

Town of Rotterdam Planning Commission
Minutes of March 18, 2025 Meeting

The Rotterdam Planning Commission held a meeting on Tuesday, March 18, 2025, at 7:30 p.m. at the Rotterdam Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York 12306.

Present:	Kimberly Ricker Scannell, Chairman Lynn Flansburg, Vice Chairman Clark Collins Wayne Calder Joseph Signore Joseph Miglucci Danielle Ciampino Peter Comenzo, Town Planner Stephen Valiquette, Attorney Lisa Gallo for Marlo Urowsky, Secretary	Excused:
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Chairman Scannell called the workshop to order at 7:00 p.m.

Waivers:

1. **ChargeSmart EV – 2784 (2788) Hamburg Street.** The applicant requests a Waiver of Site Plan review to install five (5) Level II electric vehicle charging stations on existing ±1.34-acre parcel containing the parking lot for the Quality Inn located at 2788 Hamburg Street.

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

1. Compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Building Permit and be issued a Certificate of Compliance from the Town of Rotterdam Building Inspector.
3. Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.
4. Property is located in Sewer District 7 and the hotel located at 2788 Hamburg Street is connected to the municipal sewer system.
5. ADA space shall be installed either at the far right or far left of the parking area. Add (1) 11' wide parking stall and a 5' wide ADA aisle. The EV charging station shall then be installed in the 5' wide aisle.

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

2. **For Lovers of Golf LLC – 93 W. Campbell Road.** The applicant requests a Waiver of Site Plan review to operate up to five (5) golf simulators in tenant space D-108, formerly Kay Bee Toys, ±3,953 square feet, from August 1, 2025 to September 30, 2027 in ViaPort Rotterdam.

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

1. Compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the 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.

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

3. **Fonda Speedway LLC - 93 W. Campbell Road.** The applicant requests a Waiver of Site Plan review to hold a car show throughout the ViaPort Rotterdam Mall from March 20, 2025 – March 23, 2025.

Motion was made by Mrs. Ciampino 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. Automobiles shall be removed by March 28, 2025.

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

Agenda:

Attendance was taken and a determined there is a quorum.

Ms. Scannell: We need a motion to approve the summary minutes of March 4, 2025. Please remember if you were not at our last meeting, you should be abstaining from the vote. I will entertain a motion.

Mr. Collins: I will make that motion.

Ms. Scannell: Thank you, Mr. Collins.

Mrs. Ciampino: I second the motion.

Ms. Scannell: Thank you, Mrs. Ciampino. Lisa, please call the vote.

Ms. Gallo: Mr. Collins?

Mr. Collins: Yes.

Ms. Gallo: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Ms. Gallo: Mr. Calder?

Mr. Calder: Yes.

Ms. Gallo: Mr. Signore?

Mr. Signore: Yes.

Ms. Gallo: Mr. Miglucchi?

Mr. Miglucchi: Yes.

Ms. Gallo: Ms. Ciampino?

Mrs. Ciampino: Yes.

Ms. Gallo: Chairman Scannell?

Ms. Scannell: Yes.

Motion carried.

1. Carman Hospitality, LLC – 3083 Carman Road. Final Site Plan & Special Use Permit Public Hearing to redevelop an existing ±2,300 square foot building (former Key Bank) into a First NY Credit Union branch office with drive thru. Engineer: ABD Engineers LLC.

Ms. Scannell: All right, first up, Carman Hospitality, LLC, 3083 Carman Road. And it's the one (1) and only Luigi Palleschi.

Mr. Palleschi: Good evening, thank you. So, we're here tonight for hopefully final approval for Carman Hospitality and First New York Federal Credit Union.

We've discussed this project with the Board last time. We've made some good progress here with, you know, the site plan renovations. You know, it used to be the Key Bank and First New York coming in, renovating it. They're anxious to get going with the building permit as soon as we get approval.

So, we received the comments from DPW on March 18th, and I'll just quickly go through those. They're in general agreement with everything.

I think the bigger discussion last time was connecting this building connecting to the sewer, and I know at that time, talking with the current owners, they were hoping to connect it at a later time. But then after the meeting, Aaron from First New York, we discussed it, and they didn't want to rip up the driveway later. So, I think they kind of pushed the current owner to say, you know what, let's connect now.

So, we looked deeper into it and come to find out this building has a basement in it, and we're able to reconfigure the piping and shorten the pipe to make the connection in it. It made sense. We went back to the owner and the owner was happy to make the connection now.

So, I think that was a plus from the last time that we spoke with the Board. I know a lot of the other improvements we shared our initial sketch plan with you for the overall development, but like I said, you know, getting First New York into this building as soon as possible is very important to this whole project.

So, with that, I'll just, number one (1), fees, yeah those will get paid prior to Chairman's signature.

Number two (2), applicant must obtain fire inspection or building permit and be issued a certificate of occupancy from the Town of Rotterdam Building Inspector prior to operation. Again, applicant is well aware of that.

Number three (3), applicant must comply fully with the Town sign code and obtain building permit for the signage. As we mentioned before, Key Bank had two (2) signs, one (1) on Carman Road and another one (1) on Curry Road. There's already easements in place and if you go out there today you see the base of where those signs were. The sign's not there anymore, but the base is there, and I think they're going to utilize that base and create a new sign that is similar in size to what Key Bank had and I think I shared a picture with you last time.

Ms. Scannell: Could you, do you have the picture with you again or no?

Mr. Palleschi: I think I gave my only one (1) up.

