

**Town of Rotterdam
Planning Commission
January 21, 2025**

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

1. **Peter K. Frueh, Inc. – 200 Von Roll USA.** The applicant requests a Waiver of Site Plan review to install a concrete pad for chemical storage on a ±22.12-acre parcel.
2. **Sarita Lopchan – 93 W. Campbell Road.** The applicant requests a Waiver of Site plan review to operate a café in tenant space G-106, former Gertrude Hawk, ±1,875 square feet from February 1, 2025 – January 31, 2026 in Via Port Rotterdam.
3. **Tax Services of America, Inc. (Jackson Hewitt) – 93 W. Campbell Road.** The applicant requests a Waiver of Site Plan review to operate a tax preparation office in tenant space G-108, formerly Junior Shoe Port, 1,022 square feet, from January 1, 2025 – April 20, 2025 in ViaPort Rotterdam Mall.

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

Approval of the Summary of Minutes January 7, 2025

1. **Stewarts Shops Corp – Highbridge Road.** Preliminary Site Plan/Special Use Permit review for the construction of a ±3,975 square foot Stewarts with three (3) fueling islands on a consolidated ±2.23-acre parcel. Engineer: Scott Edward Kitchner PE.
2. **Stewarts Shops Corp – 1841 Helderberg Avenue.** Concept/Sketch Site Plan/Special Use Permit review to construct a ±4,500 square foot convenience store with four (4) fueling islands on a 0.87 acre parcel. Engineer: Scott Edward Kitchner PE.

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

1. **Peter K. Frueh, Inc. – 200 Von Roll USA.** The applicant requests a Waiver of Site Plan review to install a concrete pad for chemical storage on a ±22.12-acre parcel.
2. **Sarita Lopchan – 93 W. Campbell Road.** The applicant requests a Waiver of Site plan review to operate a café in tenant space G-106, former Gertrude Hawk, ±1,875 square feet from February 1, 2025 – January 31, 2026 in Via Port Rotterdam.
3. **Tax Services of America, Inc. (Jackson Hewitt) – 93 W. Campbell Road.** The applicant requests a Waiver of Site Plan review to operate a tax preparation office in tenant space G-108, formerly Junior Shoe Port, 1,022 square feet, from January 1, 2025 – April 20, 2025 in ViaPort Rotterdam Mall.

WAIVER OF SITE PLAN REVIEW

Date: January 21, 2025

PC2025-W03

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

APPLICANT: Peter K Frueh, Inc.
Attn : Julia Gagliardi
ADDRESS: 117 Old Quarry Road
Feura Bush, NY 12067

PROJECT ADDRESS: 200 Von Roll Drive

APPLICANT IDENTIFIED AS: Owner Lessee Contract Vendee

REQUEST: The applicant requests a Waiver of Site Plan review to install a concrete pad for chemical storage on a ±22.12 acre parcel.

Action Taken by Commission:

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

1. Compliance with all NYS Building and Fire Codes and must obtain a building permit for the Town of Rotterdam Building Department.
2. Applicant shall obtain a Certificate of Compliance from the Town of Rotterdam Building Inspector prior to operation.
3. Applicant shall obtain any necessary permits required by NYSDEC.

The Commission action on the Waiver application took place at the Planning Commission meeting of January 21, 2025 and authorized the Commission Chairman to execute the Waiver. The issuance of this Waiver is contingent upon the applicant complying with all conditions as stated above. Failure to adhere to conditions may result in revocation of Waiver by the Town of Rotterdam Planning Commission and requirement of a full Site Plan.

Peter J. Comenzo
Senior Planner

Kimberly Ricker-Scannell, Chairman
Planning Commission



Town of Rotterdam
Waiver of Site Plan Review Application

RECEIVED

JAN 03 2025

TOWN OF ROTTERDAM
PUBLIC WORKS

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

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

PRESENT OWNER(S): Von Roll USA

APPLICANT(S)/LESSEE: Peter K. Frueh, Inc - Julia Gagliardi

MAILING ADDRESS: 117 Old Quarry Rd.

CITY: Ferka Bush STATE: NY ZIP: 12067
mike@PeterKFrueh.com

DAYTIME TELEPHONE: (518) 894-4084 EMAIL ADDRESS julia.gagliardi@peterkfrueh.com

PROJECT ADDRESS: 200 Von Roll Dr. Schenectady, NY 12306

APPLICANT IDENTIFIED AS: Owner ___ Lessee ___ Contract Vendee

REQUEST: Installation of a new concrete equipment pad.

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

SIGNATURE OF APPLICANT [Signature] DATE 1/3/25

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

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

TOWN OF ROTTERDAM BUILDING PERMIT APPLICATION
Commercial & Multiple Dwelling

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

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

COST OF CONSTRUCTION:	\$\$\$ 66,945 [±]	
Property Address:	200 VanRoll Dr. Schenectady, NY 12306	
Property Owner:	Von Roll USA, Inc.	
Property Owner Address:	Switzerland - Breitenbach	
Property Owner Phone No.: 518-344-7126		
Email Address:	darren.mylie@altana.com	
Applicant:	Julia Gagliardi, Peter K. Frueh	
Applicant Address:	117 Old Quarry Rd. Feura Bush, NY 12067	
Applicant Phone No.:	518-767-3015	
Email Address:	julia.gagliardi@peterkfrueh.com	
Contractor:	Peter K. Frueh Inc	
Contractor Address:	117 Old Quarry Rd Feura Bush, NY 12067	
Contractor Phone No.:	518-894-4084	
Email Address:	julia.gagliardi@peterkfrueh.com	
Contractor Insurance:	<input checked="" type="checkbox"/> Liability <input checked="" type="checkbox"/> Workers Compensation (submit with application)	
Classification of Work:	<input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Alteration <input type="checkbox"/> Repair <input type="checkbox"/> Demolition <input type="checkbox"/> Accessory Building <input type="checkbox"/> Other (Describe) _____	
Do you have:	<input type="checkbox"/> Septic <input type="checkbox"/> Sewer	
Setbacks:	Front Yard: Existing <u>560 LF</u> Proposed <u>560 LF</u> Side Yard: Existing <u>535 LF</u> Proposed <u>535 LF</u> Rear Yard: Existing <u>473 LF</u> Proposed <u>473 LF</u>	
Description of Construction:	excavation in preparation for a new concrete equipment pad	

Applicant's Signature: Julie Layzi Date: 12/4/24

"A Nice Place to Live"

"A Nice Place to Do Business"

Town of Rotterdam
Department of Public Works
1100 Sunrise Boulevard
Schenectady, NY 12306
Phone: 518-355-7575 x395
Fax: 518-355-2725

LETTER OF AUTHORIZATION FOR PERMIT AND ZONING APPLICATION

To Whom It May Concern:

I, Darren Mylie, as owner of the property located
(print name)

at 200 VonRoll Drive, Town of Rotterdam, in the

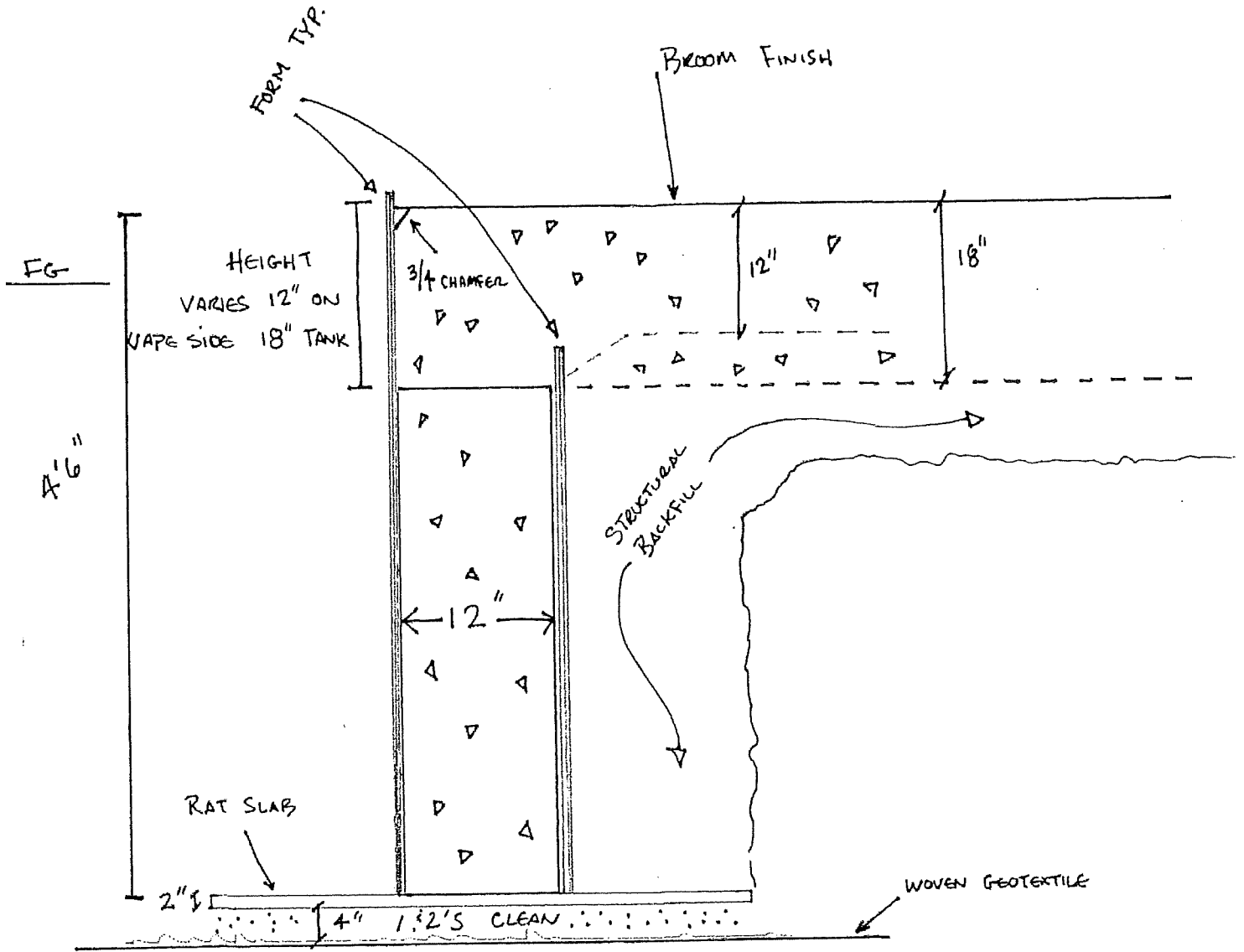
State of New York, hereby designate Peter K. Fuchs
(name)
117 Old Quarry Road, Fonda Bush, NY 12067 518 767 3015
(city, state, zip, and phone number)

