

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

Workshop (7:00pm):

1. **Sassy's Satellite – 93 W. Campbell Road.** The applicant requests a Waiver of Site Plan review to operate a Pop Culture Gallery/retail store in tenant space B-112, former Footlocker, 3,098 square feet, from January 15, 2022 to September 14, 2022.
2. **The Local Arcade – 93 W. Campbell Road.** The applicant requests a Waiver of Site Plan review to operate a family entertainment center in tenant space E-108, former ViaPort Entertainment Center, 29,028 square feet, from October 18, 2021 to October 17, 2026.
3. **Elizhane Parson & Yasmeeen Graham - 2557 Hamburg Street.** The applicant requests a Waiver of Site Plan to operate Stunning Beauty, a woman's clothing and accessory store, in existing ±725 square foot tenant space on a 0.17-acre parcel.
4. **1520 Altamont Ave, LLC – 1520 Altamont Avenue.** The applicant requests a Waiver of Site Plan review to operate Benson's Pet Center in existing ±22,100 square foot existing tenant space, former Save A Lot, on a ±2.99 acre parcel.

Agenda (7:30pm):

Approval of the Summary of Minutes January 18, 2022

1. **Rotterdam Ventures, Inc. & Northeast IP Holding, Inc. – 1700 Rotterdam Industrial Park.** Final Site Plan/Subdivision Public Hearing Review to reconfigure existing parcels in the Rotterdam Corporate Park and create three (3) lots. Lot #1 ±13.31 acres, Lot #2 ±4.62 acres, Remaining Lands ±249.61 acres. Engineer: Hershberg and Hershberg.
2. **Korean Presbyterian Church of Albany – 7 Knox Drive.** Concept/Sketch Site Plan review to construct a ±1,930 square foot addition to existing church on a ±2.55-acre parcel. Engineer: ABD Engineers, LLP
3. **3324 South Thompson Street, LLC – 3324 South Thompson Street.** Concept/Sketch Site Plan review for the construction of a ±5,000 square foot storage building on a ±0.3-acre parcel. Engineer: Ingalls & Associates, LLP.
4. **Town of Rotterdam – Land Use Applications.** Report and Recommendation to the Town Board to establish a 12 Month Moratorium on Land Use Applications for Multi-Family Dwellings.

**DPW Comments
February 1, 2022**

Agenda (7:30pm):

- 1. Rotterdam Ventures, Inc. & Northeast IP Holding, Inc. – 1700 Rotterdam Industrial Park.**
Final Site Plan/Subdivision Public Hearing Review to reconfigure existing parcels in the Rotterdam Corporate Park and create three (3) lots. Lot #1 ±13.31 acres, Lot #2 ±4.62 acres, Remaining Lands ±249.61 acres. Engineer: Hershberg and Hershberg.

1. Final Fees Due:	Subdivision Application	\$75.00
	Lot Fees 3 X \$80	240.00
	<u>Advertising</u>	<u>\$34.41</u>
	Total	\$349.41

2. Prior to Chairman’s Signature, the proposed cross easements for access, water, sanitary sewer, stormwater, and utilities must be submitted to the Town for final review, approved as to form, and filed with the County Clerk’s Office.
3. Add note to final subdivision plan: “Variances for roadway frontage were granted by the Zoning Board of Appeals on January 19, 2022.”

DPW Comments, December 21, 2021

1. Cross easements for access, water, sanitary sewer, stormwater, and utilities must be submitted to the town for review by the Town Board and approved as to form prior to scheduling for a public hearing.
2. Variances for roadway frontage will be required prior to resubmittal.

SEQR Requirement: 6 NYCRR 617 Unlisted Action. Rotterdam Planning Commission declared lead agency on December 21, 2021. A Draft Negative Declaration has been prepared by the Senior Planner and is attached for your consideration.

Involved/Interested Agencies

Schenectady County Economic Development and Planning
Schenectady County Department of Health
Schenectady County Industrial Development Agency
Metroplex Development Authority
New York State Department of Environmental Conservation – Region #4
Rotterdam Police Department
Fire District #5
Fire District #6

ZONING COORDINATION REFERRAL

SCHENECTADY COUNTY DEPT. OF ECONOMIC DEVELOPMENT & PLANNING

Recommendations shall be made within 30 days after receipt of a full statement of the proposed action.

