

**Town of Rotterdam Planning Commission
Minutes of April 16, 2024 Meeting**

The Rotterdam Planning Commission held a meeting on Tuesday, April 16, 2024, 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 Mark D'Alessandro Wayne Calder Joseph Signore Joseph Miglucci Peter Comenzo, Town Planner Stephen Valiquette for Courtney Heinel, Attorney Marlo Carter, Secretary	Excused:
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Chairman Scannell called the workshop to order at 7:00 p.m.

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

Waivers:

- 1. Gillette Shows Inc. – 93 W. Campbell Road.** The applicant requests a Waiver of Site Plan review to hold a carnival from May 23, 2024 to June 2, 2024 in parking Lot E (southern portion of former K-Mart lot) of ViaPort Rotterdam.

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

1. Compliance with all NYS Building and Fire Codes.
2. Compliance with all applicable state and county laws and regulations, including as applicable, Department of Labor safety inspection/approval requirements and Department of Health inspection/approval requirements.
3. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Inspector/Code Enforcement Officer prior to operation.
4. Applicant shall receive a carnival permit from the Town of Rotterdam Town Clerk prior to operation.
5. Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.
6. All applicable NYS and CDC Guidelines shall be followed. Please visit forward.ny.gov and www.cdc.gov.

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

- 2. Lecce Development Co. LLC & Lecce Senior Living – Helderberg Avenue (rear) and Helderberg Avenue.** The applicant requests a Waiver of Subdivision to Boundary Line Adjust ±4,849 square feet from Helderberg Avenue (Tax Map No. 71.5-1-5.3) to Helderberg Avenue (rear) (tax Map No. 71.5-1-11.12) to facilitate the construction of a driving range and maintenance building. Surveyors: Gilbert VanGuilder Land Surveyor, PLLC.

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

1. The final maps (with all necessary changes discussed at the Planning Commission) need to be submitted for signature and filing with Schenectady County.
2. The Planning Commission Chairman will sign up to two (2) Mylar's (One for Schenectady County and one for the applicant).

3. The signed Mylar's need to be filed with Schenectady County Clerk's office within ten (10) days.
4. After signature and filing with Schenectady County six paper copies shall be returned to the Planning Commission office.
5. Add note to plan: "Rotterdam Zoning Board of Appeals approved variances on March 20, 2024."

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

3. **Qingqin Xie – 2727 Hamburg Street.** The applicant requests a Waiver of Site Plan Review to operate a spa in existing tenant space no. 4, former State Farm Office, ±1,820 square feet, on a ±1.1 –acre parcel.

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

1. Approvals are contingent upon compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Inspector/Code Enforcement Officer prior to operation.
3. 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 #3 for specifications.
5. Property is in Sewer District #7 and shall be connected to sanitary sewer. Connection to sanitary sewer must be completed and existing septic will need to be properly decommissioned on or before July 31, 2024. A lateral was provided to the property with the reconstruction of Hamburg Street.

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

4. **Biggest Pop Up – 93 W. Campbell Road.** The applicant requests a Waiver of Site Plan Review to conduct a vendor event at the ViaPort Rotterdam Mall in the vicinity of the food court and the fountain area from April 20, 2024 – April 20, 2024.

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

1. Approvals are contingent upon compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Safety Inspector and/or Building Inspector/Code Enforcement Officer prior to operation.
3. All temporary kiosks shall be removed by April 27, 2024.

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

5. **1926 Curry, LLC – 1926 Curry Road.** The applicant requests a Waiver of Site Plan Review to allow for the installation of a ±200 square foot storage container to be placed in the rear of an existing ±18,170 square foot two story hotel on a ±1.52-acre parcel.

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

1. Approvals are contingent upon compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Compliance from the Town of Rotterdam Building Inspector/Code Enforcement Officer prior to use.

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

Ms. Scannell: If you have a cell phone, please mute it for the duration of the meeting.

Attendance was taken and a determined there is a quorum.

The Pledge of Allegiance to the Flag was recited.

Ms. Scannell: The first item on the agenda is the approval of the Summary Minutes of April 2, 2024. Is there any discussion? Is there a motion to approve the minutes?

Mr. Collins: I approve the minutes.

Mrs. Flansburg: I'll second.