as my contractor and registered agent for the purposes of the applying for
Permits and Zoning representation regarding my building project.

Signature: Darren Mylie

Date: 12-5-2024

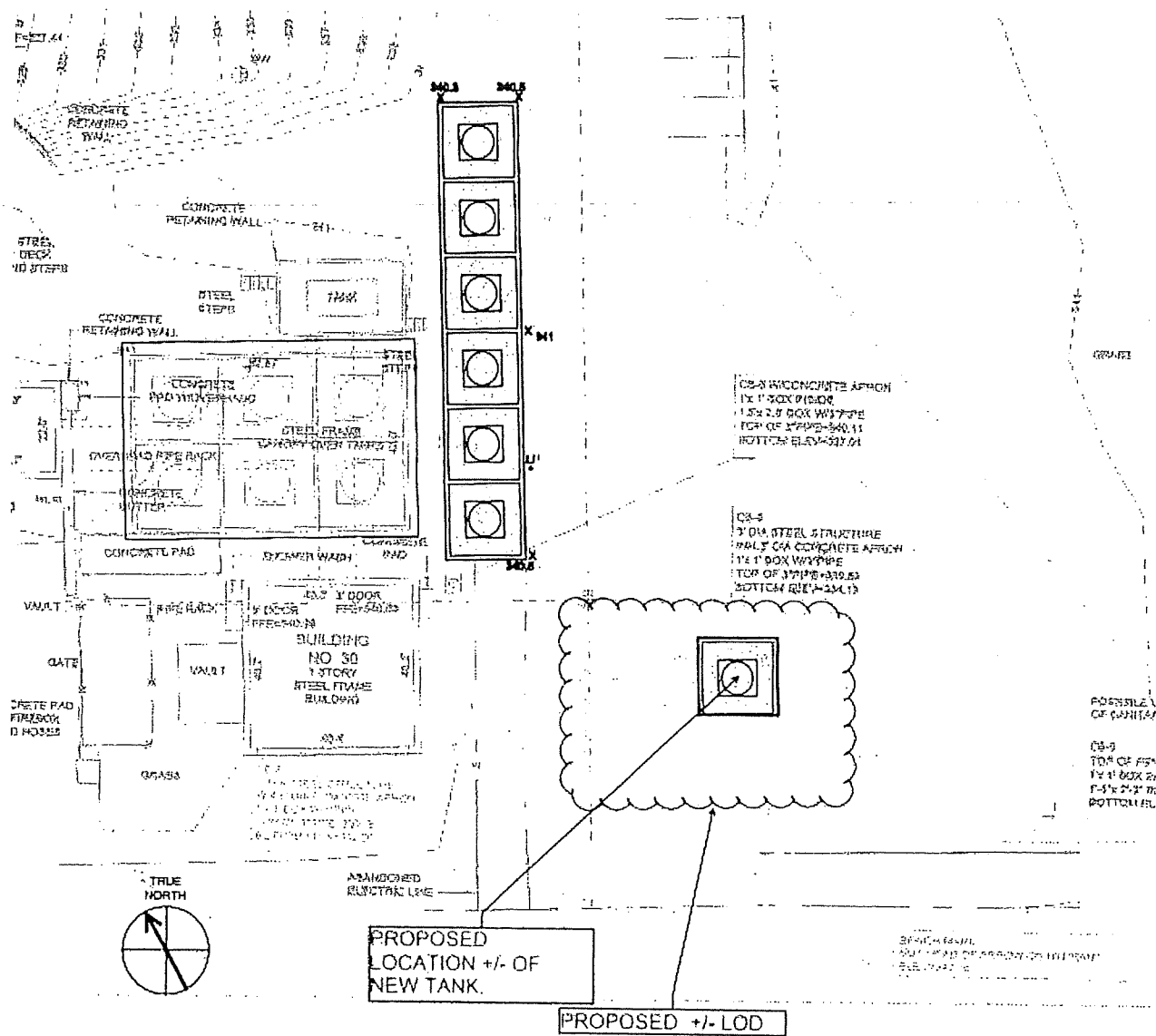
VONROLL - WALL SECTION



FORM AND POUR WALL.
 STRIP INTERIOR PANEL FOR BACKFILL
 UTILIZE OUTSIDE PANEL AS SLAB FORM.

Peter K. Truett

DATE: 11-5-2024	APPROVED BY: JMC
<input checked="" type="checkbox"/> APPROVED: <input type="checkbox"/> APPROVED AS NOTED <input type="checkbox"/> HOLD <input type="checkbox"/> REJECTED	
<input type="checkbox"/> BILL <input type="checkbox"/> REVISE & RE-SUBMIT <input type="checkbox"/> FOR TRACKING ONLY	



VonRoll
ELANTAS
 200 Von Roll Dr, Schenectady
 New York 12306

SITE PLAN FOR PROPOSED NEW TANK

Peter K. Frueh
 -INC-

WAIVER OF SITE PLAN REVIEW

Date: January 21, 2025

PC2025-W04

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

APPLICANT: Sarita Lopchan

ADDRESS: 461 State Route 146 (4-302)
Guilderland Center, NY 12085

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

APPLICANT IDENTIFIED AS: Owner X Lessee Contract Vendee

REQUEST: The applicant requests a Waiver of Site plan review to operate a café in tenant space G-106, former Gertrude Hawk, ±1,875 square feet from February 1, 2025 – January 31, 2026 in Via Port Rotterdam.

Action Taken by Commission:

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

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

The Commission action on the Waiver application took place at the Planning Commission meeting of January 21, 2025 and authorized the Commission Chairman to execute the Waiver. The issuance of this Waiver is contingent upon the applicant complying with all conditions as stated above. Failure to adhere to conditions may result in revocation of Waiver by the Town of Rotterdam Planning Commission and requirement of a full Site Plan.

Peter J. Comenzo
Senior Planner

Kimberly Ricker-Scannell, Chairman
Planning Commission



RECEIVED

JAN 08 2025

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

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

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

APPLICANT(S): SARITA LOPCHAN

ADDRESS: 461 STATE ROUTE 146 4-302, GUILDERLAND CENTER 12085

DAYTIME TELEPHONE: 518-986-9318 (FAX) _____

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

REQUEST: OPENING A BAKERY (CAFE). WILL BE SELLING COOKIES, PIES, SCONES, COFFEE, ETC.

