners and losers, where if you own enough land, you can do something of this nature. If you don't, you can't get together, with your neighbor to have a project like this and specifically for Kyle and Norma their parcels are very oddly shaped where it only really works because they are jigsaw puzzles, that go together.

Chairman Ricker-Scannell: Are you leasing the property?

Mr. Khalil: We are.

Chairman Ricker-Scannell: And again, I'm not an attorney and I understand that there is a mechanism of going to the Town Board Attorneys get paid to think outside the box of how three (3) property owners could become something. Some entity that holds land in one (1) title. Talk to your attorneys.

Mr. Huntington: We are, we're trying to figure out. We are getting as creative as we can without it looking as though we're skirting the law. So, we are. We are trying but we don't want it to appear that we're skirting the law. So, we're coming out and just saying hey, by the way this is something we know we have to address and we're trying to get.

Chairman Ricker-Scannell: I understand I also am only mentioning it because it's a gamble.

Mr. Huntington: Oh, for sure, for sure.

Chairman Ricker-Scannell: Because if they shoot down one (1) thing, if the Town Board shoots you down....

Mr. Huntington: Oh yeah.

Chairman Ricker-Scannell: You're shot down.

Mr. Huntington: For sure.

Chairman Ricker-Scannell: If you can again, our hands are tied. If you came to us as a Planning Commission and there was one (1) entity in title, we wouldn't even be having this conversation.

Mr. Huntington: Completely agree.

Mrs. Flansburg: Except for the wetlands part.

Mr. Huntington: Except for the wetlands.

Chairman Ricker-Scannell: And you can move your project so they're not on wetlands. And then your project could start next week.

Mr. Huntington: We would love that. I will tell you some of the behind-the-scenes stuff. The Gallo's live right across the street here. Originally, we wanted the point of interconnection to come through here and to skirt around the wetlands. They did not want to have that infrastructure across the street from their house. It did create some initial hurdles. That's how it ended up, all the way over here, kind of skirting around the back. Right?

Chairman Ricker-Scannell: So, the landowners decided they didn't want it across the street from their house?

Mr. Huntington: Yes, and yes. We've been working with trying to overcome hurdles. Development for us is like whack-a-mole. You know the mole's going to pop up somewhere. You got to be ready to smack it down. So yes, we understand there are some things with this project that may be a project killer, and we have to explore that. Determine whether or not it's still viable and continue on that path. But we did just want to make it known that you know, we didn't go out and get everyone under one (1) title. It wasn't something we could do with the landowners. I appreciate you know the idea and the sentiment, and we are trying to find alternative routes. But at the end of the day, it may not work. That's the nature of the beast.

Mr. Valiquette: We appreciate you working with us and working through the code. And you know also with your patience. You know and having us kind of this is our first project, so we're really going through the code now with kind of and trying to work on what those pain points are. So, you know, thank you for your patience in that aspect.

Mr. Huntington: You guys have been great with the TDE giving the responses back. It's been very helpful for us. We know that we have to go to the Zoning Board. We're just trying to articulate what those applications are going to be Hamza is working diligently to get those. A full application to you guys and again we want to make sure that we're trying to meet every piece possible and avoid variances. There's only a few that probably more than you'd like to see but I think....

BATTERY CHANGE:

Chairman Ricker-Scannell:That was the legislative intent was to let the Town have many things; I mean of your laundry list. We can't solve two (2) of your problems. So, I do believe that that was the legislative intent as Steve said the Town Board passed a law as it was written there were

things that were pointed out to them and unfortunately our hands truly are tied. I think this is a great project personally. I think it's very well sited. It's very well situated. I think that you could figure out the landowner problem. I think that you can move your stuff and maybe the road has to go somewhere else. But you know I think it could work and it could work within the confines of the law. That's just my thoughts.

Mr. Huntington: We're trying very hard to meet the expectations of not only the landowner but the Town. And we fully agree that an area variance is the mechanism. The Town has to put things into place and then you have the flexibility to move with it, if you'd like. We're very appreciative of the Board working with us and understanding we've got a lot to work out still, but we want to come to you guys early. We want to make sure the engineers have a full and complete application to review. We understand you can't take a lot of action right now until we get to Zoning Board. We don't think the Planning Board is doing anything to slow us down at all. You guys have been great, so we appreciate it. Just want to make sure we're communicating everything quickly, detailed so you know where we're headed next and nothing catches you off guard.

Chairman Ricker-Scannell: Thank you.

Mr. Huntington: Thank you.

Chairman Ricker-Scannell: Mr. Miglucci do you have any questions or comments?

Mr. Miglucci: I have three (3) for tonight actually, there's how many total panels for the whole project?

Mr. Khalil: I don't know that from the top of my head. I'm really sorry but usually for a five-megawatt project there are roughly around 9,000 panels.

Chairman Ricker-Scannell: So, 9,000 per project?

Mr. Khalil: Nine thousand per project. They're arranged into tables usually if you use it all depends on the kind of wattage that the panels have. So, it's a number that keeps changing. Right now, we've modulated it with a 665-watt panel which is current in the market, and you would have 128 tables.

Mr. Miglucci: So, a five (5) megawatt plan is usually around 40 acres?

Mr. Khalil: A five (5) megawatt project is usually around 25 to 30 acres is one (1) project. These are two (2) five (5) megawatt projects, so they're combined outside.

Mr. Miglucci: Okay, my second question is as people drive up and down your State Thruway, we have what we call Comprehensive Plan. So, I'd like to know how many as they're driving thru Rotterdam, they're not going to see this stuff?

Mr. Khalil: No, it's naturally all trees right now. Even they naturally exist in a way that it would not be visible.

Mr. Miglucci: Thank you. And my last question is what's the distance between the last inverter and the Poentic Kill?

Mr. Khalil: Okay.

Mr. Miglucci: Where's the inverter? How far is that going to be from the Poentic Kill.

Mr. Khalil: Point, the switch? Yeah, both of those things would be kind of very close to all of those infrastructures.

Chairman Ricker-Scannell: Can you talk into the microphone, please?

Mr. Khalil: Sure.

Mr. Miglucci: So, there's no inverters down by the Poentic Kill?

Chairman Ricker-Scannell: So, I think when he's talking about the Poentic Kill he's talking about the water on the property not the kill switch.

Mr. Miglucci: Yeah, not the kill switch. I mean the bottom row of the panels. I mean where's your inverters every what four (4) or five (5) rows the inverters themselves?

Mr. Khalil: Minimal like as you can see in this there's one (1) pad over here where the inverters would be and similarly this orange pad two (2) pads over here.

Mr. Huntington: So, they are typically located at the center of the project. And the lower one (1).

Mr. Miglucci: There's nothing down there?

Mr. Huntington: There's nothing towards the bottom.

Mr. Miglucci: Several hundred feet from that water source?

Mr. Huntington: Correct.

Mr. Miglucci: Okay.

Mr. Huntington: Yes.

Mr. Miglucci: Thank you.

Chairman Ricker-Scannell: Thank you, Mr. Miglucci. Mrs. Flansburg, do you have anything else?

Mrs. Flansburg: I don't know. We did wetland, single owner, you did the 2% thing. I don't even know if anyone can answer this, but I had the other things that I guess wouldn't be the Planning Commission anyway. It says we are roughly covering 51% of the total lot area with different project parcels having different percentages. What would the variance be? Fifty, because it was over 50?

Like I don't know the original.

Mr. Valiquette: So, the code says 50% for the project, so it's asking for a 1% variance.

Mrs. Flansburg: While we're still on it, because those are my other questions. Applying for variance for tree cutting because they're trying to cut a few or many more than?

Mr. Valiquette: That comment is probably best directed toward Anton.

Mr. Khalil: Yeah, I actually brought some pictures to address that in particular.

Mr. Collins: Didn't we have a project where I think it's only cut 30%?

Mrs. Flansburg: Thirty percent? That's what I thought.

Mr. Collins: Somebody wanted 50, it was that one (1) up on the hill that the city gave us a hard time because the city owned the land and we wouldn't give them the variance.

Mrs. Flansburg: Correct.

Mr. Collins: So, I thought we couldn't cut more than 30% but I guess the new that's why I wasn't sure what the 51 was in reference.

Mrs. Flansburg: Right, I don't know.

Mr. Collins: This is an open-ended question that they asked because they didn't give us a percent.

Mrs. Flansburg: Well, they told us they want a variance because they need 51, but it wasn't like 51.

Mr. Collins: No, but for the tree cutting it doesn't say that.

Mrs. Flansburg: Right, it doesn't say how many, but he's going to tell us right now.

Mr. Collins: Okay.

Mr. Khalil: For the tree cutting, the case we are making in the Town law, it says that for trees that you cut above three inches at breast height. If they are in shrublands they are allowed to be cut, but we have to replace them with one (1). With the trees that you, we have to plant trees for as many as we cut. We would like to point out here that this is the current condition of the parcel.

This map is done by our engineering company and partner, Fisher. The yellow orangish lines that you see over here have been indicated as shrublands and this green part over here has been indicated as having trees that are actually mature.

Chairman Ricker-Scannell: I don't have the law in front of me, but isn't it 6", six (6) at breast height for a certain amount of contiguous?

Mr. Khalil: Yes.

Chairman Ricker-Scannell: Okay, so let's talk about that. That's what you're seeking the variance from?

Mr. Khalil: Yes.

Chairman Ricker-Scannell: Okay, so it's not three inches (3").

Mr. Khalil: No, not the three inches (3").

Chairman Ricker-Scannell: It's six inches (6") DBH. And what was the contiguous area?

Mr. Valiquette: Twenty thousand square feet is the maximum.

Chairman Ricker-Scannell: Right, maximum of 20,000 square feet. Okay.

Mr. Khalil: So, what we would like to indicate that this parcel, and we've submitted a letter from the owner of the parcel too that he clear-cut this parcel a little while ago, roughly around 20 years ago. To corroborate that statement we've had Fisher pull up some aerial images from the past from Google Earth. I'm going to pull those up.

This is slightly stretched, but we've magnified it just so that you can see. As you can see, these are mature trees over here, and this is just shrubland that was here. Let me just please get that before I go back to the mic.

What we're suggesting, we're asking for the variances to basically have the area requirement removed from clear-cutting the trees. This parcel right now, it's not under any kind of land use. Our landowners want to keep this parcel.

This has been in their family for a long time, but the only way they can keep it is if they have some supplemental income to pay for the taxes and all the property maintenance.

To that end we believe that if we were able to get that variance and build this project, we would be able to pay the Town some taxes for that and also, if possible, draft an agreement as to how the tree cutting would be done.

Chairman Ricker-Scannell: So how many, what kind of variance are you talking about? I'm just curious, we can't give you a variance. But, I think at this point we're just curious.

How large of an area of mature trees over six inches (6") DBH are you talking about looking for to get a variance for? How many trees do you want to cut down?

Mr. Khalil: From our understanding of the law, it was a three-inch (3") DBH.

