

**Town of Rotterdam
Planning Commission
November 1, 2022**

Approval of the Summary of Minutes October 18, 2022

**Workshop (7:00pm)
Waiver(s)**

1. **Blackstone & Co. – 93 W. Campbell Road.** The applicant requests a Waiver of Site Plan review to operate an existing café in tenant space C-102, ±1,103 square feet, from October 15, 2022 – January 9, 2023 in Via Port Rotterdam Mall.

Agenda (7:30pm):

1. **George A. Amedore – Burdeck Street & Princetown Road.** Sketch Site Plan review to construct a ±2,000 square foot Amedore Land Development satellite office within a ±15,000 square foot prefabricated steel structure on a ±1.43-acre parcel. Engineer: Brett L. Steenburgh, P.E. PLLC.
2. **Town of Rotterdam - Code Amendment.** Report and Recommendation to the Town Board for a Local Law to amend Chapter 270 of the Town Code of the Town of Rotterdam in regards to Adult -Use Cannabis Retail Dispensaries and Adult Use Cannabis On-Site Consumption Facilities.



Oct 11 2022

**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. \$75.00 application fee (Checks to be made payable to the Town of Rotterdam).

APPLICANT(S): Jennifer Blackstone, Blackstone & Co. (Home: _____)
 ADDRESS: 93 W. Campbell Rd C102, Schenectady, NY 12306 (1322 Fox Hollow Rd, Niskayuna, NY 12309)
 DAYTIME TELEPHONE: 518 847 7170 (FAX) —

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

REQUEST: I am opening the Cafe Campment Coffee + Tea that currently exists within Via West Rotterdam Mall.

LICENSE AGREEMENT DATE: OCT 15, 2022 AREA: 1103

TERM: FROM 10/15/22 TO 1/9/23 KIOSK OR TENANT SPACE #: C102

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

SIGNATURE OF APPLICANT [Signature] DATE 10/11/22

* 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.

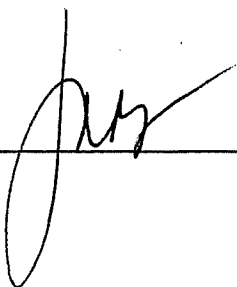
** All businesses located in the Town of Rotterdam must receive Planning Commission approval and a Certificate of Compliance issued by Building Inspector prior to occupancy.

TOWN OF ROTTERDAM FIRE INSPECTION PERMIT APPLICATION LC 17 2022

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.

OFFICE USE ONLY	
Application ID	_____
Permit Fee	\$35.00
INITIALS	_____

Property Address	93 W. Campbell Rd Scheneectady, NY 12304
Name of Property Owner	VIA PART, NEW YORK, LLC
Property Owner Address	"
Property Owner Phone #	518 374 3713
Name of Applicant (If same as property owner put same)	Jennifer Blackstone
Applicant Phone #	518 847 7170
Property Use (e.g. Day Care / Apt. building / Retail store / Diner or Restaurant)	Cafe
Total Number of Units / Dwelling spaces	1

Applicant's Signature: 

Date: 10/17/22

Town of Rotterdam Site Plan Waiver Application
Descriptive Narrative of Blackstone & Co., dba Chipmunk Coffee & Tea
October 11th, 2022