2 EMPLOYEES. BUSINESS HOURS MON-SATURDAY 11-7pm SUNDAY 11-5pm.

LICENSE AGREEMENT DATE: 01/08/2025 - AREA: BQ 1875SF

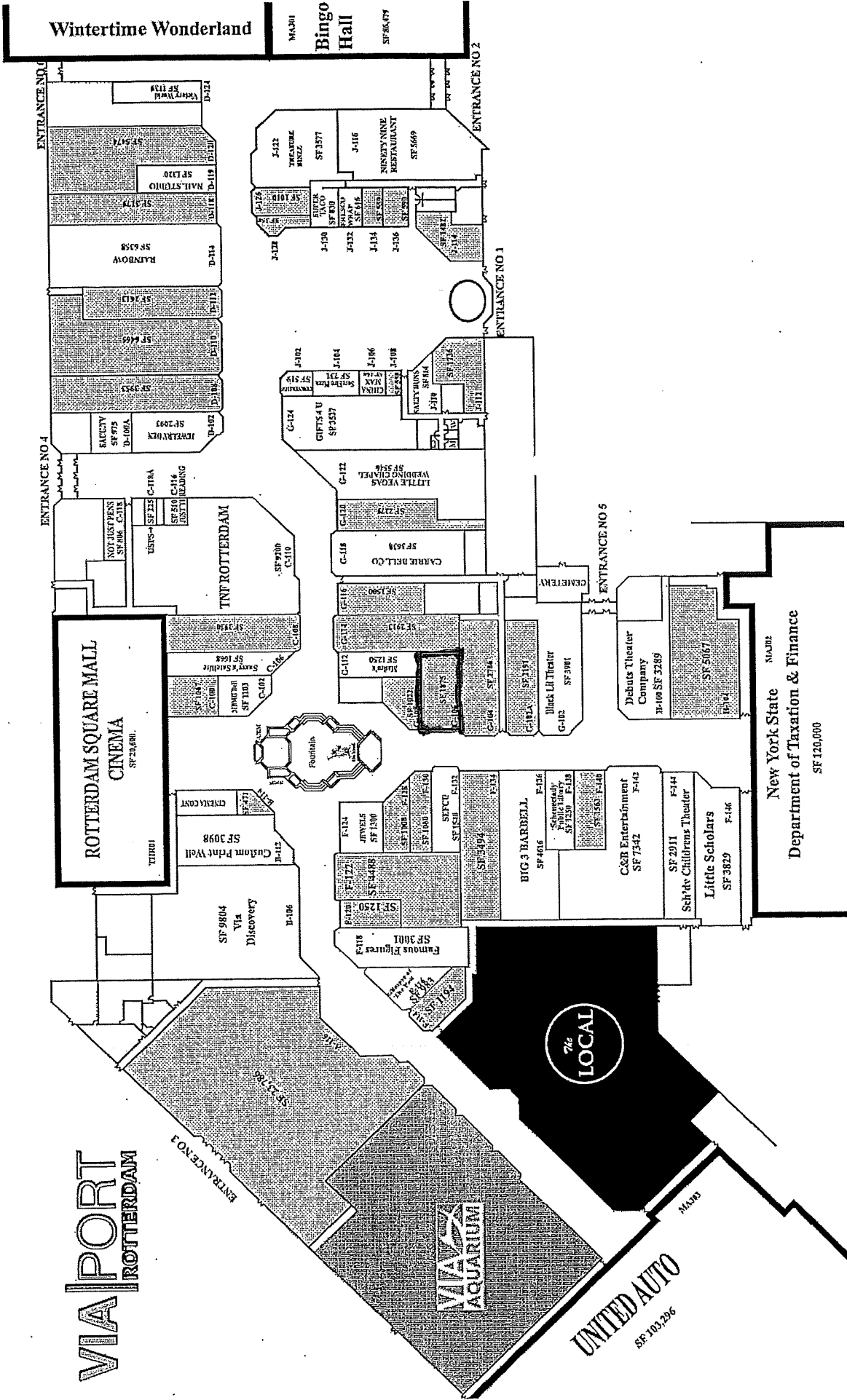
TERM: FROM 02/01/2025 TO 01/31/2026 KIOSK OR TENANT SPACE #: 9 106

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

SIGNATURE OF APPLICANT [Signature] DATE 01/08/2025

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** All businesses located in the Town of Rotterdam must receive Planning Commission approval and a Certificate of Compliance issued by Building Inspector prior to occupancy.
6-16-23



WAIVER OF SITE PLAN REVIEW

Date: January 21, 2025

PC2025-W04

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

APPLICANT: Tax Services of America Inc. d/b/a Jackson Hewitt Tax Service

ADDRESS: PO Box 941290
Maitland, FL 32794-1290

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

APPLICANT IDENTIFIED AS: Owner Lessee Contract Vendee

REQUEST: The applicant requests a Waiver of Site Plan review to operate a tax preparation office in tenant space G-108, formerly Junior Shoe Port, 1,022 square feet, from January 1, 2025 – April 20, 2025 in ViaPort Rotterdam Mall.

Action Taken by Commission:

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

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

The Commission action on the Waiver application took place at the Planning Commission meeting of January 21, 2025 and authorized the Commission Chairman to execute the Waiver. The issuance of this Waiver is contingent upon the applicant complying with all conditions as stated above. Failure to adhere to conditions may result in revocation of Waiver by the Town of Rotterdam Planning Commission and requirement of a full Site Plan.

Peter J. Comenzo
Senior Planner

Kimberly Ricker-Scannell, Chairman
Planning Commission

\$100.00

RECEIVED

JAN 09 2025



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

TOWN OF ROTTERDAM
PUBLIC WORKS

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

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

APPLICANT(S): TAX SERVICES OF AMERICA, INC DBA JACKSON HEWITT TAX SERVICE

ADDRESS: P.O. Box 941290 MAITLAND FL 32794

DAYTIME TELEPHONE: 407-616-3896 OR 407-691-0004 (FAX) _____

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

REQUEST: operate Jackson Hewitt

LICENSE AGREEMENT DATE: 12/11/2021 AREA: 1022 sq ft

TERM: FROM 01/01/2025 TO 04/20/2025 KIOSK OR TENANT SPACE #: G-108

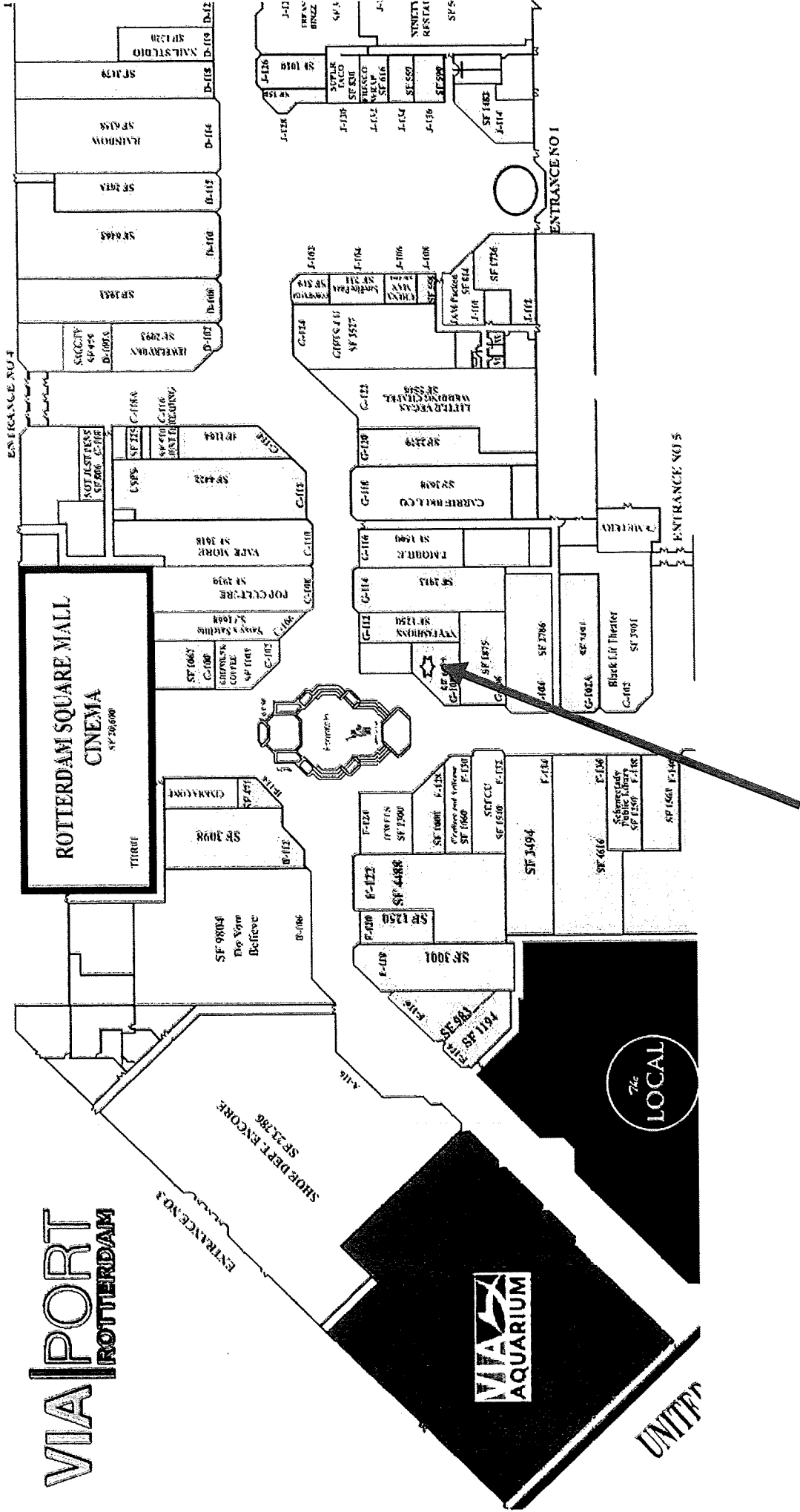
By signing the application, it is understood by the applicant that he/she must fully comply with the Town Code and obtain any required permits.