Chairman Ricker-Scannell: So, it depends if there's a contiguous parcel. So, if you're talking about something that was already cleared, if it's shrubland, right, it's shrubland. It's six inches (6") DBH if it's more than 20,000 contiguous feet, I believe.

I don't have the law in front of me.

Mr. Khalil: I guess part of this is we are trying to creatively problem-solve this, too, because the three inch (3") requirement qualifies a lot of trees, even in shrublands that have to be cut to be planted again. So, what we were hoping for was if the Town could give us a cap as to, okay, because we have to pretty much – the shrubland, as you can see, occupies most of the parcel. So that would be roughly around 46 acres.

That's the project size, the footprint of our project. So, we would be like if the Town can work with us to come up with like a tree bank or something where we can fund that in lieu of clear-cutting those acres of shrubland rather than going tree by tree, which would, of course, increase the cost of study to a high degree.

Chairman Ricker-Scannell: That's a good question for the ZBA.

Mrs. Flansburg: Right. So, you just said 46 acres that you would clear.

Mr. Khalil: Roughly.

Mrs. Flansburg: But the project is 53 acres?

Mr. Khalil: The 46 acres are on this. They are on this particular parcel. The other parcel we don't really need tree cutting on except for maybe a little bit of trimming where the access road comes in.

So, this is only one (1) parcel that we're doing. Now, this parcel has parts of both the projects on it. So, one (1) project I believe approximately has around 26 acres on it and combined with the leftover size of the other project, it comes down to around 40 to 45 acres that are on this particular parcel that would need that treatment.

Mr. Collins: So, you need to cut 45 acres out of 50 acres of trees?

Mr. Khalil: Of shrubland.

Chairman Ricker-Scannell: Of both.

Mrs. Flansburg: But, yes, exactly where you're headed, yes.

Mr. Valiquette: So, I think a reasonable thing here is just to read what the code says here. So, for deforestation, previously cleared or disturbed areas are preferable for solar projects. Which I think is why you've designated, and I also have that photo here if anybody wants to kind of see that in more detail, why you've designated all of those different areas because they actually fall right into the code here. So, the areas, it looks like in orange, are designated shrubland.

The areas in blue look like isolated trees and tree stand, and the code here says shrubland, isolated trees, or stands of trees in otherwise open space may be cut. Okay? So even when it comes to ZBA, you don't have to ask for anything.

These are shrubland if that's what that's considered. If you don't need a variance to cut in those particular areas, it does appear that the blue combined with the orange here makes up a large percentage of the project area. Is that correct?

Mr. Khalil: Yes.

Okay. So, we move on to the next item here, which is kind of this mature tree area, which looks like it's in green, right?

Mr. Valiquette: Okay. The code specifically says clear cutting of trees more than six inches in diameter at breast height in a single contiguous area exceeding 20,000 square feet is prohibited. So, if that green area exceeds 20,000 square feet, that's where you need the variance. Understand?

Mr. Khalil: Got you. All right. Does everybody else, does that clear anything up for everybody on the Board here of what the ZBA can provide them and what the extent of the tree clearing is to a certain?

Mrs. Flansburg: I think we understand it. We don't have to like it. We understand it. I'm going to just move on because I don't want you guys to feel like I'm the one (1) stealing all of whatever. So, the last one (1) was, again, you're asking for relief. This Board can't provide it because it's not us, but I still want to know. You were requesting a variance for the 500-foot setback from the Highway. What is the requirement?

Mr. Khalil: We are currently like 150 feet away from the highway. Like our fenced area would be 150 feet away from the highway. So, we would like the 500 to be reduced to 150 feet.

Mrs. Flansburg: So that's a 350-foot variance, which, again, is not us.

Mr. Valiquette: Approximately.

Mr. Collins: Is that on the thruway side, that they want the variance? I think I talked to Peter about it.

Mrs. Flansburg: Is that from the Thruway?

Mr. Comenzo: It's from the New York State Thruway.

Mr. Collins: All right.

Mr. Comenzo: I believe that's the only location.

Chairman Ricker-Scannell: Does the Thruway have any laws about how far they want things from their Thruway?

Mr. Huntington: We do coordinate with state DOTs, so we do reach out for guidance.

Mrs. Flansburg: Do we know?

Mr. Huntington: I don't have any record of what their setbacks are.

Mr. Comenzo: Part of the SEQR process, they're an interested agency. They typically are very good at responding.

So, I think once we get their comments. As far as I know, there isn't a restriction. I know Mohonasen has solar panels that are in fairly close proximity to the Thruway.

Mr. Valiquette: The closest, 50 feet.

Mrs. Flansburg: To the Thruway?

Chairman Ricker-Scannell: The New York State Thruway?

Mr. Huntington: From 90 and we never got any pushback or any comment. We submitted a letter to state DOT. They said thanks for letting us know. That was pretty much it. Just a quick clarifying piece on the tree aspect. Again, not something the Board here has to take into consideration. We know it's a potential zoning variance. There are seven (7) acres of large growth or old growth trees that are the ones that are impacted. Where this issue came up was the one (1)-for-one (1) planting. Our engineering team came back to us and said, listen, we can do an exact survey of every single tree out there. There is a lot of small growth trees because it was clear cut back in about 2004. They said this was going to run you somewhere in the \$50,000 to \$60,000 range. It's going to take us two (2) weeks. We're going to be out here forever. Is there a way you can talk to the Town about doing maybe a proportional sample size rather than counting every single tree? Again, I don't know if that's in the purview of this Board. That was kind of what we're going to ask the Zoning Board for is maybe rather than a one (1)-for-one (1) tree counting report, if we can do a sample size.

And then the follow-up to that, again, this goes to the Zoning Board, is rather than planting one (1)-for-one (1), I mentioned this I think when I came the first time. Can we donate the associated costs or agreed-upon costs per tree that the Town could then use to plant as they see fit? Again, not something this Board has to take into consideration, but trying to figure out ways to make that work and better understand the one (1)-for-one (1) aspect.

Mr. Valiquette: So, actually, the interesting part about your comment is, strangely enough, in the code, the Planning Commission actually does have the ability specifically to waive or alter the one (1)-to-one (1) ratio item. So, that one (1) we actually can handle for you. We can help you this time, guys.

Mrs. Flansburg: But you have to change the law first.

Mr. Valiquette: So that one (1) I think this commission could work with you on figuring out. The one (1)-to-one (1) ratio is for three (3) inches in diameter at breast height. So, I guess that's probably where you're getting that, as opposed to the six (6) inches for the other clear-cutting portion.

So, we actually can help with any relief to that.

Chairman Ricker-Scannell: And there you have it. So, we can help you clear 46 out of 53 acres.

Mrs. Flansburg: Or not.

Chairman Ricker-Scannell: Or not.

Mr. Valiquette: But that is at the Planning Commission's discretion.

Mr. Huntington: Completely. Again, not asking for any decision tonight. We are practicing this with. This is what we plan on coming to you guys with. Tell you early. Give you supporting information to make the decision. Hopefully sometime in the next couple months.

Chairman Ricker-Scannell: I'm just going to go ahead and let everyone else up here have any questions or comments. Mr. Calder?

Mr. Calder: No, I think everything's been covered pretty well. I have no questions.

Chairman Ricker-Scannell: Thank you. And Mrs. Ciampino?

Mrs. Ciampino: No, it sounds like they have a lot of work to do before they can come in front of us again. So, I'll reserve my questions for that time.

Chairman Ricker-Scannell: Thank you. Mr. Collins?

Mr. Collins: My biggest concern was Lynn, because we've been around a long time with cutting so many acres of trees. Percentagewise, we always tried to stick to, like, 30% back in the day. Because, you know, it's a wash.

Mrs. Flansburg: You're cutting one (1) resource to get another.

Mr. Collins: Are you really gaining anything in my eyes? I mean, I'm not a tree hugger, but, you know. I would really have to think long and hard before I let somebody cut 46 acres out of 51. I would have a. just because of nature and everything else, how long it takes to grow trees. Even if you're planting them. Even if the Town took it. I mean, some of those trees are going to be dead before they even got mature. But that's all I have to say. I'd really have to think long and hard about cutting 46 out of 51. But that's just my opinion.

Chairman Ricker-Scannell: Thank you. Peter, anything?

Mr. Comenzo: No, other than I guess I'll have to work with Hamza and Dan here and come up with a path forward with the attorneys in terms of discussing what would be appropriate for the Town Board. And if and when we would go to the Zoning Board with these requests.

As discussed previously, I think we had mentioned that, you know, the Zoning Board typically deals with setbacks for fences and porches and that type of thing. So, this is a little more in depth. You know, there are some changes that need to go to the Town Board.

And so, in terms of timing as to where that would occur, continue to have those discussions.

Chairman Ricker-Scannell: Very good. Thank you. Attorney Valiquette, anything else?

Mr. Valiquette: I do not have anything else. I think I put just about everything on the record that needs to be said at the moment. Thank you.

Chairman Ricker-Scannell: Well, thank you. It was really nice to talk with you. And I think for sure we have a better understanding about this project and what it entails.

So, we do appreciate your time. And hopefully we see you guys again soon. And who are you?

Mr. Haas: I'm Brian. I'm with Fisher Associates.

Chairman Ricker-Scannell: Okay. You're one (1) of their engineers?

Mr. Haas: Yes.

Chairman Ricker-Scannell: I'm just curious. Have you found this law difficult to work with?

Have you found it middle of the road? What are your thoughts?

Mr. Haas: Truthfully, I've found it difficult to work with. And the wetlands, particularly. Like they mentioned.

So, it's to be (unknown) that is rare. But we'll work with what we can and do what we can.

Chairman Ricker-Scannell: And do you see that there is an alternative path, though? That there is a way that this project, from an engineering perspective, could work without including wetlands? I'm just curious.

Mr. Haas: The wetlands would make it be hard to do without wetland properties.

Chairman Ricker-Scannell: If you put the access road there?

Mr. Haas: Yeah. As far as getting this into capacity, I'm not sure we could.

But we'll go back and work with people. We'll work with you and see what we can do to explore options. Okay.

Chairman Ricker-Scannell: Well, we thank you for being here.

Mr. Comenzo: Thank you, guys.

Mr. Khalil: Thank you.

Chairman Ricker-Scannell: Bye now.

3. The BDC Group – 676 Mariaville Road. Sketch Site Plan review to construct nine (9) flex warehouse buildings: two (2) (2) ±7,500 square feet, five (5) ±10,000 square feet and two (2) (2) ±12,000 square feet on ±16.19 acres of ±65.8-acre parcel. Engineer: Advanced Engineering & Surveying PLLC.

Mr. Costa: Good evening.

Chairman Ricker-Scannell: Hi, how are you?

Mr. Costa: I'm doing well, thank you.

Nick Costa from Advanced Engineering and Survey. With me tonight is also Colton from the BDC Group and also Jack Esler from the BDC Group. We're here to present the proposed development of the second portion of this parcel.