Ms. Scannell: Okay, we had a little glitch with our recording device. So, we didn't actually get the verbatim minutes, so I just wondered if we could, for anyone to review that. And so just to confirm, is this cement thing, this is where the sign's going to go?

Mr. Palleschi: No.

Ms. Scannell: Okay, that's a different cement thing.

Mr. Palleschi: That's a different cement thing. That sits right here. I think the vinyl fence connects right to it. That original sign was for the restaurant, I believe. That will stay. The sign is gone, but that cement base is still there and, you know, that may come down in the future development when we figure out what we're going to do around the site. But for now, yeah, it's just a, you know, a block base.

Ms. Scannell: Okay.

Mr. Palleschi: Base for the, it used to be the old sign, but the sign I'm talking about is out front. You, if you go out there, it's right next, it will be right next to the motel, Super 8 motel sign that sits right here. And there's another one (1) there. So those signs will be next to each other, just like they always were when the Key Bank was there.

Ms. Scannell: And you were going to get a copy of those easements to have Steve review?

Mr. Palleschi: Yeah...

Mr. Valiquette: If they're already in place. Yeah, if you don't mind just sending them over.

Mr. Palleschi: Yeah, I reached out to the owner and, you know, he's looking for it, so we can provide it once we receive it.

Ms. Scannell: County Clerk has them too, right?

Mr. Palleschi: Yeah, so that's a little bit about the signage. Adding meets and bounds of location of the existing municipal sanitary sewer easement to the final site plan. So again, there's existing municipal sewers in the back of this property. It goes to the pump station, it gravities towards the pump station, and then there's a force main that comes back and heads down Hamburg Street. Peter Comenzo did provide the documentation, and I'll add that to the final plan. That's not a problem.

And then, what else? The prior to issuance of certificate of occupancy, applicants shall patch, reseal, and restripe the asphalt paving and install all handicapped and wayfinding. Yeah, so what I did on the latest plan is I sort of shaded in the area that will get redone so that, you know, this bank looks like it has all new improvements to the site, and that area is shown on the plan.

Ms. Scannell: So, when I first visited, there was still a lot of snow on the ground, and just, you know, like snow had been pushed around. So, I know we're talking about the striping and repaving and what we're going to do, but I noticed that there's kind of like some, like timbers, like that are just kind of hanging out. I guess my question is, if somebody robs your bank, what's going to stop them from just driving right out over the lawn to get onto the road? Are we taking that into consideration when we're looking at the parking lot and how people could just quickly just, you know, people could just drive right onto the road there?

Mr. Palleschi: Yeah, I mean, there's, you're talking about this area right up front here, right?

Ms. Scannell: Right across from the Cumby's, yeah.

Mr. Palleschi: Some old timber probably got pushed when the snowplow pushed the snow in the front here. I would say those timbers would be removed, and, you know, once this is grass area, I don't think people are going to just drive completely out. There are a few things in the way.

We are proposing some street trees, there's a hydrant, and I believe a utility pole. I think in the future, when we look at extending the sidewalk, right, I think that will help this whole situation, but for now, Key Bank always operated like this, and I don't think there was ever any issues. So, we weren't proposing anything along this bank of parking spaces.

Mr. Palleschi: Maybe some parking bumpers along that whole side?

Ms. Scannell: I think it would behoove you, just because then people kind of, like, here's my area, here's your area, you know. It makes sense, and then maybe in the future, yeah, well, we really, I liked being able to see what the vision is for that area. I think we all probably did. So, that was great that you were able to provide that. I'm sorry go ahead.

Mr. Palleschi: Yeah, and then I think the rest of them are just adding notes on the plan, you know, in regards to connecting to the sewer prior to CO and things like that that I can go through every one (1). But they're all pretty straightforward, and I'll add that to the final site plan and all the notes that are requested but yeah other than that, you know, I think it's an improvement.

We've answered a lot of the questions Planning Board had from the last time, but if there's additional questions, and we can certainly discuss it tonight. Our goal tonight was to get final approval. My goal is to have everything submitted so they can get their building permit next week.

Mr. Collins: Sounds like a plan.

Ms. Scannell: So, we're going to go there's two (2) pages of, there's two (2) pages of DPW comments.

Mr. Palleschi: No, just one (1). We answered that one (1) from February.

Ms. Scannell: I have two (2) pages.

Mr. Calder: From 2023, Kim? I see a 2025.

Ms. Scannell: I realize that I'm saying, I have this, and I have this. So, I'm saying there's two (2) pages correct? So, I just want to make sure that we're all on the same page. If we are going to be approving anything contingent on DPW comments, I would just like to say that they would be from the first page where you started reading from fees due and then applicant must obtain a fire inspection, and then when we flip the page and we have the DPW comments from February. Are we including those? Are we reading those as conditions on the record? That's a question for you.

Mr. Palleschi: So, last time I answered all those questions point by point and resubmitted and that was like revision number one (1) on the site plan that you have before you. And then on March 18th, DPW reviewed it again. These are the additional comments.

Ms. Scannell: Right.

Mr. Palleschi: Just to give you an example from February 18th comment number 10, adding a note to the plan to install a new water meter with an outdoor reader that measures in gallons. I added that if you look at your right, so I already added that but then on the March 18th, it's similar note, but the words changed a little bit, so I'm agreeing. I'll revise the notation to that. So, yeah, we'll update it.

Ms. Scannell: Right, I just want to make sure that if the language on something didn't stay exactly the same that we're taking the whole kit and caboodle the flagpole, we're taking the garbage, we're taking the fact that the landscaping was inadequate the last time that you were here and that we've kind of upgraded that a little bit.