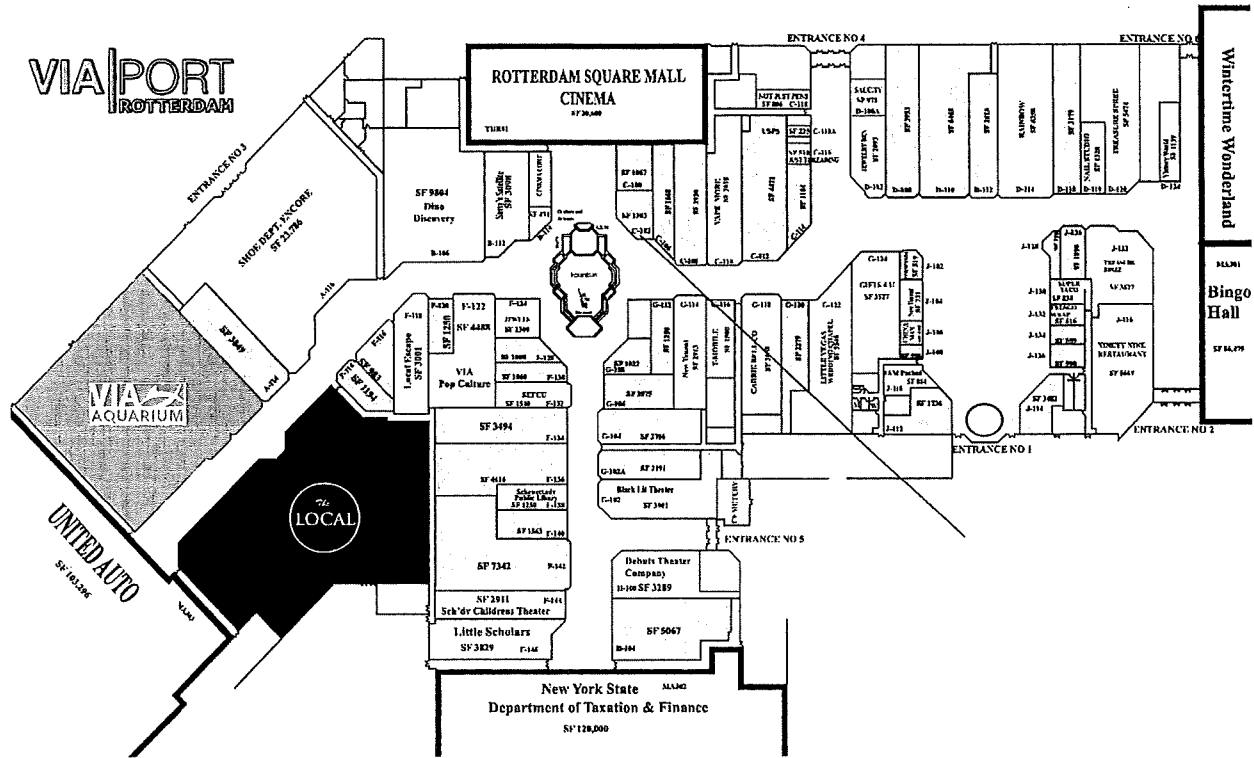
Greetings,

There is a a cafe in Via Port Mall that I purchased and am opening back up in October, 2022. This is a coffee shop/cafe that will serve coffee, tea, breakfast & lunch. The hours of operation are during the hours of the mall. We all be functioning with less than 10 employees.

Thank you,

Jennifer Blackstone

EXHIBIT A



DPW Comments
November 1, 2022

Agenda (7:30pm):

1. **George A. Amedore – Burdeck Street & Princetown Road.** Sketch Site Plan review to construct a ±2,000 square foot Amedore Land Development satellite office within a ±15,000 square foot prefabricated steel structure on a ±1.43-acre parcel. Engineer: Brett L. Steenburgh, P.E. PLLC.
 1. Property was originally approved for the location of a 10,000 square foot office in 1997.
 2. Property is in proposed Sewer District #2, Extension #17. Septic systems should be designed so it can easily be abandoned and connected to municipal sewers once they become available.
 3. At a minimum, a 12’ wide gravel access road should be provided along the south side of the building for fire/emergency access.
 4. To the extent practicable, the existing trees along Burdeck Street and Princetown Road should be identified on the site plan map and retained. Limits of clearing should be clearly delineated.
 5. Add note to plan: “Property is in the Retail Business (B-1) Zoning District. Outdoor storage of equipment and materials is prohibited.”
 6. Provide lighting plan and any proposed signage.
 7. Provide building elevations.

SEQR Requirement: 6 NYCRR 617 Unlisted Action. Rotterdam Planning Commission should declare lead agency.

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
New York State Department of Transportation
Fire District #6

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**

RECEIVED
OCT 24 2022
TOWN OF ROTTERDAM
PUBLIC WORKS

Legal Owner's Name: George A Amedore

Mailing Address: 1900 Western Avenue

City: Albany State: NY Zip: 12203

Daytime Phone: 518-456-1010 Fax: _____

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: Brett Steenburgh

Mailing Address: 2832 Rosendale Road

City: Niskayuna State: NY Zip: 12309

Daytime Phone: 518-365-0675 Fax: _____

Project/Proposal Site Area (Acres or sq. ft.): 1.43 Ac.