For Use By SCDEDP

Received 1-4-22
Case No. K-1-22
Returned 1-12-22

FROM: Legislative Body
 Zoning Board of Appeals
 Planning Board

Municipality:
Town of Rotterdam

TO: Schenectady County Department of Economic Development and Planning
Schaffer Heights, 107 Nott Terrace, Suite 303
Schenectady, NY 12308

(tel.) 386-2225
(fax) 382-5539

ACTION: Zoning Code/Law Amendment Special Permit
 Zoning Map Amendment Use Variance
 Subdivision Review Area Variance
 Site Plan Review Other (specify) _____

PUBLIC HEARING OR MEETING DATE: January 18, 2022

SUBJECT: Rotterdam Ventures, Inc. & Northeast IP Holding, Inc. – 1700 Rotterdam Industrial Park. Site Plan/Subdivision Review to reconfigure existing parcels in the Rotterdam Corporate Park and create three (3) lots. Lot #1 ±13.31 acres, Lot #2 ±4.62 acres, Remaining Lands ±249.61 acres.

REQUIRED ENCLOSURES:

1. Public hearing notice & copy of the application.
2. Map of property affected. (Including Tax Map I.D. number if available)
3. Completed environmental assessment form and all other materials required by the referring body in order to make its determination of significance pursuant to the state environmental quality review act.

1. This zoning case is forwarded to your office for review in compliance with Sections 239-l, 239-m and 239-n of Article 12-B of the General Municipal Law, New York State.
2. This material is sent to you for review and recommendation because the property affected by the proposed action is located within 500 feet of the following:
 - the boundary of any city, village or town;
 - the boundary of any existing or proposed County or State park or other recreation area;
 - the right-of-way of any existing or proposed County or State parkway, thruway, expressway, road or highway;
 - the existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines;
 - the existing or proposed boundary of any County or State-owned land on which a public building or institution is situated;
 - the boundary of a farm operation located in an agricultural district, as defined by Article 25-AA of the agriculture and markets law. The referral requirement of this subparagraph shall not apply to the granting of area variances.

SUBMITTED BY:

Name: Peter Comenzo Title: Sr. Planner TOWN OF ROTTERDAM PUBLIC WORKS
Address: 1100 Sunrise Boulevard Schenectady, NY 12306
E-mail: pcomenzo@rotterdamny.org Phone: 518-355-7575 Ext 338

Peter Comenzo Date: 12 22 21
Signature



PLANNING & ZONING COORDINATION REFERRAL

Case No. R-01-22

Applicant Rotterdam Ventures, Inc.

Referring Officer Peter Comenzo

Municipality Rotterdam

Considerations:

RECOMMENDATION

Receipt of zoning referral is acknowledged on January 4, 2022. Please be advised that the undersigned Commissioner of Economic Development and Planning of the County of Schenectady (having under the Schenectady County Charter the powers and duties of a County Planning Board) has reviewed the proposed action stated on the opposite side of this form and makes the following recommendations:

- *Approve of the proposal.
- Defer to local consideration (No significant county-wide or inter-community impact)
- Modify/Conditionally Approve. Conditions:

Advisory Note:

Disapprove. Reason:

*A recommendation of approval should not be interpreted that the County has reviewed all local concerns and/or endorses the project; rather the proposed action has met certain County considerations.

Section 239-m of the general Municipal Law requires that within 30 days after final action, the referring body shall file a report of the final action it has taken with the Schenectady County Department of Economic Development and Planning. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

1/11/2022
Date

Ray Gillen / SAE
Ray Gillen, Commissioner
Economic Development and Planning

DRAFT

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

Date: February 1, 2022

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

SEQRA Status: Type I
Type II
Unlisted

Conditioned Negative Declaration: Yes
No

Owner: Rotterdam Ventures Inc. & Northeast IP Holdings Inc.
220 Harborside Drive, Suite 300
Schenectady, NY 12305

Tax Map Number(s): #58.00-1-16 and 58.00-1-2.31

Project Location: Rotterdam Corporate Park

Zoning: Light Industrial (I-1) Zoning District

Action: Boundary line adjust and create 2 (two) lots with remaining lands of the Corporate Park: Lot #1 = ±13.31 acres (200,000 s.f. warehouse), Lot #2 ±4.62 acres (vacant), Remaining Corporate Park Lands ±249.61 acres.

Reasons Supporting This Determination:

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

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

Boundary line adjust and create 2 (two) lots with remaining lands of the Corporate Park: Lot #1 = ±13.31 acres (200,000 s.f. warehouse), Lot #2 ±4.62 acres (vacant), Remaining Corporate Park Lands ±249.61 acres.

Property is developed with a newly constructed existing 200,000 square foot warehouse building on Lot #1. Lot #2 is currently vacant and has been adjusted to reflect the existing FedEx Facility currently located in the Corporate Park to the west. Both the subdivision and the deeds will contain language addressing cross-easements for access, utilities, and stormwater. The Zoning Board of Appeals granted variances for the lots to be created on January 19, 2022 since they technically do not have road frontage. Although these lots have access and frontage on improved roadways, these existing roads are private and located internal to the Corporate Park which required the issuance of variances.