Mr. Palleschi: Yeah, just to point out you know like in this area here. We call out five (5) "Inaudible". "Inaudible..." base and add up lighting. We show the tote bins over in the back here, so yeah, so a lot of the comments from February have been already added to this plan. So, our goal is to continue to revise this and add the March comments.

Ms. Scannell: On the other side of the drive-thru, where there's, it looks like maybe there was a fence once upon a time.

Mr. Palleschi: Yeah, that fence is still there. It's a three foot (3') high wood fence.

Mr. Collins: Vinyl fence on the side.

Mr. Griffen: "Inaudible..."

Mr. Comenzo: So, there's like a three (3) or four (4) foot drop into that drainage structure. And I think that's why that fence was there, so you probably should I mean the poles are still there that too I think they're four (4) by four (4) or maybe three (3) by three (3) posts and somebody's kind of kicked all the vinyl out of it, and it's laying on the ground over there. So, I think you probably need a fence there just so people don't fall off the edge. Especially in the wintertime when you can't tell where the snow and everything else is. You could even just replace the panels maybe with vinyl.

Ms. Scannell: So, we'll add that as a condition. And again, I'm just trying to go through some of this stuff that when the snow was gone, you know, there was just some more obviously there was some, you know, garbage and debris and stuff that not really sure what's going on with that, but that whole area, I'm sure you'll want that you don't want garbage laying around. All right Mr. Miglucchi, questions comments, concerns.

Mr. Miglucchi: No. I'm happy that they're hooking the sewer up right now, which, you know, it's good because you don't have to rip anything up and like I said, with a basement it'll make it easier to make those adjustments. The final plan looks good. It looks like it like I said that's a busy corner and what people see as they drive by so look nice it looks like you got that pretty much set. Put some trees up there and make it look good and redoing the flag pole and everything. So, I think I'm okay with it.

Ms. Scannell: Very good. Thank you. Mr. Signore?

Mr. Signore: Yeah, my biggest concern was the sewer hookup. And another reason is people on Hamburg Street, they open up the business to get a hookup onto the sewer. So, it's also an issue of fairness, and you know Carman Hospitality has more resources than the average person on Hamburg Street. So, it would be kind of unfair if they had to pay the hookup fee and do it in the associated costs and Carman Hospitality did not. So, that was a concern of mine, and that looks like it's being taken care of. I'm sure you guys will do a great job fixing up that corner. Are you going to be adding something in the future off to the left there?

Mr. Palleschi: Where? Like on the corner where the old diner was.

Mr. Signore: Yeah.

Mr. Palleschi: Yes, that's the Carman Hospitality. We provided a quick sketch overview of what it will possibly look like. Right now, we are proposing just a fast food with a drive-thru some sort of coffee shop, but the Planning Board had asked for some sort of sketch and that was my first go around. It was important because, you know, I'm talking with the bank, you know, it would modify their drive-thru lanes. Right now, they've got the three (3), but they don't anticipate using all three (3). So, you know it's possible that our sketch plan would, you know, modifying their drive-thru could work in the future, so it's a good start.

Ms. Scannell: Very good. Thank you. Mrs. Flansburg?

Mrs. Flansburg: I noticed that you added the tree plantings. Can we add the note where they would be replaced in perpetuity dead and dying plantings, trees whatnot and then I was not here for the previous meeting, so I just have a quick question. So, I see your pavement improvements around the immediate site but between Carman and the entrance to the bank just that from there to there, is that to be done later when more things are finished? Because I feel like that's kind of ripped up a bit from like the buses and stuff going through from when they were picking up at the hotel. They had like a whole in-out system over in that area, I just want to make sure that it's on the plan for at some point. I understand if there's other improvements that are going on at the time, but I like the project. I think it's you know it's one step towards zipping up the corner.

Mr. Palleschi: Thank you.

Mrs. Flansburg: Thank you.

Ms. Scannell: Thank you, Mr. Calder?

Mr. Calder: Well, most everything that I was concerned about was discussed already. The sewer was a big deal. Cleaning up that corner is a big deal. Kim, I don't know if you want this timber thing to be part of this yet.

Ms. Scannell: Yeah, I think some of the things that we were seeing, you know, that the timber logs, railroad ties, whatever those are that they're going to be removed. That the open electrical outlet on that structure that's not a sign. Half wall.

Mr. Calder: So, we can make that a condition, Kim, to clean up the property basically. I think after the winter it's going to obviously look a lot better once they get over there and clean up all this mess. That corner should really look nice though, and it's been a long time coming. That's really all I had unless you're going to make a condition.

Ms. Scannell: No, I mean again we can review some of the photos of the things that I have concerns with but there's, you know, and I like to read it onto the record because we have to make sure that when we go back that we've done all of our things right, okay? So, like I can have Luigi come look, you can tell me what you think what will happen to the electrical outlets and...

Mr. Palleschi: Yeah, so that's this where the signs going to go.

Ms. Scannell: Okay, so the electrical outlets are not going to be hanging out right there. They'll be up? They'll be covered.

Mr. Palleschi: Yes.

Ms. Scannell: Okay, what about, don't go anywhere. What about this? Should that be covered?

Mr. Palleschi: We don't know, that could be like some sort of signage for the future.

Ms. Scannell: Okay.

Mr. Palleschi: We don't know. That's right in this corner here.

Ms. Scannell: Well should it be covered?

Mr. Palleschi: Yeah, "Inaudible..." I got you. Yes.

Ms. Scannell: Just kind of make sure that all of that area...