Assessor Tax Parcel No.(s) of Proposal Site: 48-3-2.1

Adjacent Area Owned or Controlled (Acres or sq. ft.): 0

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

N/A

Street Address of Proposed Site (if any):

Burdeck Street

Describe Existing Use(s) on Proposed Site (Such as buildings, well, sewer drainfield and others):

Vacant Wooded

Existing Zoning Classification: B-1 Business Retail

School District: Schalmont

Fire District: S. Schenectady

Water Supply Rotterdam

LEGAL INFORMATION

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

Southeast Corner of Burdeck Street and Princetown Road

Name of public road (s) providing access: Burdeck Street & Princetown Road

Width of property fronting on public road: 524 ft

- | | | | | |
|---|--------------------------|-----|-------------------------------------|----|
| I have attached a legal description of the proposed site: | <input type="checkbox"/> | yes | <input checked="" type="checkbox"/> | no |
| I have attached a deed of the proposed site: | <input type="checkbox"/> | yes | <input checked="" type="checkbox"/> | no |
| I have attached a lease agreement of the proposed site (if applicable): | <input type="checkbox"/> | yes | <input checked="" type="checkbox"/> | no |

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

Construct an Amedore Land Development satellite office (2,000 s.f.) within a 15,000 s.f. prefabricated steel structure.

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

Permanent

PART IV

SURVEYOR/ARCHITECT/ENGINEER VERIFICATION

I, the undersigned, a licensed land surveyor, architect, and/or engineer, have completed the information requested. The legal description has been prepared by me or under my supervision in accordance with the requirements of the Town of Rotterdam regulations and the laws of the State of New York.

Signed: Brett Steenburgh PE Digitally signed by Brett Steenburgh PE
DN: cn=Brett Steenburgh PE, o=Brett L Steenburgh PE PLLC, ou,
email=bsteenburghpe@gmail.com, c=US
Date: 2022.10.24 12:16:28 -0400 Date: 10/24/22

Address: 2832 Rosendale Road, Niskayuna, NY 12309

Phone: 518-365-0675

FAX: _____

License Number: 075458

PLEASE AFFIX SURVEYOR/ARCHITECT/ENGINEER SEAL HERE



PART IV

LEGAL OWNER SIGNATURE

(Signature of legal owner(s) or representative(s) as authorized by legal owner)

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

I further swear or affirm that I(we) (am)(are) the owner(s) of record of the area proposed for the previously identified land use action, or, if not the owner(s), attached herewith is written permission from the owner(s) authorizing my actions on his or her behalf.

Name: PAUL AMEORES Date: 10/25/22
Address: 1900 WESTERN AVE ALBANY NY
Zip: 12203 Phone: 518-456-1010

 10/25/22
Signature of Applicant or Representative Date

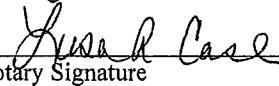
Signature of Applicant or Representative Date

Notary
(For Part IV Above)

STATE OF NEW YORK) ss:
COUNTY OF SCHENECTADY)

SUBSCRIBED AND SWORN to me this 25th day of October, 2022.

NOTARY SEAL


Notary Signature

LISA A. CASE
Notary Public, State of New York
Qualified in Schenectady County
Registration 01CA6128598
My Commission Expires June 13, 2025.

Notary Public in and for the State of New York
My appointment expires: 6/13/2025

PART V
(To be completed by the Public Works Department)

Date Submitted: _____ Staff: _____

Total Fees: _____ Receipt #: _____

File #: _____ Complete Application: _____

Part II
TOWN OF ROTTERDAM
PLANNING COMMISSION SITE PLAN CHECKLIST

The following is a list of Site Plan Requirements as outlined in § 270-132 of the Town of Rotterdam Zoning Code. All required information should be contained in the application unless specifically waived by the Planning Commission. Failure to submit will cause the application to be deemed incomplete and returned to the applicant for revision.