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

- (i) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;
- (iii) the impairment of the environmental characteristics of a Critical Environmental Area.
- (iv) the creation of a material conflict with a community's current plans or goals as officially approved or adopted;
- (v) the impairment of the character or quality of important historical, archaeological, architectural, or aesthetic resources or of existing community or neighborhood character;
- (vi) a major change in the use of either the quantity or type of energy;
- (vii) the creation of a hazard to human health;
- (viii) a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;
- (ix) the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;
- (x) the creation of a material demand for other actions that would result in one of the above consequences;
- (xi) changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or

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

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

- (i) included in any long-range plan of which the action under consideration is a part;
 - (ii) likely to be undertaken as a result thereof; or
 - (iii) dependent thereon.
- (3) The significance of a likely consequence (i.e., whether it is material, substantial, large or important) has been assessed in connection with:
- (i) its setting (e.g., urban or rural);
 - (ii) its probability of occurrence;
 - (iii) its duration;
 - (iv) its irreversibility;
 - (v) its geographic scope;
 - (vi) its magnitude; and
 - (vii) the number of people affected

The environmental effects of the above-described action were discussed at regularly scheduled Planning Commission public hearing held on February 1, 2022. Adoption of this negative declaration was moved by XXXXXXXXXXXXXXX, seconded by XXXXXXXXXXXXXXX and approved by the Rotterdam Planning Commission.

Thomas P. Yuille
Planning Commission Chairman

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: Rotterdam Industrial Park Subdivision		DEC 15 2021	
Project Location (describe, and attach a location map): Rotterdam Industrial Park, near Duanesburg Road		PUBLIC WORKS	
Brief Description of Proposed Action: The applicant is proposing to subdivide the existing lots to produce two (2) proposed lots consisting of 13.31 AC and 4.62 AC.			
Name of Applicant or Sponsor: Rotterdam Ventures Inc ATT: David Ahl		Telephone: 518-355-4445 x130	
Address: 220 Harborside Drive, Suite 300		E-Mail:	
City/PO: Schenectady		State: NY	Zip Code: 12305
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 checked="" 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: TORPB - Site Plan Approval TOR ZBA- Area Variance		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 267 acres			
b. Total acreage to be physically disturbed? _____ 17.9 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 267 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input 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			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<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 <input type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
	<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 <input type="checkbox"/>	YES <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 <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input checked="" 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? 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 <input checked="" type="checkbox"/>	YES <input 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? 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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

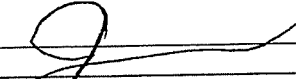
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

Shoreline Forest Agricultural/grasslands Early mid-successional
 Wetland Urban Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Rotterdam Ventures, Inc Att: David Ahl Date: 12/15/21

Signature:  Title: Daniel R. Hershberg, P.E. & L.S.

Project:	Rotterdam Corporate Park Subdivision
Date:	February 1, 2022

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

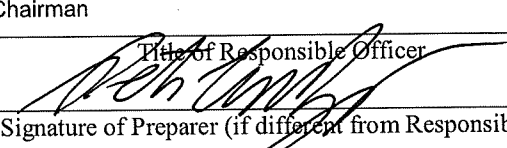
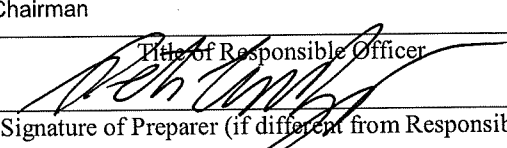
	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: Corporate Park Subdivisi

Date: February 1, 2022

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
Rotterdam Planning Commission	February 1, 2022
Name of Lead Agency	Date
Thomas P. Yuille	Chairman
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

DPW Comments
February 1, 2022

- 2. Korean Presbyterian Church of Albany – 7 Knox Drive.** Concept/Sketch Site Plan review to construct a ±1,930 square foot addition to existing church on a ±2.55-acre parcel. Engineer: ABD Engineers, LLP
1. Handicap parking, signage, access isle, drop curb, and crosswalk should be provided in the vicinity of the new entrance and must be ADA compliant.
 2. Discuss optional proposed rear entryway option.
 3. Detail lighting on final plan.
 4. Applicant may want to consider replacement of entire 1½ galvanized water service line rather than just replacing the portion that needs to be rerouted.

SEQR Requirement: 6 NYCRR 617 (c)(9) Type 2 Action. Project is exempt from SEQR.