Mr. Palleschi: Maybe put a over on top of that.

Ms. Scannell: That would be great. A cover on top of that and clean up whatever debris is underneath. Yeah, I'm just looking at it. We're doing something great at that site, and so I just want to make sure that all these conditions, unfortunately or fortunately because everybody knows where this bank is going to be, you know, this is a very public place that people public vision has been on this place, so it's really an opportunity for your bank to shine. So, I just want to make sure we have all these conditions that we're talking about. Mr. Collins?

Mr. Collins: Well, I think it's a good project and I'm sure you do all the conditions that we stated so a lot of faith in the world. It's a good project. That's all that I have.

Ms. Scannell: Thank you, Mrs. Ciampino, I forgot your sitting in the middle.

Mrs. Ciampino: No, thank you for addressing all our comments from last time and I live very close to that area so I'm very excited to see that be revamped and look nice again. Thank you.

Ms. Scannell: Great. So, we need to have a public hearing tonight, so I will go ahead and open that right now. One more time public hearing is open. There is no one here that wishes to speak so I am going to go ahead and close the public hearing. We are going to need a motion for a special use permit.

Mr. Collins: I'll make that motion.

Mrs. Flansburg: I'll second.

Ms. Scannell: Thank you Mr. Collins and Mrs. Flansburg. Lisa, could you please call the roll?

Ms. Gallo: Mr. Collins?

Mr. Collins: Yes.

Ms. Gallo: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Ms. Gallo: Mr. Calder?

Mr. Calder: Yes.

Ms. Gallo: Mr. Signore?

Mr. Signore: Yes.

Ms. Gallo: Mr. Miglucchi?

Mr. Miglucchi: Yes.

Ms. Gallo: Ms. Ciampino?

Mrs. Ciampino: Yes.

Ms. Gallo: Chairman Scannell?

Ms. Scannell: Yes.

Motion carried.

Finally, I would entertain a motion for final site plan approval conditioned on everything that we have discussed here tonight and everything that is described in DPW comments.

Mr. Miglucci: I'll make the motion.

Mr. Signore: I'll second it.

Ms. Scannell: Mr. Miglucci has made the motion, and Mr. Signore has seconded it. Lisa, could you please call the roll?

Ms. Gallo: Mr. Collins?

Mr. Collins: Yes.

Ms. Gallo: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Ms. Gallo: Mr. Calder?

Mr. Calder: Yes.

Ms. Gallo: Mr. Signore?

Mr. Signore: Yes.

Ms. Gallo: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Gallo: Ms. Ciampino?

Mrs. Ciampino: Yes.

Ms. Gallo: Chairman Scannell?

Ms. Scannell: Yes.

Motion carried.



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 PC11-2025

Moved by Mr. Collins seconded by Mrs. Flansburg
Applicant: Carman Hospitality, LLC

Applicant: Carman Hospitality, LLC

Project Location: 3083 (3081) Carman Road
Rotterdam, New York

Tax Number or Numbers: 71.6-5-1.31

Proposed Project: Special Use Permit to redevelop an existing ±2,300 square foot building (former Key Bank) into a First NY Credit Union branch office with drive thru.

WHEREAS, a public meeting was conducted by the Town of Rotterdam Planning Commission on February 18, 2025 and a public hearing on March 18, 2025 to consider the above referenced Special Use Permit; and,


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

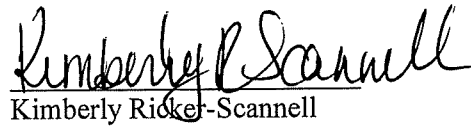
WHEREAS, the Town of Rotterdam Planning Commission after careful consideration of the application, testimony of the applicant and/or representative and members of the public in attendance at the hearing, and all other materials of record **HEREBY APPROVES THE SPECIAL USE PERMIT; NOW**

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

- | | | |
|--------------------|--------------------|-----------------|
| 1. Final Fees Due: | Final Site Plan | \$350.00 |
| | <u>Advertising</u> | <u>\$ 37.95</u> |
| | Total | \$387.95 |
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 Sing Code and obtain a building permit for any signage.
 4. Add the meets and bounds location of the existing municipal sanitary sewer easement to the final site plan prior to signature.
 5. Prior to the issuance of a certificate of occupancy, the applicant shall patch, reseal, and restripe the asphalt paving and install all handicap and wayfinding signage as depicted on the site plan.
 6. Prior to the issuance of a certificate of occupancy, the applicant shall replace the damaged vinyl fence located in between the drive-thru and drainage swale.

7. Prior to the issuance of a certificate of occupancy, the applicant shall clean up and cap the former sign location on the northeast corner of the bank property and repair/remove the existing damaged electrical outlet(s).
8. Add note to plan: "Applicant shall be connected to the existing municipal sanitary sewer line that traverses the property prior to the issuance of the Certificate of Occupancy."
9. Add note to plan: "Further site development will require review and potential upgrades to the existing pole mounted lighting on-site."
10. Add note to plan: "Further site development will require the extension of sidewalks along Carman Road from the roundabout south to the property line."
11. Add note to plan: "Owner/applicant shall install Knox Box for emergency personnel. Please contact Fire District #3 for specifications."
12. Add note to plan: "Owner/applicant shall install a water meter that reads in gallons with an outside reader without a wand to read. Please check with DPW for retailers."
13. Add note to plan: "All dead and/or dying landscaping shall be replaced in kind and all landscaped areas shall be maintained in perpetuity."