The BDC group purchased this parcel, which is about 65 acres, several years ago. And as Phase I, they developed the storage building that's now been running for a couple years. And this is the second phase of that overall development of that parcel.

This parcel is about 16 acres, a little more than 16 acres. And it did need to go in front of the Town Board to get it re-zoned. So, it was re-zoned, and it can be used now for what the BDC group is proposing, which is developing the parcel with Flex Space Warehouse.

On the Boards here, we have one (1) exhibit that has an aerial photo of the parcel. It doesn't quite capture the entire 65 acres, but it captures quite a bit of it. And speaking of the Poentic Kill, that does traverse that parcel and bisects that parcel into the front pieces that we're developing now.

In the future phases, the portions on the other side of the Poentic Kill will be developed also. And there's also some elevations, renderings of the proposed buildings that the BDC group is proposing to develop at the site. The parcel does have frontage on Mariaville Road by way of the road that was built to access the storage building.

Also, along Cimino Lane. As you can see, the development will utilize both of those frontages to circulate and provide access to the future buildings that will be developed on the site. The buildings, there's a range of sizes. There's 12,000-square-foot buildings. There's 10,000-square-foot buildings. And then there's a couple of 7,500-square-foot buildings.

So that's what we're proposing. There is municipal water that runs along Mariaville Road. And it was extended onto the site to serve the storage building.

And we're proposing to continue that extension and service the proposed building and actually loop it back and leave a stub so that it can be extended towards Putnam Road, which was mentioned by the previous applicant. And also, at this time, there is no sanitary sewer. So, we're proposing a centralized wastewater subsurface system that will be located on the site.

And obviously, other infrastructure that will be built to manage the site runoff in accordance to the New York State DEC stormwater design requirements and the Town of Rotterdam stormwater requirements. That's a summary of the proposal. And again, we're here to present it and also try to answer some of the questions that the Board may have.

Chairman Ricker-Scannell: Well, thank you. We're very excited to finally see you guys here in front of us. I know that you did have a little bit of a little battle at first with the Town Board, but we're happy to have you here now.

So, along those lines, and I know I get it, like a lot of this stuff probably because you submitted some things to the Town Board previously and then it's coming back to us. I think that the one (1) thing that was resounding when you did pitch this to the Town Board and to us originally is that this is, in fact, industrial flex space. And I like that that's noted.

I see that it's called proposed flex warehouse building. However, on some of the information that we get, it's just called warehouses. I think it would behoove all of us to streamline that language that it is flex space.

I think that the stack and store is beautiful. I think that it has been incredibly well maintained. I enjoy and smile every time I drive past there and look at the landscaping.

I have no doubt that this will look beautiful, even with all of our valuable input up here. Speaking of Stack N Store, did you have an opportunity to take a look at the DPW comments?

Mr. Costa: No, I have not.

Chairman Ricker-Scannell: Okay, sure. We'll make sure that you get a copy. But one (1) of the things that was noted is that the SWPPP for Stack N Store has not been completed, and it has to be closed out.

So, you've got to get in touch with our storm water, Mary Barrie. And that will go a long way. So that will be good.

But I think it's great. I look forward to seeing the development of this proposal. Mr. Collins, questions, comments, concerns?

Mr. Collins: These things intrigue me. They really do. For some reason, they just catch my attention.

So, you're not going to build them all at once? You're going to build them as you need them, or all at once?

Mr. Costa: No, they'll be built on demand, right, Colton?

Mr. Hill: Yeah, so Colton Hill, member of the BDC Group. There are only a few people here. All right, so we built about 100,000 square feet of climate-controlled storage, Stack N Store. This use is going to be a complementary use to the storage facility. The storage facility is 5 x 5's, 10 x 10's, 10 x 15's. So, the flex warehouse, what it is, is it provides a venue for people who need a little bit more space than your conventional storage, while allowing them to not have to dive into a five (5), ten (10) year lease with larger-type users.

So, yes, in short, we'll build one (1) or two (2), lease them up, and then as they build, we'll continue to do them.

It's not going to all be done in one (1) shot. And also, in the premise of the word Flex, as we permit these, you know, based on the demand and the type of users and the interest we're getting, will dictate the size of these units. So, they're 12,000 square feet. That could be six 2,000-square-foot users or two (2) 6,000-square-foot users. You design them such that your load-bearing walls are at the perimeter, and it just gives you that ability on the interior.

Mr. Collins: That's why it's called flex.

Mr. Hill: Exactly. And it's, you know, so that just keeps us open to options and different users that can come through.

Mr. Collins: I have a question. I'm kind of blind, but you just got two (2) hydrants. Is the Fire Department okay with that?

I think I located two (2) on my map. Did you check?

Mr. Costa: Yeah, we'll be working with the fire department to properly locate.

Mr. Collins: These will be sprinklered?

Mr. Costa: No, not necessarily. Yeah, right. It doesn't require it.

Mr. Hill: These are all noncombustible as well. They're metal frames with metal buildings and metal roofing.

Mr. Collins: No, I think this is a great project versus it was going to be apartments. I mean, that was the alternative, and I think this is great to do. You know, it's a great project. I like it. And like I say, these things intrigue me. So, no, I'm looking forward to working with you on this.

I think it's a great project for that area because it's basically industrial across the street, and I don't know what happened with why they had a problem with it, but that's here nor there. I'm glad you got the okay. And I look forward to seeing it done.

That's all I have for you, Madam Chair. Thank you.

Mr. Hill: I just want to make one (1) more comment to that effect. These renderings are more of the commercial look. You know, we'll also have options where it's a little bit more on the contractor side.

So, Cimino, which is closer, you know, these which are closer to the road will have more of a retail title, whereas the ones that are tucked back here could be more of the small contractor use and other type users like that.

Mr. Collins: I think that's a good fit for that area that we have. It fits in nicely.

Chairman Ricker-Scannell: Thank you. And I'm sure you've read in the newspaper, I mean, I know that the competition has built, I mean, the cornhole thing. What a smart idea.

And that's the type of thing that we would love to keep going, you know. I don't know. Can we make pickleball inside of a warehouse?

Mr. Hill: Yeah. Jeff works on the operations team.

Chairman Ricker-Scannell: Absolutely.

Mr. Hill: And we've had inquiries from a lot of vendors. Dog grooming. Honestly, it's semi-limitless.

I know we've got to stay at the point of service and commerce and that type of thing from the zoning standpoint. But as far as users, it's just the way that you design these with the bathrooms and the water, it just gives you the ability to kind of basically accommodate anybody that comes through the door.

Chairman Ricker-Scannell: Excellent.

Mr. Hill: In an affordable manner as well. On the warehouse and the industrial large users, you're talking larger dollar per square foot. Right. Longer leases. These are typically one (1) and two (2) year leases. So, it's appealing to the smaller user.

Mr. Collins: We'll just take a shot.

Mr. Hill: It is.

Chairman Ricker-Scannell: That's fantastic. Mrs. Ciampino?

Mrs. Ciampino: Thank you for the renderings. I love them. Both the commercial and others. They're both beautiful. I would like to see something sports-related go into one (1) of them, like batting cages for kids or soccer fields or just something like that.

Mr. Kessler: Hi, I'm Jack Kessler, VP of Development and Head of Asset Management for the BDC Group. We have been working with some of the members of the Town and the community and been able to bolster some support and some interests right off the bat. Soccer, baseball, pickleball.

We had really a lot of youth sport interest, too, and small users that were just like we're kind of on that cusp. We've outgrown space. We can't afford this lease. Can we do something meaningful here and bring some more youth sports to the Town directly rather than going outside to find some space?

Mrs. Ciampino: That's awesome.

Mr. Kessler: We're really looking forward to providing some space for the Town.

Mrs. Ciampino: That's great. I know mine.

Mr. Hill: They had a pitching clinic and a batting cage, which did very well. I think it was ten (10) or 11, whatever that was.

Mr. Ciampino: My boys do three (3) sports, and I would love to not have to drive outside of Rotterdam to have them get trained.

Mr. Kessler: That was a lot of the comment. They were like we just can't find something that we can afford in Rotterdam. We'd really love to stay at home.

Mrs. Ciampino: That's great.

Mr. Hill: The large spans with the high ceilings just gives you that ability to be flexible.

Mrs. Ciampino: Yeah. That's awesome.

Mr. Collins: We're all winners.

Chairman Ricker-Scannell: Mr. Calder?

Mr. Calder: It's a good project. I'm just curious. What services are you going to be using from the Town again?

I think I missed the first part about the sewer.

Mr. Costa: Yeah. Sewer will be on-site septic.

Mr. Calder: Sewer will be on-site.

Mr. Costa: Yeah.

Mr. Calder: Sewer.

Mr. Costa: Yep.

Mr. Calder: One (1) system for all nine (9) buildings.

Mr. Costa: Yes, that's correct. We'll have a gravity system, bring it over to one (1) location, and then we'll distribute that into the subsurface wastewater system.

Mr. Calder: Okay. So, it's not a sewer system technically.

Chairman Ricker-Scannell: We don't have sewers over there.

Mr. Calder: Yeah, I know they don't. That's what I was wondering.

Mr. Costa: On-site septic.

Mr. Calder: On-site septic. Septic. Okay. As far as water goes?

Mr. Costa: It'll be the extension of the water main that's already there. All right. It'll be looped just like the road is looped.

Mr. Calder: So that's why you're doing soil tests because of this?

Mr. Hill: Yeah. We brought the water line to here when we did Phase I.

Mr. Calder: Yeah.

Mr. Hill: But we're just going to loop it.

Mr. Calder: Okay.

Mr. Hill: Instead of it obviously having a similar result.

Mr. Calder: It's an interesting project. I have nothing else. Thank you.

Chairman Ricker-Scannell: Thank you. Mrs. Flansburg?

Mrs. Flansburg: I am super excited for this project.

I've seen similar or it looks similar in the south. They do things like this. It's, you know, it could be a commercial business with something, you know, that I would pull up to and something I would have nothing to do with, but it's all together.

All right. So, you guys have to deal with something with finalizing with the Stack N Store project. That's just because I think we have something that says when an applicant comes with a new project that has a previous project that's not completed, we can bring it up and make sure that that gets situated.

Mr. Costa: Yeah. We just have to file the notice of termination for the first phase.

Mrs. Flansburg: One (1) of the DPW comments is driveway onto Cimino Lane or Cimino Lane, however they pronounce it, should be evaluated. Access point may be problematic for site distances. I don't know in what way, but do you have any ideas or why they have that comment there?

Mr. Costa: We'll discuss it with DPW. And if we need to do some site distance analysis, we can certainly do that. They may be thinking that looking left may be a little difficult because Cimino takes a sharp left. But it's fairly flat.

Mrs. Flansburg: And it's clear. Exactly.

Mr. Hill: It's hard to tell from the map.