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

PART III

**SPECIAL USE PERMIT/SITE PLAN APPLICATION
General Information**

Legal Owner's Name: Korean Presbyterian Church of Albany

Mailing Address: 7 Knox Drive

City: Schenectady State: NY Zip: 12303

Daytime Phone: 518-952-0829 Fax: kpcamanagement@gmail.com

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

Owner's Designated Contact: Joseph J. Bianchine, P.E., ABD Engineers, LLP

Mailing Address: 411 Union Street

City: Schenectady State: NY Zip: 12305

Daytime Phone: 518-377-0315 Fax: 518-377-0379

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

Assessor Tax Parcel No.(s) of Proposal Site: 59.19-5-4.21

Adjacent Area Owned or Controlled (Acres or sq. ft.): N/A

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

Street Address of Proposed Site (if any):

7 Knox Drive

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

Existing church with parking lot, play area, sheds, and septic systems.

Existing Zoning Classification: R-1 - one family residential

School District: Mohanasen

Fire District: Carman

Water Supply Rotterdam

PART IV

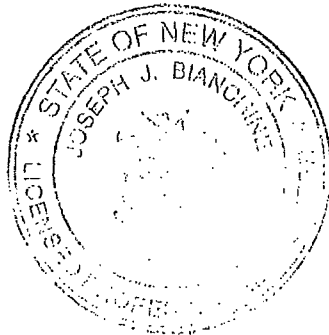
SURVEYOR/ARCHITECT/ENGINEER VERIFICATION

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: Joseph Bianchini Date: 1/7/22
Address: 411 Union Street, Schenectady, NY 12305
Phone: 518-377-0315
FAX: 518-377-0379

License Number: 50226

PLEASE AFFIX SURVEYOR/ARCHITECT/ENGINEER SEAL HERE



LEGAL INFORMATION

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

Name of public road (s) providing access: Knox Drive

Width of property fronting on public road: 488.67

- | | | | | |
|---|-------------------------------------|-----|-------------------------------------|----|
| 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 checked="" type="checkbox"/> | yes | <input 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):

Construction of a 1,930± SF addition for a multi-purpose hall.

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

Permanent

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: Taegyun David Woo Date: _____

Address: 7 Knox Drive, Schenectady

Zip: 12303 Phone: 518-952-0829


Signature of Applicant or Representative

1/7/2022
Date

Signature of Applicant or Representative

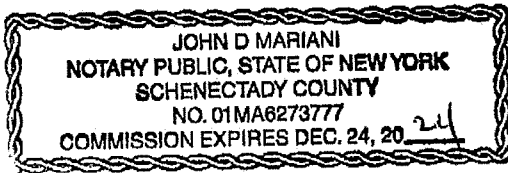
Date

Notary
(For Part IV Above)

STATE OF NEW YORK) ss:
COUNTY OF SCHENECTADY)

SUBSCRIBED AND SWORN to me this 7 day of January, 2022.

NOTARY SEAL




Notary Signature

Notary Public in and for the State of New York

My appointment expires: 12/24/2024

PART V

(To be completed by the Public Works Department)

Date Submitted: _____ Staff: _____

Total Fees: _____ Receipt #: _____

File #: _____ Complete Application: _____



Town of Rotterdam
Office of the Planning Commission

Thomas P. Yuille, Chairman
Peter J. Comenzo, Senior Planner

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

6NYCRR PART 617
State Environmental Quality Review
LISTED ACTION(S)

Date: February 1, 2022

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

Name of Applicant: Korean Presbyterian Church of Albany
7 Knox Drive
Schenectady, NY 12303

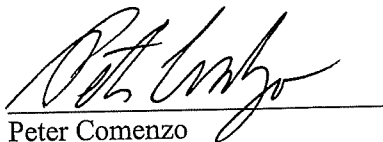
Project: Construction a \pm 1,930 square foot addition to existing church on a \pm 2.55-acre parcel.

Location: 7 Knox Drive
Schenectady, NY 12303

Status: A determination has been made by the Town of Rotterdam Senior Planner that this project is a SEQR Type II listed action under 6 NYCRR Part 617.5(c)(9). This action has been determined not to have a significant impact on the environment or is otherwise precluded from environmental review under Environmental Conservation Law, Article 8.

This Type II determination considers that this expansion of a primary non-residential structure or facility involves less than 4,000 square feet of gross floor area, is not involving a change in zoning or a use variance and is consistent with local land use controls. This action does not meet or exceeds any of the thresholds in section 617.4 of this Part.