Section A *Preliminary plans. Application for preliminary site plan approval shall be accompanied by the following information located on the site plan. Failure to complete this information will result in a determination of "incomplete" and the application will be held in abeyance pending receipt of all required information.*

1. A map of the applicant's entire lot, plot or parcel of land at the scale of one inch equals 40 feet, unless the Planning Board determines a different scale more appropriate, showing all properties, subdivisions, streets, watercourses and easements which pass through the property or are known to abut the applicant's property.
2. The name and address of the applicant, vendee, contract vendee or owner and title of drawing.
3. The North symbol, date and scale.
4. The name, address, title and license number of the person or firm responsible for the preparation of the map.
5. Structures and circulation: ten (12) sets of preliminary plans, elevations and sections of proposed structures and roads, showing the proposed location, use and design of all buildings and structures dimensions, square footage, including any proposed division of buildings into units of separate occupancy and location of drives thereto, and showing the proposed location of all roads, pedestrian walkways and fire lanes.
6. Landscaping: Show location, dimension, type, and condition of existing landscaping, and location, dimension and type of proposed landscaping.
7. Cut and fill: extent and amount of cut and fill for all disturbed areas, including before and after profiles of typical development areas, parking lots and roads.
8. Stormwater retention: provisions for on-site stormwater retention basins during and after construction, designed to handle any increased rate of runoff.
9. Wells: location and test yields in gallons per minute of all proposed on-site wells.
10. Drainage fields or dry wells: location and percolation test results of all proposed drainage fields or dry wells.
11. Water supply and sewage disposal: description of method of water supply and sewage disposal and location of such facilities.
12. Location of existing wetlands and floodplains.
13. Lighting, power and communication facilities: location and design of lighting, power, fiber optic, and communication facilities.
14. Signs: location, design and size of all signs.
15. Site improvements: location of all existing and proposed drains, culverts, retaining walls and fences.
16. Outdoor storage: location of any outdoor storage and other accessory uses.
17. Uses: detailed breakdowns of all proposed floor space by type of use.
18. Other industrial uses: In an industrial district, specific uses proposed, number of employees for which buildings are designed, type of power to be used for any manufacturing process and the proposed method of disposal of such wastes or by-products shall also be shown.
19. State Environmental Quality Review: No application shall be deemed complete without compliance with State Environmental Quality Review (Please include with submittal).

Section B **The Planning Commission often requests these additional information items during the preliminary meeting. The applicant is typically requested to modify the site plan or explain this information in more detail at the meeting. This usually involves the expenditure of additional time and expense to the applicant.**

If these additional information items are included with the initial submittal, it may be possible to skip over the initial sketch plan review meeting and proceed directly to preliminary plan review. Answering these information items now may reduce the review time by a minimum of two (2) to four (4) weeks. The decision to allow the applicant to waive the sketch meeting shall reside with the Planning Commission Chairman after consultation with the Town of Rotterdam Department of Public Works.

1. Show location of snow storage area or indicate if it will be removed off site. In addition, provide a note on the site plan that reads "snowfall accumulations in excess of four (4) inches shall be removed from all parking areas/walkways within 48 hours."
2. Provide a signature space for the Planning Commission Chairman with the following wording below the signature line **"Chairman, Rotterdam Planning Commission:
Date: _____"**.
3. Show location and dimension of all entrances and exits to all building(s), specify which are handicap accessible, and indicate the primary exit(s) and emergency exits.
4. Show location and dimension of all entrances and exits to the site, and indicate the primary entrance/exit.
5. Show handicap parking space(s) and striping from the space(s) to the handicap entrance(s).
6. Show location, dimension, type, and condition of all existing and proposed paved areas, parking areas with striping, and sidewalks. Indicate which exist and which are proposed.
7. Show location, dimension, type, and condition of refuse/dumpster area and any existing/proposed screening.
8. Show location of all external vents, propane tanks, HVAC units, and other accessory external structural features.
9. Show location of drive-thru window and corresponding traffic circulation pattern(s) if applicable.
10. Provide documentation from the Town of Rotterdam Water Department that a consultation has occurred and provide water meter with current reading.
11. Show location of all outdoor lighting fixtures and provide a note on the face of the plan that states: "All lighting shall be shielded and/or placed in such a manner as to prevent off-site illumination"
12. Show location, type, and size of existing and proposed fencing and buffer screening.
13. Add note on the face of the site plan that reads "Development must meet all NYS Building and Fire Codes."
14. Add note on the face of the site plan that identifies the zoning of the subject property.