Ms. Scannell: We have a motion and second. Marlo, could you please call the roll.

Ms. Carter: Mr. Collins?

Mr. Collins: Yes.

Ms. Carter: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Ms. Carter: Mr. D'Alessandro?

Mr. D'Alessandro: Yes.

Ms. Carter: Mr. Calder?

Mr. Calder: Yes.

Ms. Carter: Mr. Signore?

Mr. Signore: Yes.

Ms. Carter: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Carter: Ms. Scannell?

Ms. Scannell: Yes.

1. **JC Discount Wine and Liquor LLC – 2300 Curry Road. Sketch Site Plan review to allow for the demolition of a ±2,016 square foot Cumberland Farms Convenience Store and the construction of a ±5,500 square foot retail liquor store with ±2,250 square foot mezzanine on a ±30,243 square foot lot. Engineer: Bohler Engineering.**

Ms. Scannell: First up on our agenda is JC Discount Wine and Liquor LLC at 2300 Curry Road. We have Caryn Mlodzianowski from Bohler Engineering.

Ms. Mlodzianowski: Good evening, it's nice to see everyone. I am here with the owners of JC Discount Wine and Liquor this evening for the proposed redevelopment of the property located at 2300 Curry Road. As you can see here, with the intersection of Fort Hunter it's about .7 acres and as was mentioned, was the previous Cumberland Farms Gas Station and Convenience Store.

We are proposing to redevelop the lot. It will have the same general configuration that existed before due to its size and uniqueness. We feel this layout is going to work best. I did want to correct the agenda was noted that the size of the building would be 2,250, but that is actually just the size of the mezzanine. The footprint itself as noted on the plan would be 5,500 square feet and then the mezzanine above that an additional 2,250 for the proposed store. So, they are proposing to relocate the business to this new building from across the street. We generally meet most of the zoning requirements for the B-2 business district. We are going to be seeking relief for front yard setback from Curry Road where 30' is required and we are a little less than 100 so, that would be in this area with the proposed size of the building. We are also shorter on parking than code, so, for this building about 47 spaces would be required and we have 30 proposed. We did want to get the Commission's thoughts on that and if that is something that would be a waiver or if we would be looking at a variance as well. As for access, the existing property has four (4) curb cuts. We are going to close one of those that is closest to the intersection on Curry Road and maintain the other three (3) for circulation. That helps up get more parking without dead ends. "Inaudible...(PC Members moving papers near microphones and cannot pick up what is being said). You can see here the green space areas that we are providing and also an anticipated proposed septic field up in this area. Obviously, there will be a reduction in flows from what was there before with a convenience store.

We are excited to introduce this project this evening and get your initial thoughts.

Ms. Scannell: We are excited to have you here and we are excited that you are choosing to invest in Rotterdam and that you are purchasing the property across the street to do this. Thank you, thank you very much. Did you have the opportunity to look at the DPW comments?

Ms. Mlodzianowski: Yes, and we would like to go through those. The first two are straightforward.

Number 3, as far as the sign, we would hopefully like to reuse the "Inaudible" that is there but it would obviously, be completely refaced and redesigned so we do hope to reuse that and then new lighting will be proposed as we progress the plans.

As far as the parking comment, number 4 in eliminating one to two spaces. I think that would be appropriate. We were trying to max out here but we are limited but I think hopefully that makes sense. So, we can look at doing that.

As far as the parking and concrete, we would like to propose asphalt and we can do heavy duty asphalt where we need as far as that goes. It's a small lot and use concrete for the sidewalk.

Ms. Scannell: We can have a discussion about that. I know that most of the buildings here in Rotterdam is kind of a look that we are getting and it seems to work well. DPW likes it, our residents like it and the Planning Commission. It's kind of just from our perspective, it's really the best way to go but we can have a conversation about it.

Ms. Mlodzianowski: No issues with additional bollards. Obviously, that's fine.

A variance for the building setback we are aware of that. We just wanted to confirm the need for parking variance as well.

And then, as far as the dumpster enclosure at this time, we were proposing a chain link fence with slats to hide that.

Ms. Scannell: So, it still would be pretty visible. Has there been any consideration for a different way to enclose it rather than just with the chain link fence with slats.

Ms. Mlodzianowski: That was our thoughts at this time. We could also consider maybe a little bit of landscaping to hide it.