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 PC12-2025

Moved by Mr. Miglucci seconded by Mr. Signore
Applicant: Carman Hospitality, LLC

- Applicant:** Carman Hospitality, LLC
- Project Location:** 3083 (3081) Carman Road
Rotterdam, New York
- Tax Number or Numbers:** 71.6-5-1.31
- Proposed Project:** Final Site Plan to redevelop an existing ±2,300 square foot building (former Key Bank) into a First NY Credit Union branch office with drive thru.

WHEREAS, a public meeting was conducted by the Town of Rotterdam Planning Commission on February 18, 2025 and a public hearing on March 18, 2025 to consider the above referenced Site Plan; and,

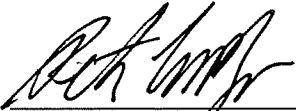
WHEREAS, this matter was discussed and approved, as meeting the standards for a Site Plan Review as set forth in Chapter 270 of the Code of the Town of Rotterdam entitled ZONING; and,

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

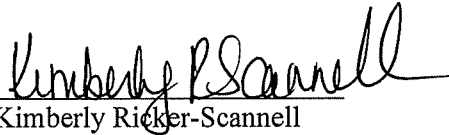
IT IS HEREBY RESOLVED THAT this Site Plan is approved with the following conditions as stipulated by the Planning Commission:

- | | | |
|--------------------|--------------------|-----------------|
| 1. Final Fees Due: | Final Site Plan | \$350.00 |
| | <u>Advertising</u> | <u>\$ 37.95</u> |
| | Total | \$387.95 |
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 Sing Code and obtain a building permit for any signage.
 4. Add the meets and bounds location of the existing municipal sanitary sewer easement to the final site plan prior to signature.
 5. Prior to the issuance of a certificate of occupancy, the applicant shall patch, reseal, and restripe the asphalt paving and install all handicap and wayfinding signage as depicted on the site plan.
 6. Prior to the issuance of a certificate of occupancy, the applicant shall replace the damaged vinyl fence located in between the drive-thru and drainage swale.

7. Prior to the issuance of a certificate of occupancy, the applicant shall clean up and cap the former sign location on the northeast corner of the bank property and repair/remove the existing damaged electrical outlet(s).
8. Add note to plan: "Applicant shall be connected to the existing municipal sanitary sewer line that traverses the property prior to the issuance of the Certificate of Occupancy."
9. Add note to plan: "Further site development will require review and potential upgrades to the existing pole mounted lighting on-site."
10. Add note to plan: "Further site development will require the extension of sidewalks along Carman Road from the roundabout south to the property line."
11. Add note to plan: "Owner/applicant shall install Knox Box for emergency personnel. Please contact Fire District #3 for specifications."
12. Add note to plan: "Owner/applicant shall install a water meter that reads in gallons with an outside reader without a wand to read. Please check with DPW for retailers."
13. Add note to plan: "All dead and/or dying landscaping shall be replaced in kind and all landscaped areas shall be maintained in perpetuity."



Peter J. Comenzo
Senior Planner



Kimberly Ricker-Scannell
Planning Commission Chairman

2. Peek Burdeck Street, LLC – Opus Boulevard. Sketch Site Plan/Special Use Permit to allow for vehicle storage for Interstate Towing Company in addition to the existing propane storage/distribution facility for AmeriGas on a ±71,736 square foot parcel. Engineer: ABD Engineers LLC.

Ms. Scannell: All right next up Peek Burdeck Street LLC on Opus Boulevard. Take it away, Luigi.

Mr. Palleschi: All right, so yeah, so this is known as 32 Opus Boulevard. Just got a 9-1-1 address recently. It's been purchased by Tim Peek, who is Peek Burdeck Street, LLC. As you recall it was the old J. Luke Hodorowski complex. I call it. So, this parcel in particular stored a lot of their construction vehicles and equipment. There's an existing building known as AmeriGas, it's a propane company that has a lease. I forget. It may be another two (2) or three (3) years, but as Tim Peek purchased this property he has to continue that lease with AmeriGas. So, they'll stay on the premise and with his purchase, there's a second tenant that could use this space, and it's Interstate Towing.

What they'd like to do is they'd like to store about 30 vehicles around the perimeter in the fenced-in area. So, there's an existing curb cut off of Opus Boulevard. It actually cuts across what is this 786, 796 Burdeck Street in the back. There's an existing easement. If you recall, we were before this Planning Board with site modifications converting the Hodorowski office building to the Companion vet. The nice thing about this is with the vet, this black-top area behind the building is actually going to be green, and it's going to be fenced in as well. So, when looking at the comments this area will be greened up, and it'll be fenced, and it'll provide sort of its own entrance to 32 Opus Boulevard. I know I went out there today before the meeting just to look and see what things look like today because before I went there, I pulled an aerial and you can see a lot of the construction equipment back here. It was a mess and after talking to Tim Peek, you know, the first thing they did was went in there, and they cleaned everything up, So, they're the type of applicant/owner that you know likes to keep things clean. I think they've presented themselves in this town with other projects...

Mr. Signore: On Westside Avenue you'll see an example of that. He does an exceptional job. He really does.

Mr. Palleschi: So, I think this is an opportunity for them and, you know, the existing chain link fence that surrounds this property is in decent condition. The gate is already there and what he'd like to do is improve the privacy. So, he's looking to install the black fabric similar to what you see at like the baseball fields, right? I think they're a lot better than the slats that you put in the chain link. So, he does want to make that improvement. And, you know, they're going to put the cars mainly on this back here first. That's their first go-to and you know the number of cars at times will vary. Right now, we're just we're showing 30 to 40 actually, but you know in talking with him today, you know, they only really anticipate maybe 25 to 30 and that could come and go, but we have plenty of room in that corner to provide this for his tenant.