SIGNATURE OF APPLICANT DATE 01/06/2025

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

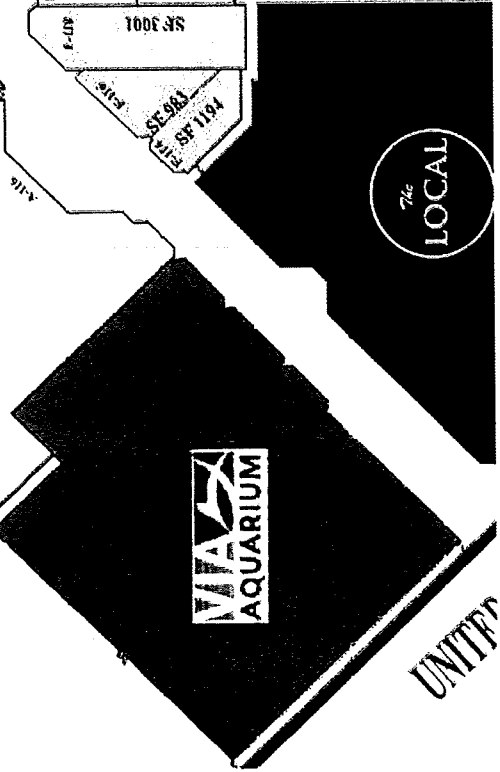
** All businesses located in the Town of Rotterdam must receive Planning Commission approval and a Certificate of Compliance issued by Building Inspector prior to occupancy.
6-16-23

VIA PORT ROTTERDAM



JACKSON HEWITT TAX SERVICE	11061	SQ FT 1022	93 W Campbell Road	Schenectady	NY	12306
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#11061





ANCILLARY SERVICES INCLUDING TANGIBLE PERSONAL PROPERTY AND BUSINESS LICENSING FOR MULTI-STATE CORPORATIONS

January 8, 2025

Town of Rotterdam

**RE: LETTER OF INTENT
TAX SERVICES OF AMERICA, INC.
D/B/A: JACKSON HEWITT TAX SERVICE**

LOCATION:

11061	93 W Campbell Road	Schenectady	NY	12306
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Lisa:

Retail Tax Solutions handles all Business Licensing needs for Tax Services of America, d/b/a Jackson Hewitt Tax Service (TSA dba JH).

1. Name of business: Jackson Hewitt Tax Service
2. Address listed above.
3. Business Owner Contact Information:
Jackson Hewitt Tax Service
P.O. Box 941290
Maitland, FL 32794-1290
407-691-0004
JTAX@ RetailTaxSolutions.com
4. There will be 3 employees at this location.
5. This office opens annually, Monday through Sunday, January 01 through April 15 of each year.
6. 01/01/2025 when will be open for business – will open as soon as possible

Please mail all invoices, correspondence, or bills to:

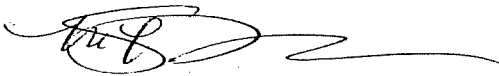
Jackson Hewitt Tax Service
P.O. Box 941290
Maitland, FL 32794-1290

Or email all invoices, correspondence, or bills to:
JTAX@RetailTaxSolutions.com

We are aware that inspections will need to take place. Please email us at JTAX@RetailTaxSolutions.com with instructions.

Should you have any questions regarding same, please do not hesitate to call 407-691-0004, please note, email is the best and fastest way to receive a response.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Sattizahn', with a long horizontal flourish extending to the right.

Maria Sattizahn, GTG, Agent

DPW Comments
January 16, 2025

1. **Stewarts Shops Corp – Highbridge Road.** Preliminary Site Plan/Special Use Permit review for the construction of a ±3,975 square foot Stewarts with three (3) fueling islands on a consolidated ±2.23-acre parcel. Engineer: Scott Edward Kitchner PE.
 1. **Comment from July 16th should be addressed:** Sidewalks should be added along Sherman Street and Highbridge Road. Additional fencing along Sherman, Highbridge, and Mercer should match the Stewarts recently constructed on Guilderland Avenue with decorative fence and pilasters matching the building. Switch stockade fencing along Mercer and match material with white vinyl proposed for 107 Mercer. A pedestrian opening in the fence and sidewalk should connect to Mercer to serve the residents in the neighborhood.
 2. See attached verbatim minutes from the July 16, 2024 Planning Commission meeting.
 3. See TDE review letter from GPI dated January 15, 2025.
 4. At the request of both the Town and Schenectady County, the applicants have updated the site plan to include a crosswalk equipped with a Rapid Flashing Beacons on Highbridge Road.

DPW Comments July 16, 2024

1. Applicant has made changes to the site plan based upon discussions with the Planning Commission at the June 18, 2024 meeting.
2. Project will need review by Schenectady County DPW and a meeting has been scheduled to discuss pedestrian and roadway access. Once access is finalized, applicant should move forward with the engineering (drainage, septic design, etc.) and provide to TDE to begin technical review.
3. Applicant should revisit DPW comments from June 18th regarding fencing.
4. Applicant should memorialize agreement on vegetation removal and maintenance of remaining wooded area on Sherman Street and add note to map.
5. Planning Board may want to consider adding a note to plan that prohibits recorded music and ads being streamed on speakers before 8:00am or after 7:00pm to limit disturbance to neighboring properties during the quieter hours.
6. Sidewalks should be added along Sherman Street and Highbridge Road. Additional fencing along Sherman, Highbridge, and Mercer should match the Stewarts recently constructed on Guilderland Avenue with decorative fence and pilasters matching the building. Switch stockade fencing along Mercer and match material with white vinyl proposed for 107 Mercer. A pedestrian opening in the fence and sidewalk should connect to Mercer to serve the residents in the neighborhood.

Stewarts Shops - Highbridge Road
DPW Comments
January 16, 2025
Page 2

DPW Comments from June 18, 2024

1. Change of Zone to General Business (B-2) was granted by the Town Board on May 22, 2024.
2. The Town has been utilizing GPI as the TDE to assist with the review of this project.
3. Explain the elimination of the 4th fueling island from the original sketch plan. DPW has concerns for the elimination of these spaces and potential back-up at the pumps if customers choose to go into the store.
4. DPW has previously recommended relocating the store to the corner of Sherman and Highbridge to eliminate the pumps, canopy, and parking being the dominant feature of the site (See attached).
5. Canopy and pump islands should be detailed and suggest that they match the stone veneer on the building.
6. Fencing along Sherman and Highbridge should match the Stewarts recently constructed on Guilderland Avenue with decorative fence and pilasters matching the building.
7. Fencing along Mercer should be changed from stockade to white vinyl.
8. Planning Commission should discuss the proposed undeveloped area on Sherman Street. Lot is very overgrown with some less than desirable species of trees, some that are very large.
9. Need to coordinate the curb cut location and pedestrian improvements onto Highbridge Road with Schenectady County.

SEQR Requirement: 6 NYCRR 617 Unlisted Action. Rotterdam Town Board issued a Negative Declaration on May 22, 2024.

Involved/Interested Agencies

Schenectady County Economic Development and Planning
Schenectady County Department of Health
Schenectady County Department of Public Works
New York State Department of Environmental Conservation – Region #4
Rotterdam Highway Department
Rotterdam Police Department
Metroplex Development Authority
Fire District #3
Mohonasen Central School District

January 15, 2025

SENT VIA E-MAIL

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

RECEIVED

JAN 15 2025

TOWN OF ROTTERDAM
PUBLIC WORKS

**RE: TDE Review – Stewart’s Shops Highbridge Road
1100 Highbridge Road, Rotterdam, NY**

Dear Mr. Comenzo,

GPI has received the Site Development Plans and SWPPP provided by Stewart’s Shops Corp on 12/31/2024. GPI has reviewed the submitted materials and compiled comments on the materials submitted. Previous comments that have not been adequately addressed are included and begin with a P# to indicate they are from the prior review. Additional information has been added in **bold** to the end of the original comment for any clarification that could be provided. Listed comments below are only the issues identified during the review, the applicant will need to review all the materials produced for the submission for any related issues or conflicts in other reports/documents.

Previous Comments:

- A. P#4: Ensure that all signage meets the requirement of section 270-151. The sign face area should be calculated based on the code requirements. The free-standing sign must be at least 5’ from the property line.
- B. P#5: The underground petroleum tanks are required to be at least 25’ from the property line per Town Zoning Law section 270-145.1.
- C. P#6: The northwest corner of the parking lot does not provide adequate turning movement for the end spaces, consider revising.
- D. P#7: An off-street loading space is required per Section 270-150 of the Town code. The minimum dimensions are 15’ by 40’. **The unloading area shown near the dumpster is 18.5’ by 30’.**

NEW COMMENTS:**PLANS**

- 1. The applicant has provided a “Welcome to Highbridge” signage and wall detail for consideration. The Planning Board should review the signage for aesthetics.
- 2. Scales should be provided on the cover sheet for each of the elevations and signs that are detailed.
- 3. The address of the proposed Stewart’s on the cover sheet is shown as 1098, while the site address of 1100 has been established in other submitted documents. Please update the coversheet to reflect the 1100 address.
- 4. Existing onsite drainage structures do not appear to include inverts or pipes. Please clarify if any existing pipes connect offsite. There is a 24” pipe on the opposite side of Highbridge Rd near the

corner the with Peter Rd that appears to be coming from the proposed project site and should be investigated.