For further information contact: Peter J. Comenzo
Town of Rotterdam
John F. Kirvin Government Center
1100 Sunrise Boulevard
Rotterdam, New York 12306
(518) 355-7575 Extension 338
pcomenzo@rotterdamny.org


Peter Comenzo
Senior Planner

NOLAN ENGINEERING PLLC
 MICHAEL NOLAN, P.E. LICENSE # 08938
 333 KNICKERBOCKER ROAD, BURNETT HILLS, NY 12027, (518) 280-3190
 WEST HUNTERDON, NEW JERSEY
 WARNING:
 IT IS A VIOLATION OF NEW YORK STATE
 EDUCATION LAW FOR ANY PERSON, UNLESS
 ACTING UNDER THE DIRECTION OF A LICENSED
 PROFESSIONAL ENGINEER, TO ALTER IN ANY
 MANNER ANY PLANS, SPECIFICATIONS, PLANS OR
 REPORTS TO WHICH THE SEAL OF PROFESSIONAL
 ENGINEER HAS BEEN APPLIED.

DATE:	DESCRIPTION:	BY:

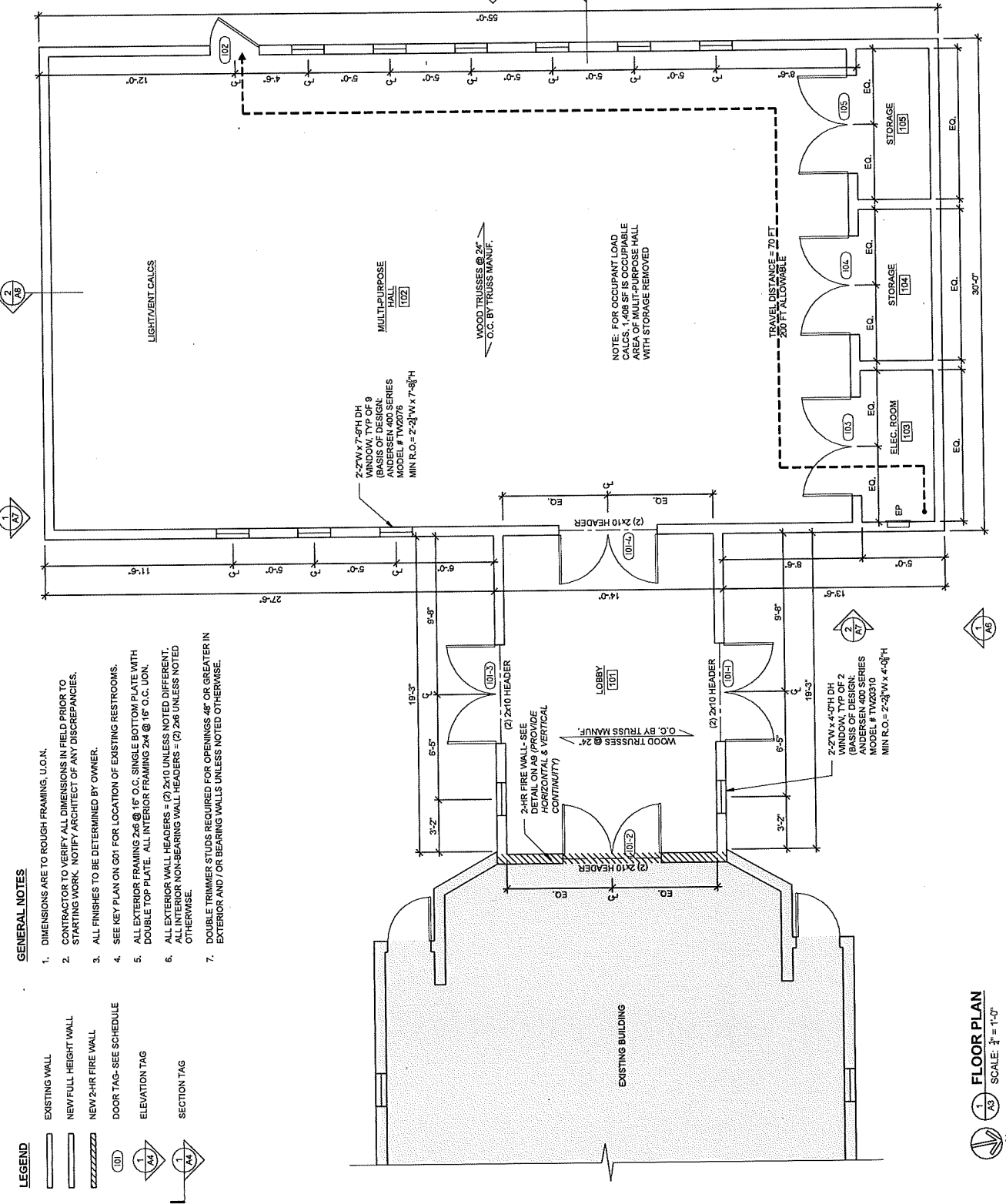
KOREAN PRESBYTERIAN
 CHURCH OF ABANY
 7 KNOX DR.
 SCHENECTADY, NY 12303

START DATE:
 STAMP:

DATE: 1.7.22
 FILE:

PAGE CONTENT:
 FLOOR PLAN
 DESIGNER: SINGER
 ENGINEER: NOLAN
 PAPER SIZE: C (18"x24")
 SCALE: AS NOTED
 SHEET: A3

DD SET - NOT FOR CONSTRUCTION



GENERAL NOTES

- DIMENSIONS ARE TO ROUGH FRAMING, U.O.N.
- CONTRACTOR TO VERIFY ALL DIMENSIONS IN FIELD PRIOR TO STARTING WORK. NOTIFY ARCHITECT OF ANY DISCREPANCIES.
- ALL FINISHES TO BE DETERMINED BY OWNER.
- SEE KEY PLAN ON 001 FOR LOCATION OF EXISTING RESTROOMS.
- ALL EXTERIOR FRAMING 2x6 @ 16" O.C. SINGLE BOTTOM PLATE WITH DOUBLE TOP PLATE. ALL INTERIOR FRAMING 2x4 @ 16" O.C. U.O.N.
- ALL EXTERIOR WALL HEADERS = (2) 2x10 UNLESS NOTED DIFFERENT. ALL INTERIOR NON-BEARING WALL HEADERS = (2) 2x6 UNLESS NOTED OTHERWISE.
- DOUBLE TRIMMER STUDS REQUIRED FOR OPENINGS 48" OR GREATER IN EXTERIOR AND / OR BEARING WALLS UNLESS NOTED OTHERWISE.

LEGEND

	EXISTING WALL
	NEW FULL HEIGHT WALL
	NEW 2-HR FIRE WALL
	DOOR TAG - SEE SCHEDULE
	ELEVATION TAG
	SECTION TAG

FLOOR PLAN
 SCALE: 3/8" = 1'-0"

NOLAN ENGINEERING PLLC
 RICHARD E. NOLAN, P.E. LICENSE # 093798
 NEW YORK STATE LICENSED PROFESSIONAL ENGINEER
 333 KINGSEY ROAD - BURNETT HILLS, NY 12027 - (518) 280-1110
 WEBSITE: WWW.NOLANENGINEERING.COM EMAIL: RDN@NOLANENGINEERING.COM

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 PROFESSIONAL ENGINEER, TO ALTER IN ANY
 MANNER ANY PLANS, SPECIFICATIONS, PLATS OR
 REPORTS TO WHICH THE SEAL OF PROFESSIONAL
 ENGINEER HAS BEEN APPLIED.

DATE:	DESCRIPTION:	BY:

RECORD OF WORK:

KOREAN PRESBYTERIAN
 CHURCH OF ABANY
 7 KNOX DR.
 SCHENECTADY, NY 12303

START DATE:

STAMP:

DATE: 1.7.22

FILE:

PAGE CONTENT:
 EXTERIOR ELEVATIONS

DESIGNER:
 SINGER

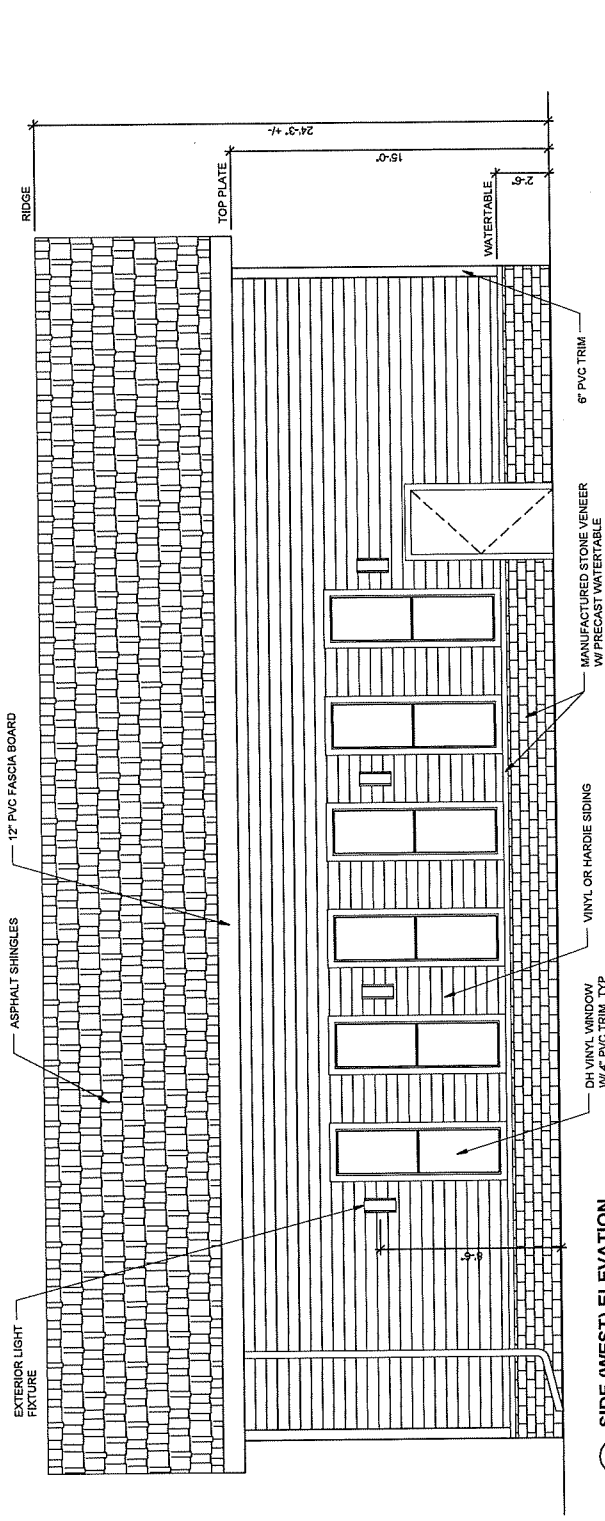
ENGINEER:
 NOLAN

PAPER SIZE:
 C (18"X24")