I have completed all of the above requested items which apply to this site plan **under Section A** and request that this application be placed on the next available Planning Commission meeting for sketch plan review.

I have completed all of the above requested items which apply to this site plan **under Section A and Section B** and request that this application be placed on the next available Planning Commission meeting for preliminary review.

Brett L. Steenburgh

10/22/2022

Print Name

Date

Brett Steenburgh
PE

Digitally signed by Brett Steenburgh PE
DN: cn=Brett Steenburgh PE, o=Brett L
Steenburgh PE PLLC, ou,
email=bsteenburghpe@gmail.com, c=US
Date: 2022.10.24 12:18:45 -04'00'

Signature

OCT 27 2022

TOWN OF ROTTERDAM
PUBLIC WORKS

Short Environmental Assessment Form
Part 1 - Project Information

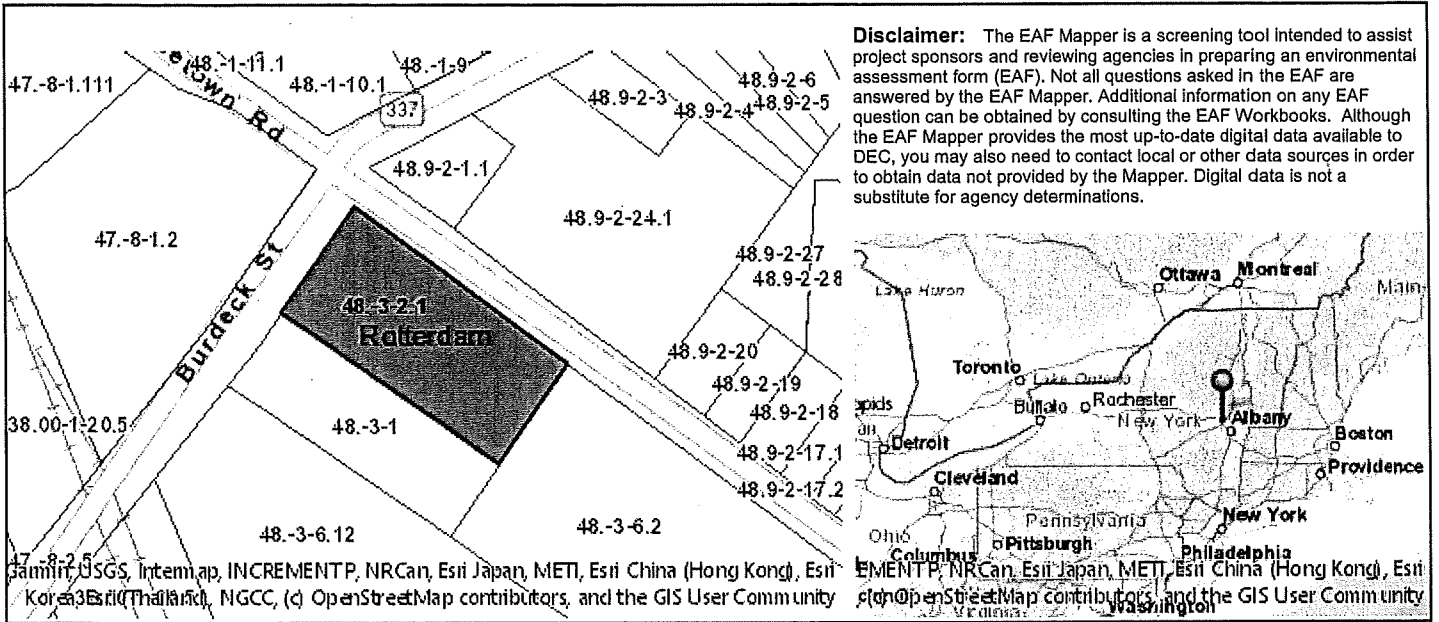
Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Amedore Garage			
Project Location (describe, and attach a location map): Southeast Corner of Burdeck Street and Princetown Road			
Brief Description of Proposed Action: Construct an Amedore Land Development satellite office (2,000 s.f.) within a 15,000 s.f. prefabricated steel structure.			
Name of Applicant or Sponsor: Amedore Land Development		Telephone: 518-456-1010	
		E-Mail:	
Address: 1900 Western Avenue			
City/PO: Albany		State: NY	Zip Code: 1223
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 1.43 acres			
b. Total acreage to be physically disturbed? _____ 0.94 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 1.43 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ On Site Septic	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