Ms. Scannell: Peter, do you have any comments?

Mr. Comenzo: Those are DPW comments. The reason why that came up is we kind of gone to a little bit sturdier structure than the gates tend to fall apart after a while with the chain link. They are not heavy duty enough for the folks that are picking up the garbage. I know some of the other projects you've worked on, there are other types of enclosures and we have examples in Town that we could point out that your client could maybe look and see if that would be an option. I know the Trex type material is something a lot of companies are going to and some of the projects that you've worked on they have used that material and it seems to work very well and it holds up. The chain link, especially with the slats, they start falling out and the gates don't match up after a year or two and you wind up having to either replace them or having to tear the gates off. That is my comment but it's really up to the Planning Commission to what they want.

Ms. Scannell: Peter, could you speak to a little bit to the concrete because I know this has come up before in other projects and you do a much better job explaining it than I do.

Mr. Comenzo: So, what we have seen in town and some of the complaints we have gotten from folks especially retail businesses where there is a lot of folks pulling in and out is the concrete holds up a lot better for oil and other substances that comes out of the cars that drip onto the pavement, especially when you have a doorway where folks are walking through the parking lot. We have areas where the asphalt tends to deteriorate after a couple of years and then also collects water and fluids and it gets slippery if you have oil and water and a hole. So, the concrete tends to last longer and hold up a little better than the asphalt. Typically, when you are pouring the concrete sidewalk if you just add the additional, I know it's an additional expense, but if you add additional concrete, it's just a matter of bumping it out a little bit further and I think we have requested that on a couple of your other projects too.

Ms. Mlodzianowski: Okay, we can consider that as well here.

Ms. Scannell: Thank you, Peter. Mr. D'Alessandro, do you have any comments, questions or concerns?

Mr. D'Alessandro: I like the project and it is going to be nice for that area to be cleaned up again. It has been vacant for quite a few years and it will be nice to see it all cleaned up and redone and it's nice that you are reinvesting in Rotterdam. That is really nice that you are just moving across the street and it's nice. That's all I have.

Ms. Scannell: Great, thank you. Mr. Calder?

Mr. Calder: I was going to say the same thing about the vacant building. I'm glad to see that being filled. Other than that, I have no other questions. Thank you.

Ms. Scannell: You're welcome. Mr. Collins?

Mr. Collins: It's a great project. About the parking, I don't really have a problem with the spaces. With a liquor store you don't have 30 cars parking there anyway. It's usually in and out really quick. I've worked at liquor stores in the past and it's usually just in and out and I don't really think you need 40 parking spaces for a liquor store. I like the project and I would consider the Trex for the dumpster area. It holds up a lot better and it looks nice and it can blend into the color of your building. It's a great project. I don't have a problem if we further on down the road, if we discuss waiving the parking thing so they don't have to go through another variance.

Ms. Scannell: Perfect. Thank you. Mrs. Flansburg?

Mrs. Flansburg: I just wanted to talk about the parking as well. Do you happen to know the size of the current building that they are in?

Ms. Mlodzianowski: It's about 2,300 square feet.

Mrs. Flansburg: So roughly, not quite, doubling. About how many parking spots do they currently have?

Ms. Mlodzianowski: I'm not sure of that number.

Male: About 18.

Mrs. Flansburg: Right and you are almost doubling that as well. I'm just trying to visually point out that I don't have an issue with the parking either. It's a very visible spot that you can see the parking lot is never overflowing or anything like that in the current spot so, I have no issue also talking about waiving the parking requirement for this.

Delivery timing for, because you are closing one of the spots and it's going to be kind of be tight inside the parking area for maneuvering? Would delivery time sort of off peak to the business hours?

Ms. Mlodzianowski: So, we do have this area off to the side, which is nice so that it's not impacting parking as much. I don't know of the times.

Male: The deliveries are currently set but as when we get closer to holiday season a lot of those delivery times vary and "Inaudible..." (Not speaking directly into the microphone and very soft spoken). We will make it so it doesn't interfere with the parking as much as we can.

Mrs. Flansburg: I'm just trying to point out on the record that even though it's moving from a more open spot to an unusual sort of corner with the way that it is, it's a great project for this site. I'm looking forward to working with you guys to have it the best that it can be and I'm just trying to point out that I don't think that the variances or waivers or whatever you are looking for are that unreasonable.