No, but from driving over there, it's clear. And it's where you put your landscaping, I suppose, to be mindful. Sort of odd. Obviously, this is still at the sketch point, but depending on your business would determine the demand you would have for garbage, dumpster, things like that. So, what do you foresee?

Mr. Kessler: Typically, we do trash corrals. And just like with our apartment communities, frequency of pickup is determined by demand. Okay.

Mrs. Flansburg: So, like as you start off.

Mr. Costa: Yeah. And we manage our stuff in-house, specifically these. So, it's just going to be a management function.

Obviously, we take pride in our facilities, the landscaping. So, we do inspections and daily trash pickup as well with our staff.

Mrs. Flansburg: Okay.

Mr. Costa: So, if we are seeing a certain user that's generating a lot more, we'll either add additional stops or additional pickups.

Mrs. Flansburg: No, I was just thinking more from a Site Plan. Is there a dumpster and then we've got to worry about enclosures and where it is, or you're just doing pickup as needed?

Mr. Costa: I think we will. Not just one (1). We probably have like three or four that are, you know, located up where the 12,000 square foot and then in the center and then near Cimino.

Mrs. Flansburg: Yeah, I'm just trying to visualize that, then snow storage and all of that stuff as it gets built out to its capacity.

Mr. Costa: Yeah.

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

Chairman Ricker-Scannell: Mr. Miglucci?

Mr. Miglucci: Well, I have an office at home. And I got that map on the wall over my desk. And around that map I have all the renderings of buildings that I've approved and stuff like that.

We made the wall. That's all I have. Thank you.

Chairman Ricker-Scannell: Thank you. Peter? Do you have anything?

Mr. Comenzo: No, I mean, as we get further into this, we'll have to look at a phasing plan. This flex warehouse, you know, I think we've seen this on the other project that Nick had presented, too. I think what the developers are looking for is an opportunity, and this is counterintuitive to the discussion we had around the table here earlier, is the flexibility to be able to amend things as the project comes in.

If, say, somebody wants a 20,000-square-foot warehouse, I would imagine they'll come back and say, okay, we'd like to put that in. So, you know, I think that language, as we're moving forward, looking at this, the final full build-out might be a little different than what they're presenting initially. So, I guess we keep that in mind in terms of the layout.

Mr. Hill: That's why we did it this way. You know, building 10,000-square-feet and the cost of that and the cost to carry that financial burden is one (1) thing. To carry it on 20,000-square-feet, the interest starts to kill you. But if all of a sudden somebody wanted a larger 20,000, you could very easily, you know, consolidate these two (2), kind of just like in this situation, put the green space from the center to the ends, and, you know, that would work. It's just we don't feel comfortable building 20,000-square-feet on spec. Right. We are capable of 10,000-square-feet on spec. But we could easily accommodate that, and it would not affect our storm water.

Mr. Comenzo: It sounds like you get into sprinklers and all that other building code issues as they get bigger.

Mr. Costa: Right

Mr. Hill: But that would be at the Building Department level. We'd have to do a hydraulic study and potentially a booster pump and whatnot. I did want to say one (1) thing just to help Nick out here. You know, we are an outside septic, but the way that he designed this is for if sewer or when sewer eventually comes. We'd like to bring it down this road because we still own the land in back. And the way that he designed it would allow us to easily tap into the system.

Mr. Collins: Makes sense. Looking ahead.

Chairman Ricker-Scannell: We like that.

Mr. Comenzo: It's great.

Chairman Ricker-Scannell: So, as Peter mentioned, and I don't know, even if you were here, you probably were talking about better things. But we're finding that with certain projects, especially something like this, that's going to jump around a lot. We're not exactly sure how it's going to look.

We talk a lot from the podium and from up here, and we agree on things, and we try to put things on the record, and we all try to be on the same page. But certainly, we all fall short. And so we are working very hard as a Planning Commission moving forward that between the resources that we have here of our own note-taking, of your engineer who's going to be able to address things, our attorney, we also lean very heavily on TDEs for review of these projects and to keep us all on track on the same page.

And so, I would entertain at this time a motion to have an agreement for the services of a TDE for review of this project.

Mr. Calder: I'll make the motion.

Mrs. Ciampino: I'll second.

Chairman Ricker-Scannell: Thank you, Mr. Calder. Thank you, Mrs. Ciampino. Jamie, could you please call the roll?

Ms. Marino: Mr. Collins?

Mr. Collins: Yes.

Ms. Marino: Mr. Calder?

Mr. Calder: Yes.

Ms. Marino: Mr. Miglucchi?

Mr. Miglucchi: Yes.

Ms. Marino: Mrs. Ciampino?

Mrs. Ciampino: Yes.

Ms. Marino: Mrs. Flansburg?

Mrs. Flansburg: Yes, but I have a question after.

Ms. Marino: Chairman Ricker-Scannell?

Chairman Ricker-Scannell: Yes.

Mrs. Flansburg: My question is what type of scope, like what would you be looking for?

Chairman Ricker-Scannell: I think I personally just have normal TDE, not narrow scope. This needs to be somebody that, I mean, a septic system for nine (9) units.

Mrs. Flansburg: Nine (9), right.

Chairman Ricker-Scannell: I need somebody that knows that.

Mrs. Flansburg: Right, but we don't have like a wetland issue because that's off.

Mr. Costa: No.

Mrs. Flansburg: But it's above and beyond, and then.

Mr. Costa: We're not going into that area.

Mrs. Flansburg: Okay. I was just wondering for scope-wise what we would have them looking at, maybe even the roadway issue.

Chairman Ricker-Scannell: I would say a standard TDE. I wouldn't call, I would just, so we have regular agreements, and then from time to time we will have a narrow scope.

Mrs. Flansburg: Right, like specific on the wetlands or septic or whatever.

Chairman Ricker-Scannell: This is a regular from my perspective, and that was what I was understanding we were voting on. Okay. If anyone felt differently about that, please feel free to bring it up. Mr. Valiquette?

Mr. Valiquette: Sorry, just two (2) quick questions. I know you talked about your leases for your tenants. Kind of what time frame range were you looking for those types of leases?

I know you mentioned not like five (5) or ten (10), but.

Mr. Hill: Are you talking one (1)?

Chairman Ricker-Scannell: Term.

Mr. Valiquette: Term of the leases, yeah, sorry.

Mr. Hill: So, we'd be looking for a minimum of one (1) year.

Mr. Valiquette: Minimum of one (1), all right.

Mr. Hill: Yeah, for these types of users. On the storage facility, it's month to month. But this is more of an investment, and not just on us. It would be on our users. A batting clinic, you know, they're going to do a little bit of fit up. You know, we'll give them the vanilla box.

You know, they might want to epoxy the floors or paint the ceiling, so they're going to spend some money. We'd have to spend some money.

So, we'd be looking for a minimum of a year, maybe a little two (2).

Mr. Valiquette: And I think my other comment kind of goes, again, toward leases. I know we've had, you know, flex spaces come in before storage and things like that, obviously industrial here. I would, you know, recommend that the Planning Commission add something like, hey, all of your leases need to have a restriction on hazardous materials, hazardous waste.

I know the Town just cleaned up a Brownfield, and we don't want to keep creating them.

Mr. Hill: We have that already in our storage leases.

Mr. Valiquette: Perfect.

Mr. Hill: We can easily have a condition of review of the final lease or something to that effect.

Mr. Valiquette: I mean, I think just as long as it's in your leases. It's standard in a lot of them, but I just want to throw it out there.

Mr. Hill: And honestly, our insurance company is required as well.

Mr. Valiquette: I'm not surprised.

Chairman Ricker-Scannell: I know at one (1) point when you were doing stack and store, you did a little outreach with the neighbors. Have you talked to any of the neighbors for this project yet?

Mr. Hill: Jack's been in contact.

Chairman Ricker-Scannell: How's it going with that, Jack?

Mr. Kessler: Yeah, we spoke to the direct neighbors that would be involved in seeing this project every day, and they were very agreeable with the terms and what we had planned, and we included them in some of the design. We had them over to stack and store. They're on board.

Chairman Ricker-Scannell: Nice.

Mr. Comenzo: Did they come to some of the Christmas events or something?

Mr. Kessler: Yeah, we invited them to some of our events. Actually, one (1) of them distributes appliances, and, of course, we're always in need. So, we had a good business relationship built out of it too.

Chairman Ricker-Scannell: Good.

Mr. Kessler: Yeah.

Chairman Ricker-Scannell: Good. That's the best way to be is neighborly from the get-go. So, thank you. We appreciate that. And just to put on the record, the SEQR process was completed by the

Rotterdam Town Board. So, we look forward to seeing you guys soon.

Do you have any more questions for us?

Mr. Kessler: For the TDE, I guess Peter will probably help us. I'm guessing there's an escrow check and a submission that we'll come up with.

Chairman Ricker-Scannell: We'll have a conversation. Was there a TDE for Stack N Store?

Mr. Costa: Yes.

Chairman Ricker-Scannell: Who was it?

Mr. Costa: GPI.

Chairman Ricker-Scannell: I mean, was it Ryan?

Mr. Costa: Yeah, Ryan.

Chairman Ricker-Scannell: Okay.

Mr. Costa: Fred was there at that time too.

Chairman Ricker-Scannell: Yeah. I can't say with 100% certainty it would be Ryan, but it makes sense that it be Ryan because he's already familiar. So, in the long run it saves us all time and money.

So, yeah. So, we'll just do the same type of agreement that we did before and then go from there. Okay.

Mr. Costa: Very good.

Mr. Kessler: Thank you.

Chairman Ricker-Scannell: Thank you. How soon are we looking to break ground?

Mr. Kessler: We would submit tomorrow if we could. I mean, honestly, on the approval side, we just have to do some test pits and then Nick can finalize his septic and stormwater ponds. Okay.

But, I mean, he's done the grading plan, the water. We're far along.

That's why we came here because we're at a point where we have to start doing the nuts and bolts.

Chairman Ricker-Scannell: Okay.

Mr. Kessler: And if we're real good in concept and in theory and the engineers are on board, then, I mean, we would submit first thing in the spring.

Chairman Ricker-Scannell: Perfect. Perfect. All right.

We look forward to that, and we are happy to do whatever it takes to keep good things happening in Rotterdam.

Mrs. Flansburg: Because of the way SEQR is, do we not declare a lead agency?

Chairman Ricker-Scannell: Town Board was lead agency, so it was through them.

Mrs. Flansburg: Okay. So, I just put it on the record that it was done.



Town of Rotterdam
Office of the Planning Commission

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

Telephone (518) 355-7575
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Resolution Number PC53-2025

Moved by Mr. Calder seconded by Mrs. Ciampino
Applicant: The BDC Group

Applicant: The BDC Group

Project Location: 676 Mariaville Road
Rotterdam, NY

Tax Number or Numbers: 47.-8-13.5

Proposed Project: Site Plan review to construct nine (9) flex warehouse buildings: two (2) $\pm 7,500$ square feet, five (5) $\pm 10,000$ square feet and two (2) $\pm 12,000$ square feet on ± 16.19 acres of ± 65.8 -acre parcel. Engineer: Advanced Engineering & Surveying PLLC.