NO.	DATE	REVISION	BY
01	12/23	REVISED BOUNDARY FRAME 1	DKC
02	03/17/2021	REVISED ISSUE	JCS

PRIME AE
 100 Great Oaks Blvd | Suite 114 | Albany, New York 12203
 Ph: 518 382 1774 www.primeae.com

PROJ. ENGR. : MHL DRAWN BY: JCS CHECKED BY: DKC

ALL DIMENSIONS AND LOCATIONS TO BE SHOWN ON THIS PLAN SHALL BE IN ACCORDANCE WITH THE TOWN OF ROTTERDAM ZONING ORDINANCES.

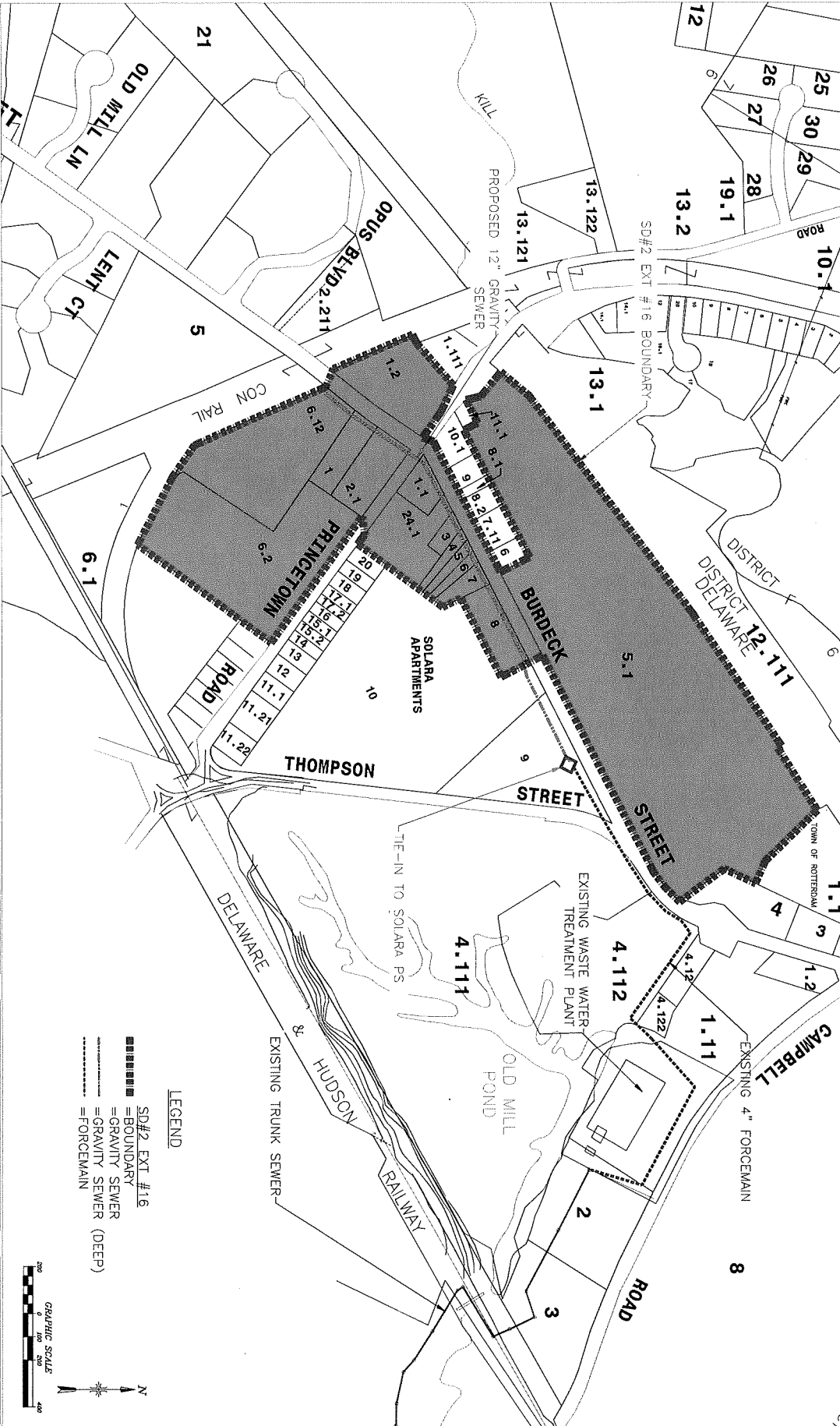
TOWN OF ROTTERDAM
 SCHENECTADY COUNTY, NY