Thank you and thank you for continuing to reinvest in the Town.

Ms. Scannell: Thank you. Mr. Signore?

Mr. Signore: I'm good. I think explained any of my concerns.

Ms. Scannell: Thank you. Mr. Miglucchi?

Mr. Miglucchi: I think if you put a lilac bush or something next to the garbage or maybe a little pine tree or something, that should hide it from the road. There is a lot of traffic going on Fort Hunter but that would help it look nice and give it a little bit of curb appeal. Other than that, it's a nice project.

Ms. Scannell: Thank you. I have no doubt that this is going to be a wonderful asset to that corridor and I'm excited because it's an entry point for a gateway on Hamburg Street. I would hope that the Hamburg Street merchants who have done a wonderful job of kind of organizing themselves, I hope that if you are not already working them, that when you do have your grand opening that you do kind of network because it could be a very good relationship between the two because you're going to be a gateway which is fantastic. I completely agree with the parking situation, even if you are doing tastings or something you are going to do around the time that you know it's going to benefit your business and it seems like you are going to have more than adequate parking so keeping it at the Planning Commission will hopefully be a little bit easier for the project to have some smooth sailing. We're excited. I think the first thing I need to do is to find out if we have a motion to declare the Rotterdam Planning Commission lead agency for this project.

Mr. Signore: I'll make that motion.

Mr. Miglucci: I'll second it.

Ms. Scannell: Very good. Marlo, could you please call the roll.

Ms. Carter: Mr. Collins?

Mr. Collins: Yes.

Ms. Carter: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Ms. Carer: Mr. D'Alessandro?

Mr. D'Alessandro: Yes.

Ms. Carter: Mr. Calder?

Mr. Calder: Yes.

Ms. Carter: Mr. Signore?

Mr. Signore: Yes.

Ms. Carter: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Carter: Ms. Scannell?

Ms. Scannell: Yes.

It looks like we are going to need a Town Designated Engineer to assist in the review of this project. Is there a motion to authorize the Chairman to enter into an agreement to retain the services of a TDE.

Mr. Signore: I'll move.

Mr. Collins: I'll second.

Ms. Scannell: Thank you. Marlo, call the roll, please.

Ms. Carter: Mr. Collins?

Mr. Collins: Yes.

Ms. Carter: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Ms. Carer: Mr. D'Alessandro?

Mr. D'Alessandro: Yes.

Ms. Carter: Mr. Calder?

Mr. Calder: Yes.

Ms. Carter: Mr. Signore?

Mr. Signore: Yes.

Ms. Carter: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Carter: Ms. Scannell?

Ms. Scannell: Yes.

Motion carried. We look forward to having you back and seeing this project progress.

Ms. Mlodzianowski: Procedurally should we go to Zoning Board from here for the setback?

Mr. Comenzo: It sounds like the Planning Commission is in good shape with it and the parking, the Planning Commission has the ability to waive the requirement for the parking so, it would just be a variance for the setback from Curry Road. If you get it to me by the end of the month, we can get you on for May.

Ms. Mlodzianowski: Thank you all.

Ms. Scannell: Thank you. Have a great night.



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 PC22-2024

Moved by Mr. Signore seconded by Mr. Miglucci
Applicant: JC Discount Wine and Liquor LLC

Applicant: JC Discount Wine and Liquor LLC

Project Location: 2300 Curry Road
Rotterdam, NY

Tax Number or Numbers: 59.18-2-1

Proposed Project: Site Plan review to allow for the demolition of a $\pm 2,016$ square foot Cumberland Farms Convenience Store and the construction of a $\pm 5,500$ square foot retail liquor store with $\pm 2,250$ square foot mezzanine on a $\pm 30,243$ square foot lot.

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

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

IT IS HEREBY RESOLVED THAT, on this day, Tuesday, April 16, 2024, the Rotterdam Planning Commission hereby declares itself lead agency and authorizes the Rotterdam Town Planner to prepare, file, publish, and distribute all documents as necessary to comply with 6 NYCRR Part 617 (State Environmental Quality Review).