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

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

IT IS HEREBY RESOLVED THAT on this day, Tuesday, September 2, 2025, the Rotterdam Planning Commission hereby authorizes the Planning Commission Chairman to execute a contract with a Town Designated Engineer (TDE) to assist in Site Plan review for the above referenced project.

Peter J. Comenzo
Senior Planner

Kimberly Ricker-Scannell
Planning Commission Chairman

4. CNZ, LLC (Contract Vendee) – Fort Hunter Road & Terminus of Valentine Drive. Sketch Boundary Line Adjustment Subdivision to create three (3) lots from a total of ±2.04-acres. Lot #1 = ±0.82-acres (Ft. Hunter Proposed Duplex), Lot #2 = ±0.78-acres (proposed Single-Family Residence), and Lot #3 ±0.44-acres (proposed Single-Family Residence). Engineer: ABD Engineers LLC.

Chairman Ricker-Scannell: Here he is. Here's Luigi Palleschi. We haven't seen you all night.

Mr. Palleschi: Oh, yeah.

Chairman Ricker-Scannell: How are you, Luigi?

Mr. Palleschi: I haven't seen everybody in a while.

Chairman Ricker-Scannell: You miss us.

Mr. Palleschi: Thank you for allowing me back in, especially on this project. We're on a year and a half here now with this one (1). So good evening.

Luigi Palleschi with ABD Engineers and Surveyors, here to discuss the three-lot subdivision on Fort Hunter and terminus of Valentine Drive. You've seen this project now a couple times, but just to recap a little bit, we went through a Change of Zone to allow the R-2. We then came here, presented this three-lot subdivision.

We had these two (2) single-family homes at the end of Valentine and a duplex on Fort Hunter Road. We then had to go to the Zoning Board to get some variances. At the Zoning Board, you know, we had a Public Hearing, and a couple of the neighbors right behind this lot number two (2) was there to express their concern, and their biggest concern was that they didn't want a single-family house directly behind their house.

So, we tabled the discussion with the Zoning Board. The applicant, you know, thought through, reached out to the owner that fronts on Carman Road and was able to purchase, or not purchase yet, but under contract to purchase a small piece. It's like .2 acres or so that you see outlined in white there. So, he has that under contract, and what that allowed us to do was shift these houses further to the east, away from the backyards of these houses. So, when you look at this corner lot, this is the side of the house. So, you know, having another residential home next to or next door to made more sense, and it provided more room for this lot with the septic and the residential house for that side.

So, we presented that to the Zoning Board. The Zoning Board liked this new layout. They granted the area variances for the frontage.

So, we needed area variances for the frontage at the end of Valentina Drive, as well as area setback to allow 10 feet along the rear portions or rear of the proposed lots. There were some conditions, and I see from the DPW comments, adding additional notes to the subdivision plan, which we agreed to, but basically, you know, putting a restriction so that we don't build this house further west from the property line of this neighbor, which we agreed to that night, and we continue to agree with that. You know, obviously, we don't know the exact footprint of the house.

We don't know, you know, if the homeowner wants to rotate it a little bit, but we agreed that they would be in general location of what you see on this map. And then the other thing was we had to work with the DPW Highway Superintendent, Larry Lamora, where he would allow one (1) curb cut, and the curb cut had to be as far to the left as possible, which is what we had proposed and, again,

CNZ, LLC (Contract Vendee)
Fort Hunter Road & Terminus of Valentine Drive

discussed with the Zoning Board. There will be a shared driveway easement for these two (2) houses, and then I think it was a 10-foot or some distance back for a snow storage area to the Town of Rotterdam to give a little more room to push the snow back at the end of Valentine Drive.

I had a chance to look at the DPW comments. So I'll just go through those quickly. Number one (1), seeker forms now need to include this property here now that there is a small portion. So, you know, not only is it a three-lot subdivision, but we're going to have to do a lot line amendment with that parcel as well.

So that's not a problem. I can get you the updated form. Number two (2), grading and tree clearing.

Yeah, that was done early on, even before we submitted any applications, I believe. So, some clearing and grading was done. The stormwater runoff doesn't leave the site.

It's all beautiful sand there. We did do test pits with Schenectady County Department of Health, and Town of Rotterdam was also there to witness our test pits. We went down six (6) feet, all good sand, no groundwater, no mottling.

So, you know, it supports our conventional septic systems for each house. You're looking for some proposed contours, which we can certainly add. A lot of times, you know, in this case, we would provide that at time of building permit, but if that's a condition here, I'll certainly provide that for you on the next round.

Chairman Ricker-Scannell: Yeah, I'm going to jump in for that. Okay. While we're going through this. Anyone else that wants to weigh in on this? Yeah, we need, I think we definitely, DPW is asking for the contours. I mean, it looks like there's a cliff that's going to fall down on top of your building.

Mr. Comenzo: So, just to add to that, Mary went out there today. There's been additional clearing. I don't know how recently you were out there, but the ground is substantially different than it was several months ago, since they did the initial disturbance.

So, it looks like additional material has been removed from there. So, it looks like it might be close to final grade.

Mr. Palleschi: Yeah, I would say that the grades there are pretty close, other than the cliff that you referred to, which will have to be graded at some point to get grass to grow on that slope.

Mr. Comenzo: Yes.

Chairman Ricker-Scannell: Well, I think when we have previously seen this project, and we talked about this subject of a cliff falling down on top of the houses, and should there be a retaining wall, and again, I'm not, you know, obviously I'm not an engineer. I believe the answer was something along the lines of, that's going to be the responsibility of the homeowner.

Well, I'm not really sure how I feel about that, so I think at the very least, I'm going to need some very good contour lines so that people that are smarter than me can talk to me about those contour lines.

CNZ, LLC (Contract Vendee)
Fort Hunter Road & Terminus of Valentine Drive

Mr. Palleschi: Yeah, it would really be up to the builder, you know, as they build the house. They can do it two (2) ways. You can build a retaining wall in a certain case, or the foundation itself becomes the retaining wall, and the dirt gets piled up against that foundation.

Chairman Ricker-Scannell: And then the apartment complex is not going to fall down into somebody's backyard.

Mr. Palleschi: No, it won't.

Chairman Ricker-Scannell: Okay. We'll see, Luigi.

Mr. Palleschi: But again, you know, I can see if I can get a better footprint. You know, this is basically a ranch, single, you know, like one (1)-story ranch that the applicant has used in this Town and other Towns, so it is realistic. But, you know, maybe once we show you the grading plan, then you'll see how the retaining walls play in, or maybe at this point we rotate the houses to show you where a retaining wall may not be needed.

But I think ultimately it will be up to the buyer of the lot and where they want to position their home. But we can show you a good, you know, concept, and then it can be refined at the building permit time. So, that's not a problem.

I can provide that. Number three (3) confused me a little bit. Existing curb cut locations and existing improvements on Fort Hunter should be shown on the subdivision map.

I drove by there. I drive by there every day on the way home. I even went there again because I'm like, man, is there an existing curb cut?

But I didn't see one (1).

Mr. Collins: You might be referring to that house that they tore down right next to it across from the Brown Farm.

Mr. Comenzo: I think some of it also was the property across the street to make sure that there's no conflicts. So show where the Brown Farm comes in and out there?

Mr. Palleschi: I can do that.

Number four (4), a drywall needs to be added to the base of the shared driveway to address runoff. We'll agree to that. We'll show that on the next set of plans.

Number five (5) and six (6) are regards to the easement that I mentioned, the shared driveway easement and the snow storage easement. We'll get that in the works and provide the description. Does the Town have a standard shared driveway, or should the applicant's attorney provide one (1), you know, a draft for review and then go from there?

Mr. Valiquette: Yeah, I think they should probably provide one (1). I don't think the Town has a standard shared driveway. I mean, I have one (1).

I can send you.

CNZ, LLC (Contract Vendee)
Fort Hunter Road & Terminus of Valentine Drive

Mr. Palleschi: Yeah, why don't you do that? I think it's a good start, you know, if it's something that you've used or reviewed before and feel comfortable with, and we can certainly share that.

Mr. Valiquette: Perfect.

Mr. Palleschi: Thank you. And then seven (7), eight (8), nine (9), and ten are adding notes to the plan in regards to, you know, Highway Super has acknowledged that the proposed curb cut location for the shared driveway is acceptable. Variance is granted for lots two (2) and three (3).

Proposed single-family residents on lot two (2) and three shall remain in the same general vicinity as depicted on the subdivision map. And lastly, the proposed single-family residents on lot two (2) shall not be located any further west than the lands of Posilovic. I think I summed everything up.

I know it's late, but if there's any questions.

Chairman Ricker-Scannell: Oh, Luigi, it's still early. You have no idea what our summer meetings are like. Mr. Collins, questions, comments, concerns?

Mr. Collins: No, I think you answered all that, and we do have a couple shared driveways in Rotterdam. We've got one (1) right off Curry Road across from Mohonasen, and then we have one (1) in Carmen. They seem like the neighbors can get along, but, no, I think as long as Larry signed off it, I'm surprised you got him to do it.

But I'm good. I think it's a project for this partial land, and I don't see a problem with that.

Chairman Ricker-Scannell: Mrs. Ciampino?

Mrs. Ciampino: I'm good as well. Thank you for addressing all the DPW comments.

Mr. Palleschi: You're welcome.

Chairman Ricker-Scannell: Mr. Calder?

Mr. Calder: Luigi, I like the way you laid this out. You know, from 1 to 11, we know everything that's going on, and you always make it simple. Thank you.

So, I'm done. Thank you.

Chairman Ricker-Scannell: Thank you, Mr. Calder. Mrs. Flansburg?

Mrs. Flansburg: I like the project. You addressed all the comments. I like where the duplex is located.

I think it's a great project. I really do. Thank you.

Chairman Ricker-Scannell: Thank you. Mr. Miglucchi?

Mr. Collins: I've got a question.

Mr. Miglucchi: Somebody has a question.

**CNZ, LLC (Contract Vendee)
Fort Hunter Road & Terminus of Valentine Drive**

Mr. Calder: No, you don't.

Mr. Collins: Yes, I do.

Mr. Miglucci: Go ahead.

Chairman Ricker-Scannell: You can finish, Mr. Miglucci, and then we will go back to Mr. Collins.

Mr. Miglucci: Is this the only time you're up here tonight? Is this the only thing you're up here for?

Mr. Palleschi: Yes.

Mr. Miglucci: All right. I'll give you a thumbs up, and then you can go down to Mr. Collins.

Mr. Palleschi: All right. Thank you.

Chairman Ricker-Scannell: Mr. Collins.

Mr. Collins: Yeah, I've always got a stupid question. On this water, I mean, there's only one (1) water main, so are you going to tap it twice or tap it once and then go off the other one (1)?