5. The existing 3 structures that will be removed are anticipated to each have their own sanitary leach field, however the existing conditions or demo plan do not identify the locations. The locations of these beds should be shown on the plans and how they will be removed.
6. Clearing the wooded area over the proposed sanitary field is likely to result in heavy equipment compacting the soils, which could limit infiltration capacity. The limits of the proposed field should be shown on the demo and E&SC plans and identified as an area where heavy machinery is not allowed. NYSDEC Deep Ripping and Decompaction guide can mitigate accidental soil compaction.
7. All existing water services to be removed shall have the service taps, tees, corporate stops, and piping removed to the main. Water main shall be restored. Add to plans and notes.
8. All work within the Highbridge Road ROW will require coordination and permitting from Schenectady County.
9. On the Proposed Site Plan, RRFB Detail note number 1 should include the timing for when the call should be placed to UDigNY. Additionally, DigSafe has been updated to UDigNY.
10. The sidewalk on the west side of the project site appears to lead pedestrians into the Sherman Street drive lanes and doesn't lead directly to a specific destination. The Applicant should consider aligning the sidewalk on the west side of the site with the striped parking space across the street.
11. The Site Plan shows callouts for the proposed water service, however the linework for the water service does not appear on this plan. Please review and update.
12. The petroleum storage tanks shown have a pad that does not cover the full length of the tanks. The concrete pad needs to extend at least 12" beyond the outline of the tank per NFPA 30. 23.5.2.3.
13. The parking stalls along the front of the building have inconsistent width dimensions, specifically stall #17. Please review and provide dimensions. All spaces should be a minimum of 9'x18'.
14. Snow storage areas need to be shown on the plans per the Town's Site Plan Application requirements.
15. The Applicant should add a stop bar for the new crosswalk shown on Mercer Ave.
16. Utility pole relocations and removals need to be coordinated with National Grid to confirm that the proposed changes are acceptable. Please send confirmation documentation to the Town.
17. There is a line type on the Utility Plan with the letter "C" that is not included in the legend and should be added.
18. The proposed UG-COM lines on the northeast corner of the site appears to potentially conflict with the proposed trees/plantings. Additionally, there are 2 trees in close proximity to the septic tanks that could conflict. There is not a plan sheet in the set that shows the utilities and vegetation at the same time to confirm.
19. Please include a label for the 100% expansion area shown adjacent to the proposed septic field for clarification.
20. The current location of the proposed relocated fire hydrant on Sherman Street is approximately 450' from an existing hydrant on the north side of Highbridge Road east of Mercer Avenue. The proposed relocation of the fire hydrant $\pm 30'$ to the north would make the distance between the hydrants $\pm 480'$ which may be more than the acceptable spacing between hydrants. Town Fire Chief should review hydrant location in compliance with the 2020 Fire Code of New York State.
21. The grading shown around the Sherman St driveway includes a 352 contour that does not appear to tie into the existing 352 contour. Please review the grading in this area to ensure that there are no abrupt grade changes along this driveway.

22. Please include a label with invert information where the dispenser canopy drain connects to the pipe between DMH-8 and DMH-9. Additionally, a cleanout should be provided at this blind connection for maintenance.
23. Please provide spot elevations where the sidewalk connects to Mercer Avenue (the northern sidewalk).
24. The curb detail indicates that the curbs around the site are 6" in height, however the contours/grading provided appears to indicate that the curbs are less than 6" in height. Please include TC/BC labels along the curbing to clarify the height of the curbing.
25. The proposed contours should be reviewed along the curb edges as they don't seem to reflect a 6" grade change. See curb line along the eastern side of the parking lot as an example.
26. The limits of grading/clearing/disturbance needs to be shown on the plans to verify the stormwater calculations.
27. Construction site access should be limited to the single entrance on Sherman St. Construction access from Highbridge is undesirable due to the higher traffic volumes.
28. The E&SC plan shows the concrete washout within 100' of proposed drainage inlets which conflicts with the notes on the concrete washout detail and NYSDEC guidelines. The Applicant should relocate the washout or consider including additional protection around the washout area if not feasible to move.
29. Inlet protection should be shown around the existing catch basin on the northwest corner of the intersection of Highbridge Rd and Mercer Ave.
30. The E&SC plan shows text for an "easement to NY Telephone Company as per map reference No.1" which should be shown on the existing conditions/demolition plan. Additionally, please provide clarification on how this easement will be changed based on the relocated poles and lot consolidation.
31. The E&SC Details sheet includes "Erosion & Sediment Pollution Control Guidelines" notes that references the "New York State Guidelines for Urban Erosion and Sediment Control, March 1998" which is outdated and no longer in use. Please revise the referenced standards to the current version of the manual "New York State Standards and Specifications for Erosion and Sediment Control (2016)" and verify that the details and E&SC practices used follow the current standards.
32. Please provide the calculations for how the internal landscaping requirements per Town code section 270-149, D are being met.
33. The lighting plan provided shows photometric values along the north side of the building that appear to abruptly stop, unlike most of the lighting shown around the rest of the site. Please provide clarification on why the lighting patterns along the north side of the building change from 7.8 to 0.0 where in most cases the light would slowly dissipate over a longer distance.
34. There are existing street lights along the southern side of Highbridge Road, however none are provided at the intersection with Mercer Ave. The Applicant should consider including a light pole or bollard lights along the sidewalk connections to Mercer Ave for pedestrian safety.
35. The Typical Parking Space detail should include a dimension that identifies 18' clear length from the bollard to the front of the parking space.

SWPPP

36. There is a new version of the NYSDEC General Permit for Stormwater Discharge from Construction Activity (GP-0-25-001) that will take effect on January 29, 2025. The SWPPP needs to be updated to identify the new permit reference and the project will need to meet any new permit requirements.

37. The underground infiltration chambers that are proposed to handle some of the stormwater runoff from the site are discussed as if they are "infiltration trenches (I-1)" in the report. This practice is classified as an Underground Infiltration (I-4), the report should be updated, and design requirements reviewed.
38. There are references to the Town of Glenville in section IX of the SWPPP that should be revised to the proper municipality.
39. The SWPPP and NOI indicate that the site discharges to the Mohawk River which is more than 3 miles away from the site. The receiving waters should be revised to indicate that the site discharges to Town and County drainage systems in the ROW.
40. Section XII of the SWPPP, subpart 5 indicates that there is a maintenance schedule on the E&SC plan however, a maintenance schedule could not be found on the plans.
41. The soil restoration criteria mentioned in Section XIII, 6 should include a reference to the 2008 Deep Ripping and Decompaction requirements.
42. Documentation from SHPO of No Adverse Impacts needs to be obtained prior to approval of the site plan application. This is of particular concern for the existing "old foundation" and "hearth" shown on the plans to verify that they are not of historical significance.
43. The SWPPP does not discuss Stormwater Hotspots as outlined in the 2024 SWDM, Section 4.14. The Applicant needs to review the SWDM requirements for stormwater hotspots, include a discussion in the SWPPP that outlines the requirements and how they are being met, and make any necessary modifications to the proposed stormwater management practices as needed to meet the requirements.
44. Please submit a draft version of the eNOI through the DEC's online portal to verify that it is properly filled out. The following comments apply to the information provided on the outdated paper NOI included on the SWPPP.
 - a. The project site information indicates that the project is located on the south side of the street, which does not appear to be correct.
 - b. The project site information indicates that the project is west of the crossroad indicated, while the site is on the east side of Sherman Street.
 - c. Prompt 9b does not need to be filled out as there is not a receiving wetland according to prompt 9a.
 - d. Prompt 29 should be revised to show the infiltration practice to be Underground Infiltration System instead of Infiltration Trench. Also, the contributing impervious area for the practice appears to be larger than 0.031 acres, please review and update.
 - e. Storing the CPv will be required for the portion of the site that is new impervious cover. Please provide calculations and a narrative in the SWPPP report on how the proposed practices meet the CPv requirement.
45. The subcatchments shown on the drainage maps do not appear to account for the crowned roads that surround the site. The areas included in the modeling should be revised to account for the portions of the road that drain towards the site.
46. A scale should be provided for the impervious cover comparison plan to verify areas.
47. A standalone Operations and Maintenance Plan (report) needs to be developed that outlines the entity responsible for long term operations and maintenance and includes all necessary information about post-construction inspections, schedules, things to look for, when to contact an engineer, and ongoing maintenance needs. The plan should include the O&M figure currently in the SWPPP along with the First Defense O&M manual. Detailed maintenance and inspection

information for the infiltration chambers needs to be provided. It is highly recommended the NYSDEC Maintenance Guidance of Stormwater Management Practices be followed and can be found on NYSDEC's website in the Construction Stormwater Toolbox.