The other thing we talked about is I drew a blue line here so, what he's looking to do is put up these concrete barriers so that it separates this use from the AmeriGas use. So, everybody's going to come in the same entrance in and out. AmeriGas actually comes in this way, they pull over to these propane tanks, and then they just come right back out. So, that'll remain the same, but the towing company would just come in turn left and they'll be within their own area. I think it'll have less confusion if both of them are operating at the same time. I don't think this operation in either case are there all the time here. I mean, it's going to be rare, you know, when they're you know going to meet at the same time, I think. The opportunity is there to clean the site plan up.

I'll switch over to the DPW comments. So, number one (1) access point on to Opus Boulevard needs further detail. I hope you agree with you know the existing curb cut and when this does happen that will green that whole space up creating sort of its own driveway to 32 Opus Boulevard. And again, when I went out there today, there's a nice big sign that says 32 Opus/Peek Burdeck, LLC sign right there on the gate. So, that you know anybody that enters here such as fire emergency, whoever knows that they're at an Opus Boulevard site.

Number two (2) driveway into the newly created lot should be clearly marked and reflected. I think we just talked about that. He's already done that.

Number three (3) motor vehicle storage and propane distribution area should be clearly defined and depicted on the site plan. Applicant may wish to consider some type of delineation separating the two (2) uses. Shared use of the common space may become problematic, if not clear. So, I was sort of ahead of the game only because I read this comment. I discussed with Mr. Peek, and you know he was envisioning putting this concrete barrier so that it could separate the two (2) uses.

Number four (4) detail proposed privacy screening and attached to existing fence. I can certainly provide a cut sheet of that black fabric, but I think we can all envision what that's supposed to look like.

Number five (5) Planning Commission may wish to consider requiring mitigation or extending pavement to prevent leaking vehicles from contaminating the soils on site. So, as shown on our site plan like this area here as you first enter, this is asphalt pavement, and then from here back it's compacted gravel. It's almost impervious as it sits. We don't really want to extend the pavement. It was storing a lot of the construction vehicles already, so I don't know if we really need to pave it. Being that it's compacted gravel, it's kind of like pavement.

Ms. Scannell: Is there a drain?

Mr. Palleschi: There is, yeah, I don't know exactly where it is, but if it's a dry well over in this area here. I don't know if it's within the asphalt or the gravel area.

Ms. Scannell: But I think we'd like to know about that drain.

Mr. Palleschi: We can yeah, we can show...

Ms. Scannell: We'd like to please see it on the map.

Mr. Collins: Is it a dead head or a regular drain that goes somewhere? Do you know?

Mr. Palleschi: I'd have to look. My understanding is it's a dry well.

Mr. Collins: Okay.

Mr. Palleschi: I can certainly go look at that. It was a drain that was always there. So, we'll look at that and put it on the plan.

Mr. Collins: We have drains that go nowhere.

Mr. Palleschi: Well, there's all good sand there. Drainage is good, but you know maybe it does have an overflow. I really don't know. We'll go look at that.

So, what else that's the pavement.

Number six (6) adding note to the plan vehicles shall not be stored for more than 180 consecutive days. I had talked to the applicant and we're in agreement with that.

Number seven (7) changing the title block to the new address 32 Opus Boulevard, and again, you know, we can certainly update the site plan on the next round. So yeah, so I'll turn it over to the Planning Board for some comments or questions so we can move on to the next step.

Ms. Scannell: So, I have a question with regard to the cars that are going to be towed there. So, if a car was in an accident or something and it gets towed there are they leaking things like antifreeze, gasoline, motor oil? What's going on with that and is there something in place to make it so that it's not you know?

Mr. Palleschi: Yeah, I would say chances are if it had a leak it was leaking at the accident. And then there's certain protocols that have to be done in that case. Like they put speedy dry down to soak up anything that is leaking.

Ms. Scannell: What if there's a slow leak and they get it back and this the gasoline is slowly leaking onto the ground here that they didn't catch with their...

Mr. Palleschi: I think it's on some type of maintenance that the towing company is going to have to look for. Again, there's protocols that you can throw down to absorb whatever is leaking.

Ms. Scannell: I would probably like to know a little bit more about what the plan is for that because I do have concerns. When a car is in an accident, something could get a small leak that becomes a bigger leak. If somebody just went to the gasoline station, and they have a full tank of gasoline I mean, I don't know. I don't own a place where we store cars that have been in accidents, but for all I know they drain them. I mean, I think we would probably like to know a little bit more about the procedures that are in place, what can happen as far as leaks go? That would be my biggest thing. Just the other thing I wanted to mention to you is that Tomra, their neighbor across the boulevard Tomra is in the process of also making some really, really nice investments in their business so that whole area should be looking spectacular. We're excited. Mr. Collins, I'm going to start with you.

Mr. Collins: No, I had the same questions like her. I've been to a few places like "Inaudible" and stuff sometimes they do leak. Wasn't he there once before behind the car wash, Interstate, he had a big lot. Just wondering what you know why he's going back to the area, but I mean it's a good location for it. My only concern is sometimes cars stay more than the 180 days, you know what I mean, that's my only concern sometimes because insurance companies say we don't want it. We don't want it because it's \$75 a day for storage. The storage adds up to say we're paying off the car and then the junkyard has to keep it and then it takes longer to do the paperwork that before you can scrap it. I don't know how we can control that, or something doesn't stay there for longer. I know they say 180 days, but feasibly it seems like a long time, but like John Tooley, he's had cars for two (2), three (3), years because it takes that long to do the paperwork afterwards because of DMV and to get the title switched over.