SEWER DISTRICT NO. 2
 EXTENSION #16 BURDECK STREET
 MAP, PLAN, & REPORT

SHEET TITLE:
 SD NO. 2 EXTENSION #16
 BOUNDARY MAP & COLLECTION
 SYSTEM CONCEPTUAL LAYOUT

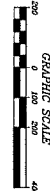
SCALE:
 AS SHOWN
 FILE NO.: 01-1803
 DATE: MARCH 2021

SHEET NO.:
 A1



LEGEND

- SD#2 EXT #16
- BOUNDARY
- GRAVITY SEWER
- GRAVITY SEWER (DEEP)
- FORCEMAIN



DPW Comments
November 1, 2022

1. **Town of Rotterdam - Code Amendment.** Report and Recommendation to the Town Board for a Local Law to amend Chapter 270 of the Town Code of the Town of Rotterdam in regards to Adult -Use Cannabis Retail Dispensaries and Adult Use Cannabis On-Site Consumption Facilities.

1. The Town Board referred this matter to the Planning Commission for a report and recommendation on October 26, 2022.

TOWN OF ROTTERDAM

INTRODUCTORY LOCAL LAW NO. 9 OF THE YEAR 2022

**A LOCAL LAW TO AMEND CHAPTER 270, ZONING, OF THE
TOWN CODE OF THE TOWN OF ROTTERDAM**

SECTION 1 – TITLE

This local law shall be referred to as “A Local Law to Amend Chapter 270, Zoning, of the Town Code of the Town of Rotterdam”.

SECTION 2 – AUTHORITY

This local law is enacted by the Town Board of the Town of Rotterdam pursuant to the N.Y. Municipal Home Rule Law, N.Y. Town Law Article 16, and N.Y. Cannabis Law § 131.

SECTION 3 – AMENDMENTS

Chapter 270, Zoning, of the Town Code of the Town of Rotterdam shall be amended as follows:

- A. Section 270-5, relating to definitions of terms, is hereby amended to add the following definitions of terms, to be inserted in proper alphabetical order:

LICENSED ADULT-USE CANNABIS ON-SITE CONSUMPTION FACILITY
A facility or business at which the consumption of cannabis is allowed pursuant to a lawfully issued license for an adult-use cannabis on-site consumption location under the N.Y. Cannabis Law and regulations promulgated thereunder.

LICENSED ADULT-USE CANNABIS RETAIL DISPENSARY
A facility or business engaged in the acquisition, possession, sale and delivery of cannabis to cannabis consumers pursuant to a lawfully issued license for an adult-use cannabis retail dispensary under the N.Y. Cannabis Law and regulations promulgated thereunder, and not including any licensed adult-use cannabis on-site consumption facility.

B. Section 270-65, relating to special uses permissible within the B-2 General Business zoning district, is hereby amended to add a new Paragraph O to read in its entirety as follows:

O. Licensed adult-use cannabis retail dispensaries.

C. Section 270-73, relating to special uses permissible within the I-1 Light Industrial zoning district, is hereby amended to add new Paragraphs P and Q to read in their entirety as follows:

P. Licensed adult-use cannabis retail dispensaries.

Q. Licensed adult-use cannabis on-site consumption facilities.

D. Paragraph C of Section 270-75, relating to prohibited uses in the I-1 Light Industrial zoning district, is hereby amended to read in its entirety as follows:

C. All uses listed in the I-2 District, except those uses listed in this article as permitted.

E. Paragraph A of Section 270-83, relating to uses permitted as of right in the I-2 Heavy Industrial zoning district, is hereby amended to read in its entirety as follows:

A. All principal permitted and special uses listed in the I-1 District use regulations, except towers, licensed adult-use cannabis retail dispensaries, and licensed adult-use cannabis on-site consumption facilities.