MISCELLANEOUS:

48. Section B of the Site Plan Special Use Permit Application requires:

- a. A note needs to be added to the plans per that reads "Snowfall accumulations in excess of four (4) inches shall be removed from all parking areas/walkways within 48 hours." Additionally, the Applicant should coordinate with the Town who will be responsible for maintaining the proposed sidewalks.
- b. Signature space needs to be provided for the Chairman of the Rotterdam Planning Commission.
- c. Documentation needs to be provided from the Town of Rotterdam Water Department that the proposed demand and hydrant locations are acceptable. Additionally, the Town's Fire Chief will need to review the plans for circulation and hydrant relocation.
- d. A note needs to be added to the plans that reads "All lighting shall be shielded and/or placed in such a manner as to prevent off-site illumination."
- e. A note needs to be added to the plans that reads "Development must meet all NYS Building and Fire Codes."

Please feel free to contact us with any questions or clarifications.

Regards,

GPI/GREENMAN-PEDERSEN, INC.



Ryan Trunko, PE
Project Manager
80 Wolf Road, Suite 600, Albany, NY 12205
518-898-9551 | rtrunko@gpinet.com

1. Stewarts Shops Corp – Highbridge Road. Sketch Site Plan/Special Use Permit review for the construction of a ±3,975 square foot Stewarts with three (3) fueling islands on a consolidated ±2.23-acre parcel. Engineer: Soctt Edward Kitchner PE.

Ms. Scannell: So, first up this evening, we have Stewart Shops on Highbridge Road. We're going to take a look at a sketch site plan special use permit review for the construction of a plus or minus 3,975 square foot Stewarts with three fueling islands on a consolidated 2.23-acre parcel.

Welcome and how are you tonight?

Mr. Marshall: I'm good. How are you?

Ms. Scannell: We are well, thank you.

Mr. Marshall: I'm Chuck Marshall from Stewart Shops. With me is Molly Russell. Again, she started a couple months ago and her involvement, when we get to the end, will be noticed.

So, this is after our last meeting where, you know, someone kind of said it was like we had the neighbor, Tim and Elizabeth, who are both here tonight. We kind of went through more like a workshop. All the pieces of the puzzle and I'll just highlight what we got to.

So, we included sidewalk from Mercer to the store and then from Sherman to the store. I think, again, we don't show the length here and if that has to be extended, that is an element of the guidance we want from the board.

As we discussed, the building has no lights along the backside. The only light is the light above the dumpster. This photometric plan shows no light escape or fractional light escape in this instance, but no light escape around the main portion of the residence, and these are 3,000 Kelvin lights, which are the yellow in hue. We included the wall that was requested that goes along the frontage on Highbridge Road. We did not do the fencing. There's a reason for it, not just a lack of desire on our part. The fencing is three feet (3') tall, and it would block the monument sign that's been included in the wall. So, we just extended the wall, the length of the frontage and removed the ornamental fencing.

We did include the wall in the frontage and put the cupola on the building. And with all that, we get a presentation that's like this. The second thing or the last thing that we did to the canopy was we added the shingled gable or shingled mansard and here's where we're going to highlight Molly and her attention to detail. The rendering does not have a cupola. However, the elevation...

Ms. Scannell: Draw one on there for us right now.

Mr. Marshall: We were going to take pictures, but the elevation page does include it and it is obviously our intention to include that in the final plan.

In speaking with Tim and Elizabeth, the only concern that they, not the only, but one of the kind of the dwindling concerns that they have is the placement of these three (3) trees because they're concerned about the root system and how they interact with their existing trees. They're either going to provide alternative plantings from a species perspective to make them less canopy, shorter rooting trees or like I said to them earlier today, we would move the trees closer to our fence. I think that those are like the two (2) viable solutions.

I do need some guidance again on the fence along here. We called for it as stockade. That might have been a labeling issue. It's probably most appropriate for it to match the vinyl that's going along the property line with them. As we discussed, we would like to do the eight (8) foot, which it's my understanding this board can provide a waiver to eight (8) foot, but eight (8) foot just in the length of the property as it's perpendicular to Mercer. The section of fence that runs parallel to Mercer, we do think six (6) foot is appropriate. Again, it just wraps around the corner to shield the dumpster.

Without going into any further detail, I think that's my presentation. I think the points I was discussing or left with deliverables from my end on the last time. I'll take any questions.

Ms. Scannell: You did a very good deliverable job. Thank you very much.

Mr. Marshall: Thank you.

Ms. Scannell: Again, thank you from our perspective in being so willing to not only listen to the suggestions of us, but to truly listen to the adjoining property owners. You are already proving to be a most excellent neighbor. Thank you.

Mr. D'Alessandro, questions, comments, concerns?

Mr. D'Alessandro: It looks very nice. I like the wall. It looks really sharp on that. I think it adds a nice touch to the property. I also like the way you angled the pumps. I think that's going to make things easier with flow.

It looks really nice as far as I'm concerned. That's all I have.

Mr. Marshall: While we're discussing the wall, it did require we lost, because the right-of-way extends I guess it's north from Highbridge in, we lost about five feet between the edge of pavement, so we just pulled that back into our site, keeping the wall off the right of the right-of-way.

Ms. Scannell: I think the wall looks fantastic. Absolutely fantastic. I also wanted to mention thank you for I think probably listening to the feedback, but maybe from other projects, you know that we kind of in Rotterdam, we like to have that concrete going up around and thank you, thank you for having that there. It's really nice.

Mr. Calder, questions, comments, concerns?

Mr. Calder: No, not really. We had some conditions on here that I'm sure you've looked everything over. Stewarts has always been a good neighbor, so I think it's going to be a nice project. That corner is very rough and in bad shape as it is right now, and I think this is quite an improvement, so thank you.

That's it.

Ms. Scannell: Thank you. Mr. Collins?

Mr. Collins: No, I think it's a fantastic project, but I have a question for you. You did away with the fire suppression on top of the canopies, right?

Mr. Marshall: Yeah.

Mr. Collins: So, these have an emergency button, right?

Mr. Marshall: Correct. The building code changed that enabled the removal of the fire suppression. It has to be within 100 feet from an activated push button, and the reason is that there were more false activations, so people were getting covered in fire suppression material when they didn't need to.

Mr. Collins: I was just wondering, because that was just a question. So, they have them...

Mr. Marshall: Typically, they're always under the counter, so the way that the systems work, they're double-walled fiberglass tanks, which means there's an interstitial space that's filled with brine, and if the brine is affected by volume by the introduction of petroleum, that stays within the case. The reporting of that, those systems go both to the store itself and then to our office in Saratoga, and someone gets an emergency alarm if anything happens.

But the e-stops are typically outside the building, next to the front door, and under the counter. So, if there is an unfortunate event of an emergency, the partners are able to activate the stop of petroleum going, you know, more petroleum entering the pumps.

Mr. Collins: It was just a question.

Mr. Marshall: About five years ago, the building code changed, and we've...

Mr. Collins: Because they look terrible on top of those canopies.

Mr. Marshall: Yeah, I mean, in this instance it would have been hidden by the mansard, but yes, they don't look good, and on top of which, they don't operate effectively.

Mr. Collins: I think it's a great project. You've always been a good neighbor, and we're looking forward to when we do the one on Helderberg Avenue.

Mr. Marshall: That'll be back in the fall.

Ms. Scannell: Thank you, Mr. Collins. Mrs. Flansburg, questions, comments, concerns?

Mrs. Flansburg: I don't know if you had the comments from...

Mr. Marshall: I don't have them in front of me, unfortunately.

Mrs. Flansburg: So, I will just skip around to ones that I thought were important.

There was a comment number, so there were six comments. The sixth one said, was this the one I wanted to talk about? No, the fifth one. Planning Board may want to consider adding a note to the plan that prohibits recorded music and ads being streamed on speakers before 8 a.m. or after 7 p.m. to limit disturbance to neighboring properties during the quieter hours.

It's the first time in all my time that I recall ever seeing something like this. First off, do you even have...

Mr. Marshall: We have what's called... In our newer stores, we have what's called mood music.

Mrs. Flansburg: Outside?

Mr. Marshall: No, it's only inside.

There are some advertisements that play, but I think I can achieve the condition.

Mrs. Flansburg: I'm not entirely behind the condition. I was seeing how it fit.

Mr. Marshall: Again, because my boss does not watch the Town of Rotterdam Planning Board, you want to be in favor of the condition. I'm just kidding.

Mrs. Flansburg: Okay but I didn't know if you guys have gas station TV, which I know some places have. I couldn't think of anything. There's no ordering outside?

Mr. Marshall: No, there's no ordering outside.

Mr. Comenzo: There are speakers at the pumps.