Peter J. Comenzo
Senior Planner


Kimberly Ricker-Scannell
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 PC23-2024

Moved by Mr. Signore seconded by Mr. Collins
Applicant: JC Discount Wine and Liquor LLC

Applicant: JC Discount Wine and Liquor LLC

Project Location: 2300 Curry Road
Rotterdam, NY

Tax Number or Numbers: 59.18-2-1

Proposed Project: Site Plan review to allow for the demolition of a $\pm 2,016$ square foot Cumberland Farms Convenience Store and the construction of a $\pm 5,500$ square foot retail liquor store with $\pm 2,250$ square foot mezzanine on a $\pm 30,243$ square foot lot.

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, 2024 organizational meeting; **NOW:**

IT IS HEREBY RESOLVED THAT on this day, Tuesday, April 16, 2024, 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.

Handwritten signature of Peter J. Comenzo in black ink.

Peter J. Comenzo
Senior Planner

Handwritten signature of Kimberly Ricker-Scannell in black ink.

Kimberly Ricker-Scannell
Planning Commission Chairman

2. Michael Demers – 595 Currybush Road. Sketch Two (2) Lot Subdivision: Lot 1 = ±2.68 acres with existing single-family residence, Remaining Lands = ±95.61 acres. Engineer: Ingalls & Associates, LLP.

Ms. Scannell: We will be welcoming you back to take a look at the two (2) lot subdivision.

Mr. Pagan: Good evening, Chad Pagan with Ingalls & Associates bringing this project back. Apparently, the applicant has taken care of everything “Inaudible...” (Members shuffling papers near microphones and cannot hear what representative is saying).

Mr. Comenzo: I believe so and I think we are in pretty good shape. I don’t know if they have finalized everything but the permit is paid for and there have been discussions between the applicant, his contractor and the building department. So, we are in good shape tonight.

Mr. Pagan: They tabled it last time because there was some outstanding stuff and from that conversation I think there is nothing more outstanding. I will reiterate what was here back on January 23rd.

The original lot is 98.3 acres located on 595 Currybush Road and we want to do a two (2) lot subdivision with Lot 1 being the small lot which is highlighted in red here which is about 2.7 acres and the remaining lot will be 95.6 acres. Now, originally, we had two (2) DPW comments. One was to add the note for this property is not a building lot which I added and then the other comment was to show the control zone for the septic versus the well and it’s hard to see but essentially the well is here and designated “Inaudible...” (Members shuffling papers near microphones and cannot hear what representative is saying). The septic is over 10’ from the property line. It still meets all guidelines with the Health Department, Chapter 75(a) of separation distances.

Hopefully there are no major questions and we can move forward.

Ms. Scannell: We’re going to find out. Mr. Miglucci, questions, comments concerns?

Mr. Miglucci: I have no questions at this time.

Ms. Scannell: Mr. Signore?

Mr. Signore: I don’t have any.

Ms. Scannell: Mrs. Flansburg?

Mrs. Flansburg: Just that the DPW comments were addressed and added to your map. That was all I had.

Ms. Scannell: Thank you. Mr. Collins?

Mr. Collins: No questions. You finalized everything and I’m good with it.

Ms. Scannell: Mr. Calder?

Mr. Calder: No questions. As long as everything has been caught up now, we’re all set to go, which is fine. No questions.

Ms. Scannell: Mr. D’Alessandro?

Mr. D’Alessandro: No questions.

Ms. Scannell: Peter, do you need to weigh in on anything on this?

Mr. Comenzo: No questions. Thank you.

Ms. Scannell: I appreciate you coming back and I appreciate you taking care of everything. I hope that the building inspector and everybody has been as easy to work with as Peter is and at this point, I would entertain a motion that the Rotterdam Planning Commission declare lead agency for this project.

Mr. Collins: I will make the motion.

Mr. Calder: I'll second it.

Ms. Scannell: Marlo, could you please call the roll.

Ms. Carter: Mr. Collins?

Mr. Collins: Yes.

Ms. Carter: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Ms. Carer: Mr. D'Alessandro?

Mr. D'Alessandro: Yes.

Ms. Carter: Mr. Calder?

Mr. Calder: Yes.

Ms. Carter: Mr. Signore?

Mr. Signore: Yes.

Ms. Carter: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Carter: Ms. Scannell?

Ms. Scannell: Yes.

Motion passes.

Mr. Pagan: So, we'll set up for a public hearing.