Mr. Palleschi: For the duplex?

Mr. Collins: No, for the two (2) houses.

Mr. Palleschi: No, there should be two (2) separate water services.

Mr. Collins: You're going to tap two (2) off the same lane, right?

And then run it over? Is that what you're saying to me? The water main, I think, is on the left or the right.

Mr. Palleschi: I've got to tap two (2) separate laterals to the main. Yeah, I do show it there. Hard to see, though.

Mr. Collins: All right. No, that was my only question.

Mr. Palleschi: Yeah, so the main, you can see where the hydrant is. It's not at the very end there. It sits down a little bit past the driveway.

Mr. Collins: All right. Got it.

Mr. Palleschi: So, yeah, so we'll have to probably more up the road right there to get those water laterals in and make the two (2) connections.

We've got to have two (2) separate service laterals. We can't do one (1) and then split off.

Mr. Collins: Run one (1) and then split off.

CNZ, LLC (Contract Vendee)
Fort Hunter Road & Terminus of Valentine Drive

Mr. Palleschi: Yeah, we can't do that.

Mr. Collins: Okay, that's good.

Mr. Palleschi: I know a lot of people try that.

Mr. Collins: Yeah, they've tried it before.

All right. That's all I have.

Chairman Ricker-Scannell: Thank you very much. You may have heard me mention a couple times tonight that we are going to, as a Planning Commission, as a Town moving forward, everything that's going on the record, we're going to try to be keeping better site condition lists.

And so, the burden is going to be on all of us. It's going to be on DPW, where it always has been, the Town Attorney, each individual project engineer is going to, in addition to the DPW comments, remember some of these things, hopefully, if we're making agreements on the record, that they end up on the final Site Plan. So, we're all going to work really hard toward that goal.

With regard to this particular project, there are a lot of different variables. I understand that it meets the letter of the law. I'm happy that your developer got his variances.

This project makes me anxious. The whole thing makes me anxious. So, I look forward to seeing how it all comes to fruition.

Mr. Palleschi: Okay. So, with that, I didn't know if we needed to schedule a Public Hearing. I don't think any of these comments are that drastic. We can certainly address these, get the plans revised and resubmitted, so that maybe in a couple weeks we can have a Public Hearing and possibly final subdivision approval.

Chairman Ricker-Scannell: Since we just added a little parcel, I'm not sure if we have to declare lead agency and do SEQR on the new little parcel. Peter, can you weigh in on that?

Mr. Comenzo: The boundary line adjustment is a Type II action. The Town Board did declare lead agency and conducted a coordinated SEQR on it.

Mr. Valiquette: I think it's got to go back to the Town Board for supplemental, for SEQR, because they originally declared lead agency. I think it has to go back to them to finish this supplemental piece.

Mr. Palleschi: That doesn't make sense to me, but okay.

Mr. Valiquette: Well, the original SEQR didn't include this new parcel, right? So that's the kicker in it. Basically, it's just a supplemental for this small piece here that they're going to have to do SEQR on and just make a Negative Declaration because they're the ones, because there was a Change of Zone for this, right?

Mr. Palleschi: Yes.

**CNZ, LLC (Contract Vendee)
Fort Hunter Road & Terminus of Valentine Drive**

Mr. Valiquette: Is this parcel that's under contract, is that also the same zone as what we're joining to here?

Mr. Palleschi: It is not. The Change of Zone is this line here.

Mr. Valiquette: Okay. So, I guess, I mean, the question then becomes, do we need a Change of Zone for the additional parcel?

Mr. Palleschi: I don't think so. I don't think so because it's single family.

Mr. Comenzo: The Zoning Board restricted the development to single family only for those two (2) lines, so as long as that condition is on the map and they can only build a single family.

Mr. Palleschi: So just to back up, when we proposed the R2 Change of Zone, we knew it allowed single families and also a duplex, and we proposed a duplex on Ft. Hunter Road because if you recall, there are a lot of duplexes at the front on Ft. Hunter Road. So we thought that made sense. We could do duplexes in the back, but the applicant didn't want to do that. He wanted to do single families and keep it in nature with Valentine Drive.

So, knowing that you can do single family and you have an R2 and I think that's A1, I believe, which allows the single family. So, I don't think that line matters, but if we have to go back to Town Board for SEQR, which seems a little ridiculous, but we'll do it. Yeah.

Mr. Valiquette: Unfortunately, because they had Lead Agency, they have to continue through that process. I wish we could just say, oh, we're lead agency for supplemental and work through it.

Mr. Palleschi: It's interesting for sure.

Chairman Ricker-Scannell: I tried.

Mr. Valiquette: Yeah. Yeah. But I think if ZBA has already weighed in and said, hey, this is an approved use. You've already got your variance, I think we're okay on that.

Thank you for answering the questions.

Mr. Palleschi: No problem.

Mr. Valiquette: Sorry about the inconvenience.

Mr. Palleschi: That's okay.

Chairman Ricker-Scannell: So how soon are you looking to turn around and come back?

Mr. Palleschi: We're hoping two (2) weeks, get on the next meeting and at least get a conditional approval and if there's any other things, like if we've got to go back to the Town Board to do the SEQR, then we can do that.

Mr. Valiquette: I think they meet next week.

Mr. Palleschi: Can we get on that agenda?

CNZ, LLC (Contract Vendee)
Fort Hunter Road & Terminus of Valentine Drive

Mr. Valiquette: I mean, you could try, but I know it's due by Friday, so that's a tough one (1).

Mr. Palleschi: I've done it before.

Chairman Ricker-Scannell: I unfortunately don't really always set the schedules. We can shoot for the moon.

If we don't get there, I would say probably the following month. Peter, what are your thoughts?

Mr. Comenzo: I think between the updated maps and the Town Board having to take action, I know they're pretty much set their agenda on today or tomorrow. It's a short week. It's additional work that I have to complete as well.

Chairman Ricker-Scannell: Right. So, we're thinking it'll be more likely....

Mr. Comenzo: We'll shoot for the first meeting in October.

Chairman Ricker-Scannell: Okay. Well, there you have it.

Mr. Palleschi: Okay.

Mr. Collins: We're going to have a late winter, so don't worry about it.

Chairman Ricker-Scannell: When would they want to be breaking ground?

Mr. Palleschi: I think they probably wanted to start two (2) homes this year, but I don't know if that's going to happen now.

Chairman Ricker-Scannell: Two (2) weeks isn't going to make them or break them?

Mr. Palleschi: No, but by the time we file a subdivision map, that's the two (2)-week period where you need all that, you know, the paperwork end of things. But it is what it is.

Chairman Ricker-Scannell: Well, we will do our best.

Mr. Palleschi: Thank you.

Chairman Ricker-Scannell: We always do. We always try to. Thank you, Luigi.

Mr. Palleschi: All right.

Chairman Ricker-Scannell: Bye, Luigi. Thank you.

5. **Primax Properties, LLC (Contract Vendee) – 774-778 Duanesburg Road.** Concept/Sketch Site Plan review for the proposed construction of a ±21,930 square foot retail building on a combined ±13.01-acre parcel. Engineers: Bohler Engineering.

Chairman Ricker-Scannell: Hi, Caryn. Thanks for sitting through all of that, all of that fun stuff. I didn't want to say it until Luigi left, but we saved the best for last because we're all really excited.

Ms. Mlodzianowski: And the first applicant might as well.

Good evening. Caryn Mlodzianowski from Bohler Engineering on behalf of Primax Properties. And I think it's been over a year since we were here, which is crazy, but we did a lot of work for SEQR and the Change of Zone with the Town Board.

So as a refresher, we have two (2) parcels about 13 acres in size, 774 and 778 Duanesburg Road, which is Route 7, which is a state road. So, we did pursue the Change of Zone (1) to B2, and the Town Board recently completed SEQR with a Negative Declaration for the project and approved the Change of Zone to the B-2. Everything we're looking to do is on the larger parcel.

The smaller parcel will just remain as is. That was part of the purchase of the bigger one (1) was you buy the other one (1) as well. So, everything is focused here, but we're proposing a new access to Route 7 to Duanesburg Road into the site.

It's more narrow up at the front, so everything is pulled back to where it opens up so that we can have room for the building and parking lot. So, the building is about 22,000 square feet for the retail, and then there's another outdoor fenced in area where they sell things outside there as well for additional space. As far as parking, we've got about 81 spaces, which is sufficient, and wanted to get this Board's thoughts on a Waiver for that, as by code we need about 110, which we really don't need.

We obviously have the land for it, so we can keep putting impervious, but we would be asking for that Waiver if possible. We believe we meet all of the setbacks and are generally zoning compliant now that we have the Change of Zone. Some of the things that we did through the SEQR process with the Town Board were involve all the agencies.

So, we engaged with DOT, we did traffic studies that also took into account the proposed BJ's down the road and their studies and how that all ties together, as well as the school, and the TDE reviewed that on behalf of the Town and signed off, and DOT signed off on that as well. They also approved our driveway location as part of that. So, as we move forward, we'll be developing full Site Plans, full design, and stage two (2) with DOT to close out that process ahead of permit.

We also went through the archeological process, we had to do a lot of investigations with SHPO and they ultimately signed off so that we could get SEQR. We also did geotechnical investigations for soils, and basically what that found, I'm not sure if you can tell, is that everything pretty much from where our building is back was poor soils, and then the soils up at the front were good soils. We obviously have this large front yard to work with.

So, stormwater heads there today, that's the lowest point. There's catch basins to the DOT system, but more importantly there's good infiltration rates there. Our percolation tests for septic, so we do not have municipal sewer here, so there will be onsite septic, which there's plenty of room for.

But again, the soils behind the building were poor, so where we wanted the septic there, we're looking at placing out front as well because there's so much room. Then lastly, I do have the architecture to share, and I have two (2) different renditions. So, I have what they typically build, and then I have what you're going to hopefully like better.

We're going to have what Rotterdam's going to have. But you tell me. Again, it sits so far back from the road, it's visible once you're on the site.

I guess, why don't you get back there. That's what they typically build. You have to do it like this.

And I can flip to any view, but I guess starting with what they typically do would be this. So, a sign illuminated, typical wall packs, and then they do this gray metal roof over the front, and then over the garden center as well, which you can see here. This is another view of that.

So what they did was they got rid of the gray and the silver, so they went with all brown tones, so you can see they went with the vertical siding brown over the entryway, and then the canopy that goes along the front to break up the wall from that silverish gray to dark brown, and then put the gooseneck lights over the signage to soften that. Same thing on the garden center roof. That's there to match, and then you can see the brown on the sides there as well.

Those are the two (2) most visible sides, so that's what you would see. And then we did get the DPW comments in the agenda packet, so I don't know if we want to go through those now, or I can do that later. But that's everything.

Mr. Collins: Great project.

Ms. Mlodzianowski: Thank you. We're excited. Happy to be back.