Mr. Palleschi: Are you recommending we increase it?

Mr. Collins: Well, I'm just saying how we're going to, you know they always come in and say well 180 days, but we know it lasts longer. I'm just trying to be realistic. You know, there's nothing we can really, I was just curious. They always pick 180 days, and I don't know where they come up with that number. I mean it's good for the area because they have a lot of equipment in it. He's done a lot of projects in Rotterdam. I have all the faith in the world that he's in the gate and make it you know attractive, and I'm glad they do put the barricade up there because I had a vision of a big dump truck coming in the middle of the night and hitting a propane tank, you know what I mean, so it's going to be protected. Some of these tow truck drivers are out at three (3) or four (4) o'clock in the morning and see that there's a tank. That's all that I have.

Ms. Scannell: Thank you. Mrs. Ciampino?

Mrs. Ciampino: I'm good. I like the idea of the blackout fabric on the chain link fence. I'm very familiar with that. Other than that, I'm good.

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

Mr. Calder: You pretty much cover what I was going to cover, Kim with the with the leaking from the cars. That is important and knowing Tim like we know him, he's a good guy and I'm sure he'll have the property looking good. But after that it becomes a problem with Interstate to take care of it to make sure it's not leaking, and the problems are gone. Where are they right now, Interstate? Who owns that, do you know?

Mr. Collins: I know his name is Danny. He's over across from Parkwood Builders over on Highbridge. You go over the bridge and Parkwood is on one side and he's over there.

Mr. Calder: I was just curious. So, obviously Mr. Peek has got a contract with them to bring them in there and do this.

Mr. Palleschi: That's correct.

Mr. Calder: Okay, no, the only thing that I had was what Kim said and that was a good point. Very good. I have nothing else.

Mr. Palleschi: We will get more detail on that. I don't think it will...

Mr. Calder: That's really the only thing that could happen and cause a problem that I see, anyway. There's no buildings or services being used. That's the only thing and it makes sense.

Ms. Scannell: Mrs. Flansburg?

Mrs. Flansburg: Well, originally, I thought that it was somehow linked to the towing company that went over by the old Pop Warner field.

Mr. Collins: No, that's AC.

Mrs. Flansburg: Okay, that's AC because I'm like oh, we were, I was trying to think like what do they have for ground cover over there because it wasn't a paved lot, and they store cars that are towed. Unmanned, I assume right? They're just bringing and leaving and bringing them somewhere to be repaired.

Mr. Palleschi: The gate will be locked and then they'll have keys to unlock the gate. During the day it's probably open, but it will be secured. Then speaking of the gate Mr. Peek did talk to the fire chief and in regards to the Knox box, the fire chief recommended that we don't put one on this site because he said you know the gate in the chain that's there we're going to go in and..

Mrs. Flansburg: They're just going to cut it.

Mr. Palleschi: Where are you going to put the key, this that and the building is open to so there was no need for an actual Knox box. I just wanted to relay that that we did have that conversation.

Mrs. Flansburg: That's fine. So, you reference the green space where the animal hospital place is going to be. Do you have a time frame of when they would plan on making it green space?

Mr. Palleschi: I believe pretty soon because I know they're out to bid on that project.

Mrs. Flansburg: Okay, so it's not a someday thing to be done. It's a someday soon.

Mr. Palleschi: It is my understanding that she fully purchased that property and getting contracts to get that started. Hopefully soon, financing sometimes can delay things. They are in the works.

Mrs. Flansburg: Okay, that's all that I have. Thank you.

Ms. Scannell: Thank you. Mr. Signore?

Mr. Signore: My concern is number five (5) with the leaking of the vehicles. And then we can come up with some kind of impervious material. Because on some of our other projects. I know we required concrete around gas pumps. So, when someone's vehicle is getting gassed up, if anything it wasn't on asphalt and it's in a way. That would be my biggest concern. I've got a feeling that some of these wrecks might be there more than 180 days. They are just out of sight out of mind, and they're there longer, but that's my main concern. I know Timmy will do a great job, because he always does but my concern is protecting the soil from contaminants.

Mr. Palleschi: Yeah, like we said we'll look into their maintenance program, and we will "Inaudible..." This isn't the first facility like this and like we mentioned, AC Body Works. What type of surface do they have. We can compare to that and see what their details are to maintain their property. We will get back to you on that.

Ms. Scannell: Great. Thank you. Mr. Miglucci.

Mr. Miglucci: Okay number five (5) as an ex-OSHA, federal guru guy. We used to tarp vehicles when they were deadlined, or we had watched them. They are always tarped so nothing would go into this ground or anything like that. A vehicle with a slow leak, we used to put a tarp. We had like an "Inaudible" that was deadline or a two-ton or something like, run a tarp underneath it. We even watched them on it because diesel would come out and that would be the proper way to actually take care of a slow leak like that when that happens.

And my other one (1) is the green space is that going to be maybe used as a rehabilitation place for some of those animals out there.

Mr. Palleschi: Yeah, so this area here will be fenced in so that you can have the dogs walk and things like that.

Mr. Miglucci: Thanks, Luigi, that's all that I have.

Ms. Scannell: Thank you. We talked a little bit about signage just if we obviously any signage that Mr. Peek has up there would comply with town code. Will there be other signage for wayfinding purposes, or no?