Mr. Comenzo: In 30 days. The next step would be a public hearing.

Ms. Scannell: We look forward to it. Thank you very much and have a great night.



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 PC24-2024

Moved by Mr. Collins seconded by Mr. Calder

Applicant: Michael Demers

Applicant: Michael Demers

Project Location: 595 Currybush Road
Rotterdam, NY

Tax Number or Numbers: 47.-47-8

Proposed Project: Sketch Two (2) Lot Subdivision: Lot 1 = ±2.68 acres with existing single-family residence, Remaining Lands = ±95.61 acres.

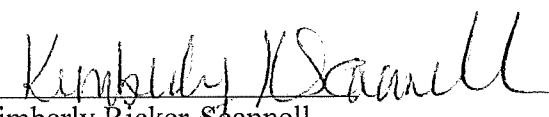
WHEREAS, pursuant to 6 NYCRR Part 617 State Environmental Quality Review the above referenced project is an Unlisted Action; and,

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

IT IS HEREBY RESOLVED THAT, on this day, Tuesday, April 16, 2024, the Rotterdam Planning Commission hereby declares itself lead agency and authorizes the Rotterdam Town Planner to prepare, file, publish, and distribute all documents as necessary to comply with 6 NYCRR Part 617 (State Environmental Quality Review).



Peter J. Comenzo
Senior Planner



Kimberly Ricker Scannell
Planning Commission Chairman

3. Town of Rotterdam – Code Amendment. Report and Recommendation to the Town Board to amend Chapter 270, entitled “Zoning” to extend the Main Street/Neighborhood Center Overlay District from the intersection of Curry Road and Guilderland Avenue north to the boundary with the City of Schenectady. Area encompasses ±11.5 acres

Ms. Scannell: Next up on our agenda is Peter is going to give us a little presentation. We have been asked to have a report and recommendation to the Town Board to amend Chapter 270 entitled “Zoning”.

Mr. Comenzo: Peter Comenzo – Town Planner. If you look at the back of the agenda there in your packets you will see the Main Street Neighborhood Center Overlay District. Just for a little background, this district was adopted back in 2017 as part of the effort that we had on Hamburg Street to look at the properties on Hamburg Street and encourage redevelopment. So, when this was adopted, we added areas also in Rotterdam Junction and we added some property in the five corners area and we added property at the four corners area of Guilderland Avenue and Curry Road.

The overlay district is not changing the underlying zoning. The underlying zoning will remain B-1 but what the overlay district does is it encourages redevelopment in getting the developers to look at some of these guidelines that are in here and you can see that in the Code in trying to get them to push the building up to the roadway. If you look at both Hamburg Street and Guilderland Avenue there are a lot of similarities of the two where the buildings were constructed in the ‘50’s and a lot of them are really close to the roadway and it gives a little better of connectivity for pedestrians as opposed to having a parking lot in the front and building in the back. It encourages that. It’s not required but it tries to encourage that especially if someone is taking a building down and we encourage them to push it up to the roadway. It’s really just another tool that allows the Town and developers to look at redevelopment options. It does allow for primarily for retail on the first floor and for residential on the second floor. Similar to the projects that you have seen in Saratoga where you invite folks, pedestrians to walk up and down the street and utilize the commercial tenants there and then on the second floor it would be residential.

In my mind, it’s a good thing for Rotterdam to move towards this and address that area. As you know, there’s several vacant properties such as an insurance agency that was in there and that is empty right now and that is boarded up, the old Napa was/is a recycling a center and it’s vacant now. The old Draper Pharmacy is vacant. The old library is vacant. Sliders, I’m not sure if they are still open but there is obviously opportunities for redevelopment in that area and this would give folks the opportunity to redevelop and any project would have to come before the Planning Commission but it does open that up for potential redevelopment and going through the Planning Commission rather than having going to the Town Board. It makes the process is a little bit easier.

Ms. Scannell: I think redevelopment is a wonderful thing. I personally support this overlay expansion. I believe it meets the metrics for our comprehensive plan. I think additionally, with the recent passing of complete streets, this just adds a little bit more credence to that as well. It kind of shows that we are moving as a town in that direction of more accessibility. I think it’s a great idea and I would personally entertain a positive recommendation to the Board.

What do you think Mr. D’Alessandro?