Mrs. Flansburg: There might need to be.

Mr. Marshall: I think there is a separation. When I get to... Like I always try and do, I get some deliverables at the end. One of the things I'll touch on is that I'll see what... I don't think I can do away with the intercom.

I think I can do away with the constant music.

Mrs. Flansburg: External constant music. Inside, they should have whatever they have.

Ms. Scannell: I think you guys normally, at least when I say I want to pay inside, they always say, hi, pump number three (3) like for loss prevention purposes. So, we would want to stifle that, of course.

Mr. Comenzo: But there is recorded ads, I guess, at the pump when they're pumping. We have similar language. We did this with Burger King, I think it was. Every time you pull up, it would say, do you want to buy two hamburgers for five bucks or whatever it would be. And it's like every time somebody would pull up, it would be the same message. And so, we had them get rid of the speakers externally or at least get rid of the recording.

Mrs. Flansburg: I feel like we did something like this over on Cox Avenue, but this was just different because it wasn't a drive-through kind of a thing. So that was one of the things. And then when you did the original part of your presentation, you talked about the sidewalk going over to the left and whether or not it should or shouldn't go further. This is just me, one person, I think where you have it, too, is fine. The buffer stays for a reason. And if you put sidewalk down where the buffer is, then that person's property is going to more likely have pedestrians near it, and I guess we would probably want to keep them further away from it.

Mr. Marshall: And I apologize her property is actually, it's either in an estate or a trust and so I don't know her name, but she has requested a fence in here. It'll be a compliant fence and it's something we don't have a problem doing. We are going to, which I'll confirm via email to you, Peter, we are going to do soil testing on Monday. It's probably at that time appropriate for GPI to meet our guys on site only to identify the trees that should remain. I know that we don't want to come in and clear everything, but there are some locusts and there are some scrappy dead things that should be taken out of there, in addition to what we explicitly need for the installation of the septic system.

Mr. Comenzo: Do you have an arborist that is available to go on? Can we do a subsequent?

Mr. Marshall: That's what I'm saying.

Mr. Comenzo: I mean, in terms of the different species, as to what, you know, looks like, especially with the disturbance, something that's hanging over one of the neighbors' property, you may want to take out. It's a tough one because, you know, it's very overgrown over there and you don't want to get rid of the buffer. But on the other hand, you don't want to clear the property and then have trees falling down on the adjacent property.

Mr. Marshall: Again, I spoke with Tim and Elizabeth earlier, and I told them the things that they think beneficial to save, they should mark. I guess what we would do is, I guess my question is, do you want GPI to investigate the site to confirm?

Mr. Comenzo: Yes, I need to just check on their availability and then I would imagine we'd have to have you mark them with some flagging or something and we can take a look at it.

Ms. Scannell: Thank you. Mr. Signore, questions, concerns, comments?

Mr. Signore: I want to say that you went over and above I would think what you really would have had to. And, you know, you've done everything to please the neighbors in the area. It's really a sharp looking project. And, like, before we go, I would like to know, are you guys pretty satisfied with, you know, the remainder of the trees and the bushes?

Tim: Yeah. For the most part.

Mr. Signore: Because as this goes on, I mean, you know, say it now, because as it goes on, you may not be able to do it later. But you guys, basically, are you guys good?

Tim: Yeah. I mean, we've been following the slow steps.

Ms. Scannell: So, since we're not having a public hearing tonight, I think a thumbs up, a thumbs down. The Planning Commission would like a thumbs up. Awesome. Thank you.

And I would imagine that moving forward we're going to see that same continued relationship. If anything changes, you could call Peter, right, because he's at his desk all day long. Anything else, Mr. Signore?

Mr. Signore: No, I'm good.

Ms. Scannell: Awesome. Thank you. Mr. Miglucchi, questions, comments, concerns?

Mr. Miglucchi: It looks great. It's a good plan. I appreciate Stewarts. I appreciate the Dake family for what they've done over the years for the residents and that. And just like Joe, if you people are okay with it, I'll be okay with it. That's all I have.

Ms. Scannell: Very good. Thank you, Mr. Miglucchi.

Peter, is there anything that you would like to have discussed on the record?

Mr. Comenzo: Yes, I guess the only thing is we have a meeting scheduled for Friday with County DPW to talk about Highbridge Road and the access to finalize kind of the layout and what we're looking at. Then the next stage of the process is we probably will not see Chuck for a meeting or two because the GPI and Stewart's will work on the engineering part of it, the stormwater and utilities and that type of thing, and then we will come back probably with a final plan in a couple weeks.

Ms. Scannell: Super.

I have just a quick question for the DPW comments of July 16, 2024. Applicants should memorialize agreement on vegetation removal and maintenance of remaining wooded area on Sherman Street and add note to map. Who is the agreement with?

Mr. Marshall: I think it's just what we were talking about earlier with what trees are coming out and what trees are remaining. I don't think that there's a formal agreement. It's just the site plan and confirmation by GPI that what we're proposing to remove is appropriate. I do want to talk about the timing though.

Did you send this to the 239 referral?

Mr. Comenzo: I did for the change of zone. I will after our meeting Friday. Actually, the county will be there so I will send a formal 239 to them and they have 30 days to respond but typically they'll turn it around a little quicker.

Ms. Scannell: Mr. Valiquette, do you have any questions or concerns about anything?

Mr. Valiquette: No, I think generally all the questions that I would have had have been asked.

Mr. Marshall: Thank you very much. I'll see some of you on Friday.

Ms. Scannell: Thank you. Thank you for coming too, Molly.

DPW Comments
January 16, 2025

2. **Stewarts Shops Corp – 1841 Helderberg Avenue.** Concept/Sketch Site Plan/Special Use Permit review to construct a ±4,500 square foot convenience store with four (4) fueling islands on a 0.87-acre parcel. Engineer: Scott Edward Kitchner PE.
 1. The Town Board by Resolutions 60.20 & 61.20 approved a Change of Zone for 1841, 1832 & 1829 Helderberg Avenue and 1827 & 1829 Curry Road from Retail Business (B-1) to General Business (B-2).
 2. TDE has already been assigned and escrow account established to begin review.
 3. Prior to additional engineering, a project meeting should be coordinated with Schenectady County, NYSDOT and the Town to discuss access to the site and potential signal adjustments which are complex given the location.
 4. The project is located in the recently completed Curry Road Multi-Modal Study Area. Recommendations from this study should be incorporated into the design.
 5. Air pump is proposed to be located in a very congested location and may create safety issues. Ideally this would be relocated to proposed spaces 26-32.
 6. Add crosswalk in parking lot from building to sidewalk on Helderberg Avenue.
 7. Fencing along Curry Road and Helderberg Avenue should match the Stewarts recently constructed on Guilderland Avenue with decorative fence and pilasters matching the building. A pedestrian opening in the fence and sidewalk should connect to the store.
 8. A covered area similar to the proposed Stewarts on Highbridge Road should be considered along the south side of the building to provide shelter for outdoor seating and enhance building aesthetics.

SEQR Requirement: 6 NYCRR 617 Unlisted Action. Rotterdam Town Board issued a Negative Declaration on February 12, 2020.

Involved/Interested Agencies

Schenectady County Economic Development and Planning
Schenectady County Department of Health
Schenectady County Department of Public Works
New York State Department of Environmental Conservation – Region #4
Rotterdam Highway Department
Rotterdam Police Department
Metroplex Development Authority
Fire District #3
Mohonasen Central School District

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

PART III

SPECIAL USE PERMIT/SITE PLAN APPLICATION General Information

Legal Owner's Name: Stewart's Shops Corp.

Mailing Address: P.O. Box 435

City: Saratoga Springs State: NY Zip: 12866

Daytime Phone: (518) 269-0664 E-mail: cmarshall@stewartsshops.com

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

Owner's Designated Contact: Charles Marshall

Mailing Address: Contact information same as above

City: _____ State: _____ Zip: _____

Daytime Phone: _____ E-mail: _____

Project/Proposal Site Area (Acres or sq. ft.): 0.87

Assessor Tax Parcel No.(s) of Proposal Site: 59.9-1-10.1

Serge Nicolas - 1819 Helderberge Ave (SBL: 59.9-1-7)

Adjacent Area Owned or Controlled (Acres or sq. ft.): Marcia Roopnarine - 1825 Curry Rd (SBL: 59.9-1-13.1)

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

Street Address of Proposed Site (if any): 1841 Helderberg Ave

Describe Existing Use(s) on Proposed Site (Such as buildings, well, sewer drainfield and others): _____
Existing use is a Stewart's Shop (convenience store) with self-service fueling and a residence which is now vacated.

Existing Zoning Classification: B-2

School District: Mohonasen

Fire District: Fire District #2 - Curry Road

Water Supply Town of Rotterdam

LEGAL INFORMATION

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

Site sits on the west side of the intersection of Helderberg Ave and Curry Road

Name of public road (s) providing access: Curry Road and Helderberg Ave

Width of property fronting on public road: 254ft on Curry Road and 255 ft on Helderberg Ave

Attach deed or legal description.