Mr. Collins: I drive all the way up to Tractor Supply.

Chairman Ricker-Scannell: Yeah, I mean, I think we all are super excited. I do like the souped-up elevations, for lack of a better term. I like the lighting.

I think it is a Rotterdam-y feel. I think that's becoming a thing now. I like that.

I see a lot of the designs that we've had implemented in other areas of Town that kind of tie into this, and I think, you know, with the Dollar General, you kind of know what we're going to be looking for with lighting, and it is a different section of Town, but it's still, you know, there is some residential stuff around there. And speaking of residential stuff, how are the neighbors? Have you guys talked to anyone?

Ms. Mlodzianowski: So, they were at the Town Board meetings. They were pretty vocal at the first meeting. They weren't there at the first meeting this summer, and then they were back, and only one (1) actual neighbor spoke.

One (1) other person spoke about the project. So, it sounds like they'll be back for this Public Hearing process.

Mr. Collins: I mean, I can make a comment. I mean, I get it, but it's set so far back, I don't really think it's going to affect their way of life. That's my own personal opinion. It's not like it's right next door.

Ms. Mlodzianowski: Yeah, and we have, I didn't mention it, but privacy fence along that point.

Chairman Ricker-Scannell: I was going to ask about that. You know at some point, whether prescribed by law, we are having some kind of Public Hearing, or in the event that that wasn't the case, we would offer one (1) time that they could have privilege of the floor. And again, rules, you have to be nice.

You know, we get it. You don't want it. But we do like to listen to the adjoining property owners, and I would imagine that if I lived there, I would be so excited, because then I could get a mallow cup every single day.

But kind of like a Stewart's. But I would be probably primarily concerned just about the noise, because that's what, I'm not going to be able to see it, right? So, what kind of privacy fence are you thinking about putting up?

Does it have any acoustical offset of noise or no?

Ms. Mlodzianowski: It's just visual.

Chairman Ricker-Scannell: Just visual, yeah.

And if the neighbors were to have that as a primary concern, and the Planning Commission had that as a primary concern, would there be things you could do to mitigate the noise?

Ms. Mlodzianowski: We could look at, well, we'll get details on the kind of fence, but maybe plant things in front of it so they see them, and it softens that as well. Okay. Thank you.

I think we also have an opportunity to pull things back even a little further now that the septic isn't going to be back there, and that would help this corner, and just to get us a little further back, because we have the room to do so.

Mrs. Flansburg: You're referring to the room, the whole thing would be able to move back a little bit further?

Ms. Mlodzianowski: Yes. The whole thing.

Chairman Ricker-Scannell: So, you are open to moving the septic to the, doing a flip-flop with a stormwater in the septic?

Ms. Mlodzianowski: Not necessarily a flip-flop. They're both going to be in the front, because the soils can't support either in the back.

Mr. Comenzo: So, I can chime in here a little bit. So, I did have some correspondence. I did send the primary purpose of this meeting. I said, well, let's make sure that the Planning Commission is going to be comfortable with the layout, because I don't want you to come in with the full design and say, oh, can you move things around? So now is, I guess, the opportunity for the Planning Commission to chime in and say, are you okay with the layout?

Typically, and we use other examples, having a stormwater right in the front, you start running into issues, just aesthetics, and then you have to, you know, from a buffering perspective. That being said, I sent the drawings over to our TDE. Obviously, that's the low point of the site. He says, potentially it's feasible, but it's not practical in terms of flip-flopping the stormwater and the wastewater.

Everything drains to that area. And as, you know, Caryn was saying, I think if the soils are really poor, you probably can't do that. There are other alternates, you know, if you can shorten that stormwater area up as small as possible, or make it a little bit, you know, better aesthetically, because, you know, when you're going to be driving in, you're going to have a depression and, I don't know, fencing is proposed or that would be a design element, but then you start running into maintenance issues and that type of thing.

So just from a visual standpoint. So, it's not ideal, but I guess the site, the way the site sits, it's kind of.

Chairman Ricker-Scannell: It's where it goes. Can you highlight that?

Ms. Mlodzianowski: Sure.

Chairman Ricker-Scannell: Circle it for us. We're looking. It's on.

Ms. Mlodzianowski: It's a little area. But so whatever size we need in this area would be stormwater because it all heads here. And the soils are so good, it won't be designed to hold water.

So, it'll just be a grass area. And then over here, behind this house, which would come down, we would have our septic system. And then, again, it would just look like a grass area.

And those would be far enough apart from each other. They're split by the water line and the easement anyway, so we'd have one (1) on one (1) side and one (1) on the other.

Chairman Ricker-Scannell: How much of the natural, like the mature vegetation that's still there, would be able to stay to act as a buffer for any or all of it?

Ms. Mlodzianowski: Let me see if I have a survey. So right now, it's sort of this area. That would go away pretty much right here.

Here's a road.

Mr. Collins: I got a stupid question. But I usually have them. Don't they design parking lots and pavement to be more porous, so it takes away some of the need for stormwater or am I wrong?

Ms. Mlodzianowski: That is an option. It's very hard to maintain. So, it's a possibility.

Mr. Collins: I remember we had a project, and we did that.

Ms. Mlodzianowski: In the areas where there's good soils, again, there's a split somewhere in the middle there. Within the parking lot we show. So, it's very rare we do it.

For a small area maybe. Yeah, when things are tight. That was a good question.

Mr. Collins: I got one (1) other question. I don't mean to interrupt.

Chairman Ricker-Scannell: No, we're polling everybody now.

Mr. Collins: The stormwater, it's going to be really basically a dry stormwater because it's so porous.

Ms. Mlodzianowski: It should all infiltrate.

Mr. Collins: Is there any way to break this up with some kind of, I know you've got to put a fence around it. I don't know why because there's nothing but water in it. But can you do some landscaping around it to break that?

Ms. Mlodzianowski: We can put some in the front so that's what you see when you drive in.

Chairman Ricker-Scannell: Like a big, giant tractor. Like a cool tractor.

Ms. Mlodzianowski: Something super cool. So, they actually put those tractors and type equipment in front of the parking here on display. So, you will see that.

Mr. Comenzo: I don't know necessarily if the code would require the stormwater to be fenced.

Ms. Mlodzianowski: Or wouldn't it matter?

Mr. Comenzo: Or if your client from a liability standpoint.

Ms. Mlodzianowski: Yeah, just liability would be the concern. But we'll look at how deep it ends up being and if there's any chance.

Mr. Comenzo: The Dollar General, we just had you make a big swell.

Ms. Mlodzianowski: Yes.

Mr. Comenzo: No fence around it.

Ms. Mlodzianowski: Right, right.

So, we can look at that. And then whether we need, if we can get an actual pipe connection to work to the DOT system. And if they allow it, that also helps empty out the water as a safeguard.

So, we'll see what we can do.

Mr. Collins: It would be easier to maintain if you didn't have to worry about a fence.

Ms. Mlodzianowski: Right.

Chairman Ricker-Scannell: Mrs. Ciampino?

Mrs. Ciampino: So, I am actually one (1) of the neighbors of the Dollar General. And I was very much against that project in the beginning. And other than the tall Dollar General sign that we ended up with.

You did a great job actually making it to where my neighbors and I all like it. So, I feel like you'll be able to do the same with the rest of the neighbors there.

Ms. Mlodzianowski: That was thanks to the Town.

Mrs. Ciampino: For the rest of the DPW comments, the hydrants, did you see those? And then also the design elements to discourage access by the tractor trailers.

Ms. Mlodzianowski: Peter gave us a heads up on the hydrants. So that's fine. We can do that.

It is a long run of water main that's there. We talked about the first comment and the storm water location being in front. So that's why that's there.

For the second one (1), we are exploring using that water line that's been abandoned through our property to connect. That's easiest for us. So, if it's feasible, we will do that.

And then number four (4), so you mentioned discouraging tractor trailers in this location for turnaround. I'm not sure how that would be achieved or what the Town's thoughts were with that.

Chairman Ricker-Scannell: Down the road over like where Pilot is, we don't have any place, where we are perfect at the end of a highway, two (2) highways. Tractor trailers want to pull over.

Pilot doesn't have all the room in the world for them. But we don't want them on the roads. You don't want them sleeping in your backyard, taking valuable parking spots up.

Across the street from the Pilot, we had a problem. I mean, people, they just had all this parking. And so, the trucks were just pulling in there.

And we're like, no, you can't have all these trucks. They ended up getting signage. And I think it's just definitely something to have on your radar.

I don't know from a practical engineering standpoint if there is a way that you can dissuade traffic from being able to go somewhere where tractor trailers could just nestle themselves to take a nap.

Mr. Collins: Can you put it like a chain? I mean, I know it's not the nicest thing, but at night, just have like a chain across it from the driveway.

Chairman Ricker-Scannell: Well, it's like gates that close or something.

Mr. Collins: I mean, something attractive, not because we don't want the neighbors saying, I don't want a chain or whatever, just because they will pull in there. They have no shame.

Ms. Mlodzianowski: I can ask Primax operationally.

Mr. Collins: They might have something. They probably dealt with it before in some of their other locations.

Chairman Ricker-Scannell: Well, and it really would be to their benefit because you don't want that.

Ms. Mlodzianowski: Yeah. They probably weren't aware that that happened down the road.

Mrs. Flansburg: But it's a big enough issue that it's going to trickle down to your project. Absolutely. One (1) of the things that I saw was like not having a turnaround that's attractive for them.

But I would imagine that you receive your products on tractor trailers. So, they have to be able to access it safely in and out and unload.

Ms. Mlodzianowski: Yes.

Chairman Ricker-Scannell: So, if there's a loop or something that they can go to right over there, but then there is nowhere else for them to park, but tractor trailers, they'll just go in your parking lot.

Mrs. Flansburg: Oh, how about this? Because you talked about parking earlier. You have 81 spaces.

The code says 110. I am a huge proponent of if you can bank spaces for later and you end up with a good problem where you need more parking. I hate having just because the code says you need that many doesn't mean that that business actually needs that many.

But we're approving a project that could become a different business later that wouldn't need that many. So, I have no problem with if you have the ability to say there is space for 110. We just don't want to make 110.

If there's a way to discourage the tractor trailers in the parking area, could you do little, I don't know what they're called, little curbs with something on them so they can't?

Mr. Collins: Break up the parking lot so the tractor trailer can't access it. It's easy.

Ms. Mlodzianowski: Yeah, I don't think they would try this.

Mrs. Flansburg: You'd be amazed.

Chairman Ricker-Scannell: You'd be surprised.

Mrs. Flansburg: They literally pull off on the side of the road and just park there.

Ms. Mlodzianowski: Yeah. The other thing is they've got longer parking stalls for people who have trailers and things. So, they have to be able to maneuver too.

Chairman Ricker-Scannell: Unless deliveries come when no one's at the store, do you know?

Ms. Mlodzianowski: I can confirm that.