Mr. D’Alessandro: I think it’s a great idea and any way we can entice businesses and developers to come in and help our tax base, I think that’s great. I really do. I would definitely give a positive recommendation.

Ms. Scannell: Thank you. Mr. Calder?

Mr. Calder: I’m just curious because it’s a special project that we’re doing now, that area, does that give people that want to come in there a way to get some help getting projects started like Metroplex or something else to work these corridors and to make them work?

Mr. Comenzo: I believe it would bring, I know one of the biggest things is we have sewers there. They can make their properties more developable and more compact as opposed to having to take up a large area for your septic system. I guess Hamburg Street and Guilderland Avenue, there are areas that could really benefit from redevelopment and we are seeing it.

Altamont Avenue as well. We are seeing some positive changes. Altamont Avenue obviously different than Guilderland Avenue and Hamburg Street, but those are the areas we have the infrastructures and the state roads so, there is a potential for redevelopment and I think our current zoning to just have retail business there I don't necessarily see there being the investment in somebody going in...

Mr. Calder: No tax investment or tax possible?

Mr. Comenzo: I think the addition of them being able to put a couple of residential units above retail offsets the costs. There is a lot of small businesses and it's interesting to look at the dynamics of the town and you start looking at Hamburg Street and there is a lot of small businesses on Hamburg Street and they are doing well. A lot of them have been there for a while and they have a very good, tight-knit community. DOT made the investment and the Town made the investment to put the sewer line and we're starting to see projects there and over the next 10 years...

Mr. Calder: I think it's a good thing. I really do.

Mr. Comenzo: ...the association is back active again they are having on May 4th, I think it is where the businesses is setting things up. "Inaudible..." he stopped in today and he's very excited and the whole neighborhood has been reaching out to him and knocking on the door when he's there at Joe's Pizza.

Mr. Calder: At Joe's old place?

Mr. Comenzo: Yes.

Mr. Calder: Is he finally going to do something?

Mr. Comenzo: He stopped in today and he's going to open shortly and he also purchased the property where Stewart's is for additional parking. He will be back with that project.

Mr. Calder: Next to Stewart's....

Mr. Collins: Across from the Stewart's.

Mr. Calder: It would be nice to see him finish that up. He's been working on that for many years. Thank you, that is all that I have Peter.

Ms. Scannell: Thank you. Mr. Collins?

Mr. Collins: I agree with everybody. I would give a positive recommendation and we really need it. So, I'm good with it.

Ms. Scannell: Mrs. Flansburg?

Mrs. Flansburg: I would give a positive recommendation as well. Just in reading through it the things that stuck out to me were that promoting a mixture of complementary land uses and including retailers, retail office, commercial uses and it just sounds like this fit with that and just having the flexibility to be able to redevelop what is there or establish something new and use the design guidelines that are in here. I would give it a positive recommendation as well.

Ms. Scannell: Mr. Signore?

Mr. Signore: I'm good.

Ms. Scannell: Mr. Miglucchi?

Mr. Miglucchi: I think it looks pretty good. It's a great project and the main reason is I want people to know that coming into Rotterdam that they are in the City of Schenectady and driving into Rotterdam. I want Rotterdam to shine above the City of Schenectady, just a personal thing with me, but I take pride in our town and I want people to know that when they are coming into Rotterdam.

Ms. Scannell: I like that. As you know, I think the gateways are important and you are right, that is actually a gateway when people from Schenectady so recognizing that we are in Rotterdam and having businesses to come to and places to live above those business kind of is a great idea.

Do you have any comments or questions about this that we should be paying attention to?

Mr. Valiquette: No, I think Peter already mentioned that we don't need the additional public hearing since we are not changing the underlying zoning itself so, I have no additional comments.

Ms. Scannell: Is there a motion for a positive recommendation on this matter?

Mrs. Flansburg: I'll make that motion.

Ms. Scannell: Is there a second?

Mr. Calder: I'll second it.

Ms. Scannell: Marlo, could you please call the roll.

Ms. Carter: Mr. Collins?

Mr. Collins: Yes.

Ms. Carter: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Ms. Carer: Mr. D'Alessandro?

Mr. D'Alessandro: Yes.

Ms. Carter: Mr. Calder?

Mr. Calder: Yes.