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

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

Redevelopment of the existing Stewart's Shop convenience store

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

Permanent

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

FILL OUT FOR SPECIAL USE PERMIT APPROVAL ONLY (§ 270-167)

(Failure to answer all of these questions completely may result in denial of the special use permit)

- (1) Is the establishment, maintenance or operation of the special use detrimental to or an endangerment to the public health, safety, morals, convenience or general welfare? If not, please explain:

No, the existing Site contains a 3,523 square foot convenience store and fuel canopy with six positions. The proposal includes a 4,500 square foot store with eight positions for vehicle fueling. The intensity of the different being the square footage and the two additional fueling positions.

- (2) Is the special use injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, and does it substantially diminish and impair property values within the neighborhood? If not, please explain:

The adjoining properties are B-1 on Curry and R-1 on Helderberg. According to NYSDOT the traffic on Helderberg Ave is 7,727 cars/day and 17,969 on Curry Road and the use considered "pass-by" according to Institute for Transportation Engineers

- (3) Does the establishment of the special use impede the normal and orderly development and improvement of the surrounding property? If not, please explain:

No, the adjoining properties are built out.

- (4) Have adequate utilities, access roads, drainage and/or necessary facilities been or are being provided? If yes, please explain:

The store has been operational since 1969 with gas added circa 1982, the proposed expansion of the facility takes into account the background growth in the community during that time.

- (5) Have adequate measures been or will be taken to provide ingress or egress as to minimize traffic congestion in the public street? If yes, please explain:

The proposed access configuration attempts to move driveways further from the intersection which improves the configuration.

If you have any additional comments, please attach them on a separate sheet of paper.

PART IV

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

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

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

Name: Charles Marshall - Stewart's Shops Corp. Date: December 26, 2024

Address: P.O. Box 435 Phone: (518) 269-0664

Saratoga Springs, New York Zip: 12866

Charles Marshall 12/26/24
*#1 Signature of Owner #1 Charles Marshall Date

Notary
(For Signature #1 Above)

STATE OF NEW YORK) ss:
COUNTY OF SCHENECTADY)

SUBSCRIBED AND SWORN to me this 26th day of December, 2024

NOTARY SEAL

Joanne McDermott
Notary Signature

JOANNE D. MCDERMOTT
Notary Public Reg. #01MC6117949
State of New York, Saratoga County
My appointment expires: Commission Expires Nov. 1, 2028

Name: _____ Date: _____

Address: _____ Phone: _____

_____ Zip: _____

*#2 Signature of Owner #2 Date

Notary
(For Signature #2 Above)

STATE OF NEW YORK) ss:
COUNTY OF SCHENECTADY)

SUBSCRIBED AND SWORN to me this _____ day of _____, 20 ____.

NOTARY SEAL

Notary Signature

Notary Public in and for the State of New York
My appointment expires: _____

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard Rotterdam, New York on Wednesday, February 12, 2020 at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 60.20

WHEREAS, the Town Board of the Town of Rotterdam intends to comply with the requirements of the Environmental Review Process under the State Environmental Quality Review Act (SEQRA) and has reviewed this project as an Unlisted Action pursuant to 6 NYCRR Part 617; **NOW**

THEREFORE, UPON MOTION OF Councilmember CHRISTOU, seconded by Councilmember GUIDARELLI,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby adopts the Negative Declaration, dated February 12, 2020, to allow for a Change of Zone request from Retail Business (B-1) to General Business (B-2) on the following properties:

1841 Helderberg Avenue (Stewart's), known as Tax Map No. 59.9-1-10
1829 Helderberg Avenue (Rotter), known as Tax Map No. 59.9-1-9
1827 Curry Road (Gallagher), known as Tax Map No. 59.9-1-12
1829 Curry Road (Martin), known as Tax Map No. 59.9-1-11
1823 Helderberg Avenue (Evans), known as Tax Map No. 59.9-1-8

Applicant is proposing the construction of a new ±3,695 square foot Stewart's Shop with associated four island fuel dispensing facility. Site development will require demolition of an existing Stewart's Shop and four additional neighboring buildings all currently zoned Retail Business (B-1).

SECTION 2. The Town Board of the Town of Rotterdam hereby authorizes the Senior Planner to distribute all documents as necessary to comply with 6 NYCRR Part 617.12 (State Environmental Quality Review).

SECTION 3. This resolution shall become effective February 12, 2020.

**BY ORDER OF THE ROTTERDAM TOWN BOARD
DIANE M. MARCO, TOWN CLERK**

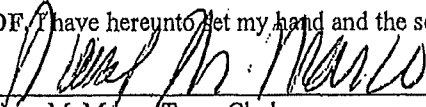
DATED: February 12, 2020

NAME	AYES	NOES	ABSTAIN
Christou	X		
Guidarelli	X		
Miller-Herrera			
Signore	X		
Tommasone	X		

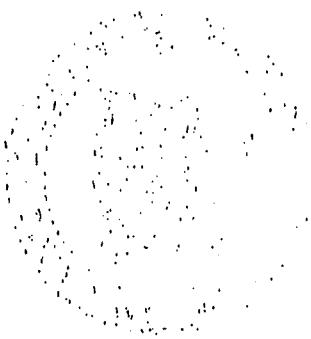
I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on February 12, 2020 and that the foregoing is a true and correct transcript of the original resolution and of the whole thereof and that said original resolution is on file in the Town Clerk's Office.

I DO FUTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this February 13, 2020.



Diane M. Marco, Town Clerk



At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard Rotterdam, New York on Wednesday, February 12, 2020 at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 61.20

WHEREAS, a public hearing was called for by the Town Board of the Town of Rotterdam on December 11, 2019; and

WHEREAS, pursuant to notice duly published in the official newspaper of the Town of Rotterdam, the Town Board of the Town of Rotterdam held a public hearing on the 22nd day of January 2020 at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York, at 7:00 p.m.; and

WHEREAS, said public hearing was conducted on January 22, 2020, at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York, upon adoption of a Proposed Local Law of the Year 2020, for the following purpose:

To allow for a Change of Zone request from Retail Business (B-1) to General Business (B-2) on the following properties:

1841 Helderberg Avenue (Stewart's), known as Tax Map No. 59.9-1-10
1829 Helderberg Avenue (Rotter), known as Tax Map No. 59.9-1-9
1827 Curry Road (Gallagher), known as Tax Map No. 59.9-1-12
1829 Curry Road (Martin), known as Tax Map No. 59.9-1-11
1823 Helderberg Avenue (Evans), known as Tax Map No. 59.9-1-8

Applicant is proposing the construction of a new ±3,695 square foot Stewart's Shop with associated four island fuel dispensing facility. Site development will require demolition of an existing Stewart's Shop and four additional neighboring buildings all currently zoned Retail Business (B-1).

WHEREAS, all persons were duly heard both in the affirmative and negative thereon; **NOW**

THEREFORE, UPON MOTION OF Councilmember CHRISTOU, seconded by Councilmember GUIDARELLI,

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF ROTTERDAM

LOCAL LAW NO. THREE (3) OF THE YEAR 2020

SECTION 1. Proposed Local Law of the Year 2020 of the Town of Rotterdam to allow for a Change of Zone request from Retail Business (B-1) to General Business (B-2) on the following properties:

1841 Helderberg Avenue (Stewart's), known as Tax Map No. 59.9-1-10
1829 Helderberg Avenue (Rotter), known as Tax Map No. 59.9-1-9
1827 Curry Road (Gallagher), known as Tax Map No. 59.9-1-12
1829 Curry Road (Martin), known as Tax Map No. 59.9-1-11
1823 Helderberg Avenue (Evans), known as Tax Map No. 59.9-1-8

Applicant is proposing the construction of a new ±3,695 square foot Stewart's Shop with associated four island fuel dispensing facility. Site development will require demolition of an existing Stewart's Shop and four additional neighboring buildings all currently zoned Retail Business (B-1).

SECTION 2. Local Law No. Three (3) of 2020 of the Town of Rotterdam shall be adopted, and the Town Clerk is hereby directed to file such local law in the Office of the New York State Department of State in compliance with all applicable legal requirements.

SECTION 3. This local law shall take effect upon filing with the Secretary of State of the State of New York, as required by Section 27 of the Municipal Home Rule Law.

**BY ORDER OF THE ROTTERDAM TOWN BOARD
DIANE M. MARCO, TOWN CLERK**

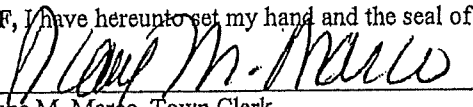
DATED: February 12, 2020

NAME	AYES	NOES	ABSTAIN
Christou	X		
Guidarelli	X		
Miller-Herrera			
Signore	X		
Tommasone	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on February 12, 2020 and that the foregoing is a true and correct transcript of the original resolution and of the whole thereof and that said original resolution is on file in the Town Clerk's Office.

I DO FUTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this February 13, 2020.



Diane M. Marco, Town Clerk