Mr. Palleschi: I don't think so. I think AmeriGas has been established there. I think they know where they're going. Being that the tow truck just comes in takes a left, I don't think there's any internal signage, but there is signage like on this building, 32 Opus and same thing right at the gate. There's signage for when you're at this facility.

Ms. Scannell: Just curious. I love the idea of your concrete barrier. I have to admit that Clark, and I think very similarly sometimes. And that was one of I was just like what there's just propane my goodness, so I think I'm glad that we're out in front of that. So, in addition to things that leak, there's things and I know that there's a locked gate or whatever and there's a fence. Is he going to have security cameras? Like catalytic converters and stuff, people really like to steal those. I don't know. I'm just curious, but it's something that....

Mr. Palleschi: Yeah, that may help deter people.

Ms. Scannell: I'm just curious.

Mr. Palleschi: I'll ask the question. I'm not sure what if he's going to have cameras or if there's cameras there already. I know there's cameras on the existing like that...

Mr. Valiquette: Looks like there's also barbed wire fence or barbed wire on the fence as well.

Ms. Scannell: Yeah, if you can cut a gate to get in an emergency, you can cut a gate to get in and steal a catalytic converter.

Mr. Calder: Insurance companies might have something to do with that.

Mr. Collins: I have one (1) question. Is there going to be lighting that is controlled by motion or anything else when we come in, it's going to be kind of dark at night.

Mr. Palleschi: I think it's going to be dark at night. I think there's just some building mounted and there is one (1) light pole like smack in the center of the site. I don't know. I haven't gone there at night to see.

Mr. Collins: I was just curious.

Mr. Palleschi: Yeah, these are good questions. I'll certainly get with Tim.

Ms. Scannell: It sounds like a wonderful project, and we, you know, I don't know Mr. Peek personally, but I love hearing all these good things and I love all the good things that are happening in Rotterdam and that that area really is going to be beautiful. I mean between the work that has already gone in with Companion Animal and this and with Tomra. It's going to be really sharp over there. Mr. Valiquette?

Mr. Valiquette: Luigi, you mentioned the access easement. Who owns the subservient parcel of these? Does "Inaudible" also?

Mr. Palleschi: Are you talking about this plot here, 796?

Mr. Valiquette: Yes.

Mr. Palleschi: That's owned by the vet and easement is...

Mr. Valiquette: And are they consenting to kind of the green space change in addition because that's...

Mr. Palleschi: The green space, I just highlighted it tonight. The green space was already approved as part of this site plan modification that we presented before this Board.

Mr. Valiquette: Okay.

Mr. Palleschi: That's where their dog walking is going to be in that fenced-in area, but after reading these comments tonight on 32 Opus, you know, I decided to kind of emphasize that because when I drove there today it looks like a lot of asphalt, and it's like you know which way do you go, but once this is greened up there is only one way to go and you head to right towards the gate.

Mr. Valiquette: My only question was just how are you going to get them to do the green space, but I guess it's already been approved.

Mr. Palleschi: It's already been approved.

Mr. Valiquette: Okay, thank you. That's all.

Ms. Scannell: Thank you. Peter, do you want to weigh in on anything?

Mr. Comenzo: No, the only thing I think when I was out there, I was looking they must have put the sign up. I think it was out there Friday; the condition of the gate is beat up a little bit. I don't know if they were considering replacing it and then I think just to make sure that everybody knows what's there because there is obviously the propane facility/fueling there that with the reconfiguration of the lots and the two (2) uses over there that you know exactly where 32 Opus Boulevard is and I think that's why we wanted to make sure it was signed very well and folks could get in there in the case of emergency. So, I think it's helpful that they met with the fire chief already, so that's good.

Ms. Scannell: That's very good. Awesome, thank you. I would entertain a motion to declare lead agency.

Mr. Collins: I'll make that motion.

Mr. Calder: I'll second it.

Ms. Scannell: Thank You Mr. Collins. Thank you, Mr. Calder. Lisa, could you please call the roll?

Ms. Gallo: Mr. Collins?

Mr. Collins: Yes.

Ms. Gallo: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Ms. Gallo: Mr. Calder?

Mr. Calder: Yes.

Ms. Gallo: Mr. Signore?

Mr. Signore: Yes.

Ms. Gallo: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Gallo: Ms. Ciampino?

Mrs. Ciampino: Yes.

Ms. Gallo: Chairman Scannell?

Ms. Scannell: Yes.

Motion carried. Good news means you can come back again Luigi.

I would also entertain a motion to adjourn.

Mr. Collins: I'd like to make a motion to adjourn this evening's meeting.

Mr. Miglucci: I'll second.

Ms. Scannell: All in favor.

Planning Commission Members: I.

Meeting adjourned at 8:17 p.m.

Next meeting scheduled for April 1, 2025.

Respectfully Submitted,

Marlo L. Urowsky
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 PC13-2025

Moved by Mr. Collins seconded by Mrs. Flansburg
Applicant: Peek Burdeck Street, LLC

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Project Location: 32 Opus Boulevard
Rotterdam, NY

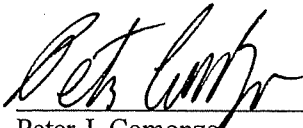
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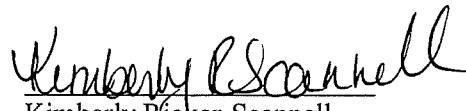
Proposed Project: Site Plan/Special Use Permit to allow for vehicle storage for Interstate Towing Company in addition to the existing propane storage/distribution facility for AmeriGas on a ±71,736 square foot parcel.

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, March 18, 2025, 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