Ms. Carter: Mr. Signore?

Mr. Signore: Yes.

Ms. Carter: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Carter: Ms. Scannell?

Ms. Scannell: Yes.

Motion is carried. Before we make a motion to adjourn, the next Planning Commission meeting will be May 7th.

Is there a motion to adjourn?

Mr. Collins: I would like to make a motion to adjourn the meeting.

Ms. Scannell: Is there a second?

Mr. D'Alessandro: Second.

Ms. Scannell: All in favor. Motion carried.

Meeting adjourned at 8:02 p.m.

Respectfully Submitted,

Marlo L. Carter
Planning Commission Secretary



Town of Rotterdam
Office of the Planning Commission

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

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Resolution Number PC 25-2024

Moved by Mrs. Flansburg seconded by Mr. Calder

Applicant: Town of Rotterdam

**Resolution Adopting a Report and Positive Recommendation on
the Extension of the Main Street/Neighborhood Center Overlay District**

WHEREAS, the Town Board of the Town of Rotterdam ("Town Board") has forwarded a proposed amendment to Chapter 270, entitled "Zoning" to extend the Main Street/Neighborhood Center Overlay District from the intersection of Curry Road and Guilderland Avenue north to the boundary with the City of Schenectady. Area encompasses ±11.5 acres; and

WHEREAS, the Town Board referred the Change of Zone application to the Planning Commission on April 10, 2024 for a report and recommendation thereon; and

WHEREAS, the Town Planner presented the proposed amendment to the Planning Commission at its regularly scheduled meeting held on April 16, 2024; and

WHEREAS, the Planning Commission reviewed the proposed amendment at its regularly scheduled meeting held on April 16, 2024; and

WHEREAS, the Planning Commission has deliberated on the proposed amendment;

NOW, THEREFORE, upon motion of Member Flansburg, seconded by Member Calder,

BE IT RESOLVED, by the Planning Commission of the Town of Rotterdam as follows:

The Planning Commission hereby adopts the following as its report on the proposed Zoning Code Amendment:

1. The amendment is to Chapter 270, entitled "Zoning" to extend the Main Street/Neighborhood Center (MS/NC) Overlay District from the intersection of Curry Road and Guilderland Avenue north to the boundary with the City of Schenectady. The area encompasses ±11.5 acres.

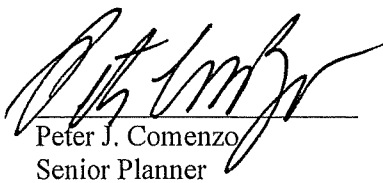
The MS/NC district was adopted back in 2017 as part of the effort that Town was conducted was to look at the properties in the existing commercial corridors and gateway areas to the town and encourage redevelopment. So, when the MS/NC was adopted, areas were added along Hamburg Street, in Rotterdam Junction, the five corners area, and four corners area of Guilderland Avenue and Curry Road.

The overlay district is not changing the underlying zoning. The underlying zoning will remain B-1 but the overlay district is encouraging redevelopment. It is another tool that allows the Town and developers can utilize and allows for additional options in redevelopment efforts. The MS/NC overlay district allows for retail on the first floor and residential on the second floor. This type of mixed-use development meets the objectives of the Comprehensive Plan for these commercial areas in Town.

Guilderland Avenue is a gateway. There are several vacant properties in this corridor and additional options for mixed residential and commercial use supports several objectives of the Comprehensive Plan.

- 2. Subject to the considerations set forth in Paragraph 3, below, the Planning Commission hereby adopts a positive recommendation on the proposed request to extend the existing MS/NC overlay district.
- 3. Neither a positive recommendation by the Planning Commission, nor any rezoning action taken by the Town Board, should be construed as an approval or other favorable position concerning any proposed conceptual development. Any proposed development shall remain subject to full review by the Planning Commission and, as necessary, by the Zoning Board of Appeals.

<u>Member</u>	<u>Aye</u>	<u>Nay</u>
Kimberly Ricker Scannell	X	
Mark D'Alessandro	X	
Wayne Calder	X	
Clark Collins	X	
Joseph Signore	X	
Lynn Flansburg	X	
Joseph Miglucci	X	


 Peter J. Comenzo
 Senior Planner


 Kimberly Ricker Scannell
 Planning Commission Chairman