F. Section 270-84, relating to special uses permissible within the I-2 Heavy Industrial zoning district, is hereby amended to add new Paragraphs H and I to read in their entirety as follows:

H. Licensed adult-use cannabis retail dispensaries.

I. Licensed adult-use cannabis on-site consumption facilities.

G. Paragraph G of Section 270-157, relating to prohibited home occupations, is hereby amended to add new subparagraphs (9) and (10) to read in their entirety as follows:

(9) Licensed adult-use cannabis retail dispensaries.

(10) Licensed adult-use cannabis on-site consumption facilities.

H. Article XVIII, relating to specific use regulations, is hereby amended to add a new Section 270-162.1, entitled “Licensed Adult-Use Cannabis Retail Dispensaries and On-Site Consumption Facilities”, to immediately follow Section 270-162 and to read in its entirety as follows:

§ 270-162.1. Licensed Adult-Use Cannabis Retail Dispensaries and On-Site Consumption Facilities.

A. Permissible locations of licensed adult-use cannabis retail dispensaries and licensed adult-use cannabis on-site consumption facilities.

(1) Licensed adult-use cannabis retail dispensaries are permissible in the B-2 General Business, I-1 Light Industrial, and I-2 Heavy Industrial Zoning Districts in the Town of Rotterdam upon issuance of a special use permit and site plan approval by the Planning Commission.

(2) Licensed adult-use cannabis on-site consumption facilities are permissible in the I-1 Light Industrial, and I-2 Heavy Industrial Zoning Districts in the Town of Rotterdam upon issuance of a special use permit and site plan approval by the Planning Commission.

B. All applications for licensed adult-use cannabis retail dispensaries and licensed adult-use cannabis on-site consumption facilities shall be reviewed and determined in accordance with the procedures and standards set forth in Article XVII (Site Plan Approval) and Article XIX (Special Use Permits) of this chapter. In addition, the following provisions shall apply:

(1) Licensed adult-use cannabis retail dispensaries and licensed adult-use cannabis on-site consumption facilities shall not open before 9 AM nor remain open after 9 PM Mondays through Saturdays and shall not open before 12 PM nor remain open after 6 PM on Sundays.

(2) Licensed adult-use cannabis retail dispensaries and licensed adult-use cannabis on-site consumption facilities shall comply with all location, distance and separation requirements imposed by state regulations and licensing.

(3) Any special use permit approval or site plan approval shall be deemed to be conditioned upon the applicant securing and continuously maintaining the appropriate state license for its proposed use. No applicant shall begin

adult-use cannabis retail dispensary or adult-use cannabis on-site consumption facility operations until such state license has been issued, and proof thereof has been provided to the enforcement official of the Town. Any special use permit approval or site plan approval shall be deemed to expire upon the suspension, revocation, termination, non-renewal, or expiration of any such state license that results in any period of time during which the use lacks a current, effective and valid state license for such use.

I. Paragraph A of Section 270-169, relating to expiration of special use permits, is hereby amended to read in its entirety as follows:

A. Expiration. In addition to any other provisions set forth in this chapter relating to expiration of a special use permit, the following provisions shall apply:

(1) In any case where a special use is not in operation within one year after the date of granting thereof, the special use or authorization thereof shall be null and void.

(2) A special use permit shall expire if such use shall cease for more than six consecutive months for any reason.

J. Article XXI, relating to miscellaneous provisions, is hereby amended to add a new Section 270-183.1, entitled “Severability”, to immediately follow Section 270-183 and to read in its entirety as follows:

§ 270-183.1. Severability.

The provisions of this chapter are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this chapter or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this chapter.

SECTION 4 – SEVERABILITY

If any word, phrase, sentence, part, section, subsection, or other portion of this local law or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable, and the remaining provisions of this local law, and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

SECTION 5 – EFFECTIVE DATE

This Local Law shall become effective upon filing with the New York Secretary of State.