Chairman Ricker-Scannell: Because if deliveries come only during business hours, I would think some kind of a gate. I don't really like personally the idea of a chain. I think chains are very dangerous.

As I don't always see them.

Ms. Mlodzianowski: They're hard to see.

Chairman Ricker-Scannell: There's a floral place on Route 50. Are they open? But yeah, something that would be...

Because I do think it would be in the best interest of Tractor Supply not to have tractor trailers all the time. Do you have anything else, Mrs. Flansburg?

Mrs. Flansburg: No. Thank you.

Chairman Ricker-Scannell: Thank you. Mr. Miglucci?

Mr. Miglucci: That kind of looks like the Amsterdam store just reversed. Is that the same size square footage? Do you know?

Ms. Mlodzianowski: I didn't work on that one (1), so I don't know for sure. But typically, yes. They've been this size for years.

Mr. Miglucci: Because all their stuff, their tractors and water tanks and stuff are all on the one (1) side.

Ms. Mlodzianowski: Yes.

Mr. Miglucci: And they have all their other, more tractors out front.

Ms. Mlodzianowski: Yes.

Mr. Miglucci: No, it looks good to me.

Chairman Ricker-Scannell: It's gorgeous. It's going to be gorgeous. Peter, do you have anything else?

Mr. Comenzo: No, I just wanted to make sure that everybody was okay with the layout.

Chairman Ricker-Scannell: Yeah.

Mr. Comenzo: Yeah.

Chairman Ricker-Scannell: And Ruben's on board. We've got Ruben from LaBella working with us. You've probably already heard me say a hundred times tonight.

I'll say it again. We're really leaning not just on you as an engineer. We're leaning on our TDEs, our Town Attorneys, to kind of make sure that all of the things that we agree on.

And I get it. Like, we're throwing things at you, and you're doing your best to keep up with us. But sometimes things fall through the cracks.

Like the sign at the Dollar General, which we agreed from this place and that place, was going to be a monument sign, and it was going to be low, and it was going to be near the ground, and it was going

to match the pavers, and it's not that sign. The sign package, and you weren't here that night. You did not agree to it, for the record.

But when the sign package came through, from our standpoint, we wanted something very, very different than what is there. And we were listening to a lot of feedback from that part of the community.

So, again, live and learn and move forward. So we will be, when we agree to things, we're going to really be putting things on the record as we move forward with this project and every project. So, thank you for understanding that.

The Town Board conducted a coordinated SEQR and issued a Neg Dec. And does the attorney have anything?

Mr. Valiquette: No, I think, I mean, obviously Lynn mentioned modifications of the parking requirement. That is something that we have the power to do, fortunately. It's not like the earlier solar project.

So, we can, we have some wiggle room there. I think that's the only thing I had to mention.

Ms. Mlodzianowski: Should we show banked parking on the next submission? Is that the consensus? Okay.

Chairman Ricker-Scannell: I think that's a great idea. How soon, ideally, would they like to break ground in a perfect world?

How long will it take to build this?

Ms. Mlodzianowski: I don't know how long it will take to build. I can get that answer. And then as soon as they're able next year, when the weather allows, hopefully break ground.

Did we need to talk about comment five (5) on DPW? Because it was mentioned to us there was money set aside, maybe, for escrow for BJ's.

I wasn't involved in that project. And that maybe the same would be required here. That when and if there was an overall sidewalk project, we would have to contribute to that.

Chairman Ricker-Scannell: Peter, I'll let you address that.

Mr. Comenzo: I think what came up in our discussions with DPW is we'd probably be looking to at least have a sidewalk along the access road coming in. And then there has been discussions with DOT for improvements on Route 7, both from this location down to the BJ's, as well as the traffic signal. We can discuss that further, I guess, as we move along.

But I know there was a discussion of maybe running a sidewalk to get from Route 7 in.

Ms. Mlodzianowski: Okay, we can look at that.

Mr. Comenzo: So, like I said, stay tuned on the other part.

Chairman Ricker-Scannell: Yeah, that makes sense if you've got traffic in and out of there. They'll have a little sidewalk. And a bike rack.

Mr. Miglucci: Is there going to be an animal clinic there? A lot of them have vets come in, they do shots.

Ms. Mlodzianowski: I can confirm what the operations for animals will be. I believe there's at least a pet wash at a minimum. I can confirm.

Chairman Ricker-Scannell: I did notice one (1) sign, but I wondered, are you planning on putting a sign on the far end of the property that can be seen from the thruway?

Ms. Mlodzianowski: Oh, back here? I don't think they are.

Chairman Ricker-Scannell: I didn't see one (1), but I also know we're preliminary. Well, we are excited. Please thank your client.

I hope that they're doing well at the Dollar General. I think they are. People really seem to like it.

Ms. Mlodzianowski: I'm sure they're busy. I haven't been recently.

Chairman Ricker-Scannell: They have been busy. I stopped by a couple times now.

Mr. Miglucci: How come you come in and start all these projects and then some other guy comes in and steals your thunder?

Ms. Mlodzianowski: With the signs?

Mr. Miglucci: No, no, no. Just for the credit, I mean.

Chairman Ricker-Scannell: He doesn't steal the credit for any good things.

Ms. Mlodzianowski: That was my boss. I know, I was sad I couldn't be here.

Mrs. Ciampino: Do you think they'd be willing to change out that sign at the Dollar General at any point?

Ms. Mlodzianowski: I will let them know I was here because it's the same owner as this. And, yeah.

Mrs. Ciampino: Every time I look out there, it really looks like it's really a house right across.

Ms. Mlodzianowski: Understood. It's crazy because the building's there, too.

Mrs. Ciampino: Yeah, and you can see the signs from all sides of the building. And, you know, you don't need it for thruway access or anything. So it's like, why?

Ms. Mlodzianowski: I will share all of that.

Mrs. Ciampino: I appreciate that.

Chairman Ricker-Scannell: All right. Thank you. We appreciate you being here and sitting through everything, and we look forward to seeing what you're bringing to us.

Thank you for the extra effort and showing us the souped-up renderings. We like that.

Ms. Mlodzianowski: Does this need 239 for Site Plan purposes, county review?

Mr. Comenzo: Yes, once you get the plans in.

Ms. Mlodzianowski: Oh, okay. We can't do it with what we have?

Mr. Comenzo: No.

Ms. Mlodzianowski: All right.

Mr. Comenzo: I'll get a hundred comments and be on the phone for an hour.

Ms. Mlodzianowski: Fair.

Mr. Comenzo: Gentlemen never abuse it.

Ms. Mlodzianowski: How come they did this? Where's their storm design?

All right. Thank you. Thank you.

Chairman Ricker-Scannell: Have a great night.

Mr. Collins: I've got one (1) question. Not for her. No, for us.

Chairman Ricker-Scannell: Okay.

Mr. Collins: I'll make it quick because I know it's late.

Chairman Ricker-Scannell: Yeah.

Mr. Collins: I was wondering if the Planning Commission was considering sending a recommendation to the Town to redo their lift station, especially the one (1) on Altamont Avenue. You've got Taco Bell spending a million dollars, and right next to it you've got the lift station with a broken-down fence with some green screening on it. I think we know we ask people to do things that us as a Town should maybe do that one (1), the one (1) at Price Chopper and one (1) at Curry Road.

They could do some nice vinyl fencing, either light gray or tan, to make it a little more visible instead of seeing this broken-down fence with green screening next to a million-dollar Taco Bell that they built.

Chairman Ricker-Scannell: What are you talking about?

Mr. Calder: He's talking about raising our taxes.

Chairman Ricker-Scannell: Thank you, Mr. Calder.

Mr. Collins: No, the lift stations. I don't know if you noticed them.

Chairman Ricker-Scannell: No.

Mr. Collins: Well, I noticed them.

Chairman Ricker-Scannell: What are they?

Mr. Collins: It's where the sewer is. And what they have is a fenced-in area. It's ugly.

Mr. Comenzo: It's ugly.

Mr. Collins: Right, Peter?

Chairman Ricker-Scannell: Okay.

Mr. Collins: And they've got one (1) on Curry Road that looks absolutely like...

Yeah. So, I was wondering if, as a Planning Commission, we could send a recommendation to the Town to say, listen, we're doing our part to make sure buildings look... You know what I mean?

You do your part, and we do these fences. Because Peter says they look terrible, right?

Mr. Comenzo: Yeah.

Chairman Ricker-Scannell: So, can we...

Mr. Collins: I hate to take up everybody's time. I know it's...

Chairman Ricker-Scannell: You're not taking up anybody's time. This is what we're literally here for. So, because for some of us, we're like, what?

I would say I think it's great that we have a conversation about this. Is it possible, Peter, that we could put it on a workshop, on one (1) of the next workshop agendas, so we can have a conversation about it? And, Clark, would you mind taking some pictures?

Mr. Collins: I'll have them developed at Walmart, so you can see what I'm saying.

Chairman Ricker-Scannell: Oh, yeah, or just, you know...

Mr. Collins: Yeah, because like you say, you don't notice them.

Chairman Ricker-Scannell: Right.

Mr. Collins: But Peter and I have talked about it for years.

Chairman Ricker-Scannell: No, and I think that once you bring our attention to it, we're going to be like, yeah, we should get those fixed. But I don't necessarily...

Mrs. Flansburg: I do the Taco Bell one (1), because exactly what you said. And they've fenced off the Taco Bell to do the thing, and then you see the thing next to it, and you're like, oh, my gosh.

Mr. Comenzo: Yeah.

Mrs. Flansburg: And it's that color green. And it's...

Mr. Comenzo: But we've gotten better, because if you look at like the one (1) off of Hamburg Street, they build a whole building, and they're attractive looking.

Mr. Collins: Yeah.

Mr. Comenzo: These older pump stations, it's like, you know...

Mr. Collins: They forgot about them.

Mr. Comenzo: They really should put a little building there.

Mr. Collins: Well, the building's hard, because you've got to pull pumps, but at least they can do some nice...

Mrs. Flansburg: Something better.

Mr. Collins: Windows.

Mrs. Flansburg: Yeah, something better than what they've done.

Mr. Collins: Okay, I'll take some pictures. I didn't...

Chairman Ricker-Scannell: Yeah, we'll talk about it at the next meeting.

Mr. Comenzo: And that's like the standard now, and that's, you know, not a bad looking building.

Chairman Ricker-Scannell: Right. All right. Yeah, no, I think it's a great idea, and we'll get it on the next workshop.

Mr. Collins: I'll take some pictures I haven't developed them. Does anyone else have anything that they would like to talk about before we adjourn?

Mr. Collins: I'll make a motion to adjourn.

Chairman Ricker-Scannell: All right. Do I have a second?

Mrs. Ciampino: I'll second.

Chairman Ricker-Scannell: All in favor?

All Speakers: Aye.

Meeting adjourned at 9:55pm

Next meeting scheduled for September 16, 2025.

Respectfully Submitted,

Jamilee Marino

Planning Commission Secretary