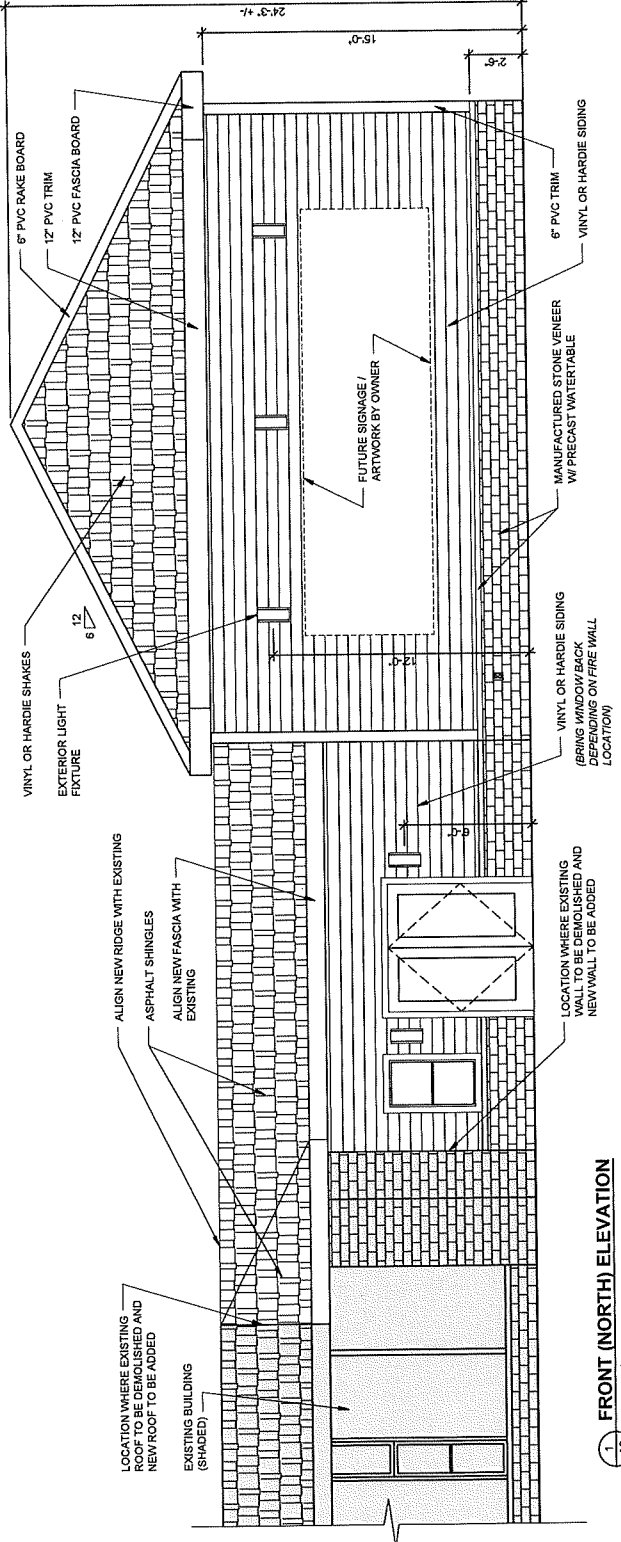
SCALE:
 AS NOTED

SHEET:
 A6

DD SET - NOT FOR CONSTRUCTION



2 SIDE (WEST) ELEVATION
 SCALE: 3/8" = 1'-0"



1 FRONT (NORTH) ELEVATION
 SCALE: 3/8" = 1'-0"

NOLAN ENGINEERING PLLC
 RICHARD E. NOLAN, P.E. LICENSE # 090198
 NEW YORK STATE LICENSED PROFESSIONAL ENGINEER
 333 KINGSEY ROAD - BURNETT HILLS, NY 12027 - (518) 280-1190
 WEBSITE: WWW.NOLANENGINEERING.COM - EMAIL: RDN@NOLANENGINEERING.COM

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 MANNER ANY PLANS, SPECIFICATIONS, PLATS OR
 REPORTS TO WHICH THE SEAL OF PROFESSIONAL
 ENGINEER HAS BEEN APPLIED.

RECORD OF WORK:	DATE:	DESCRIPTION:	BY:

KOREAN PRESBYTERIAN
 CHURCH OF ABANY
 7 KNOX DR.
 SCHENECTADY, NY 12303

START DATE:
 STAMP:

DATE: 1.7.22
 FILE:

PAGE CONTENT:
 EXTERIOR ELEVATIONS

DESIGNER:
 SINGER

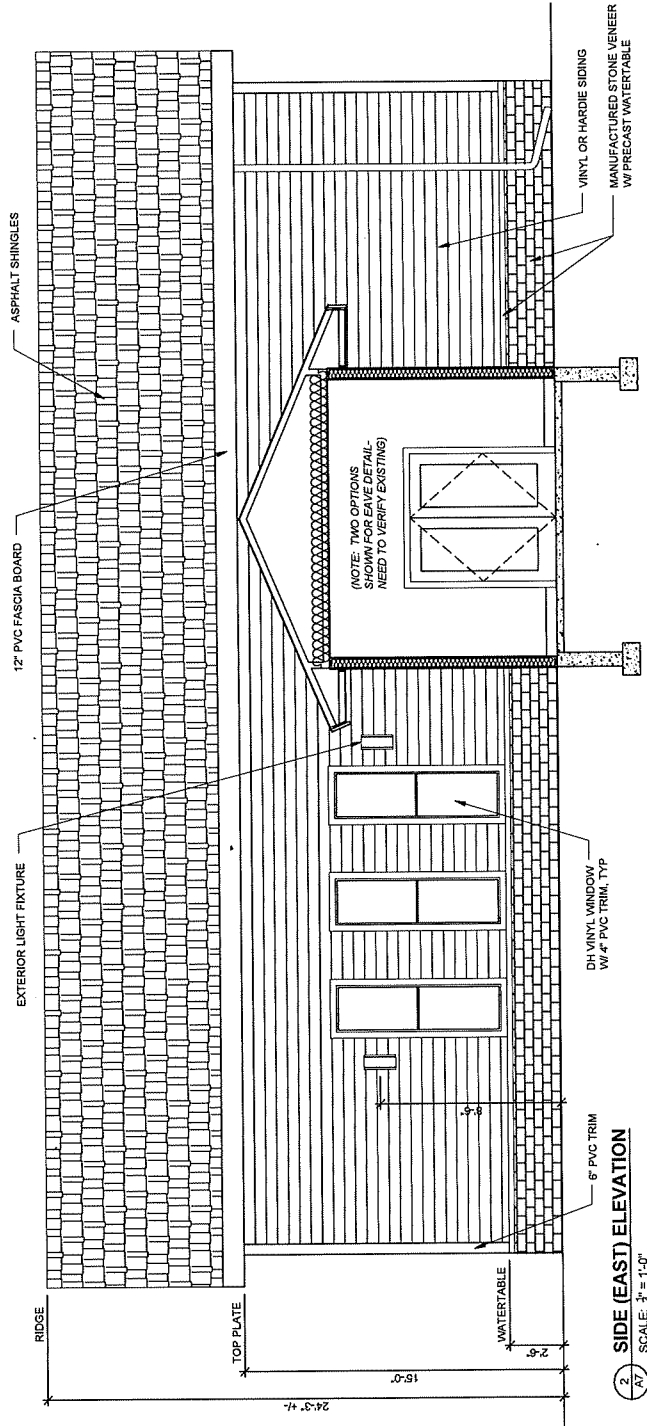
ENGINEER:
 NOLAN

PAPER SIZE:
 C (18"x24")

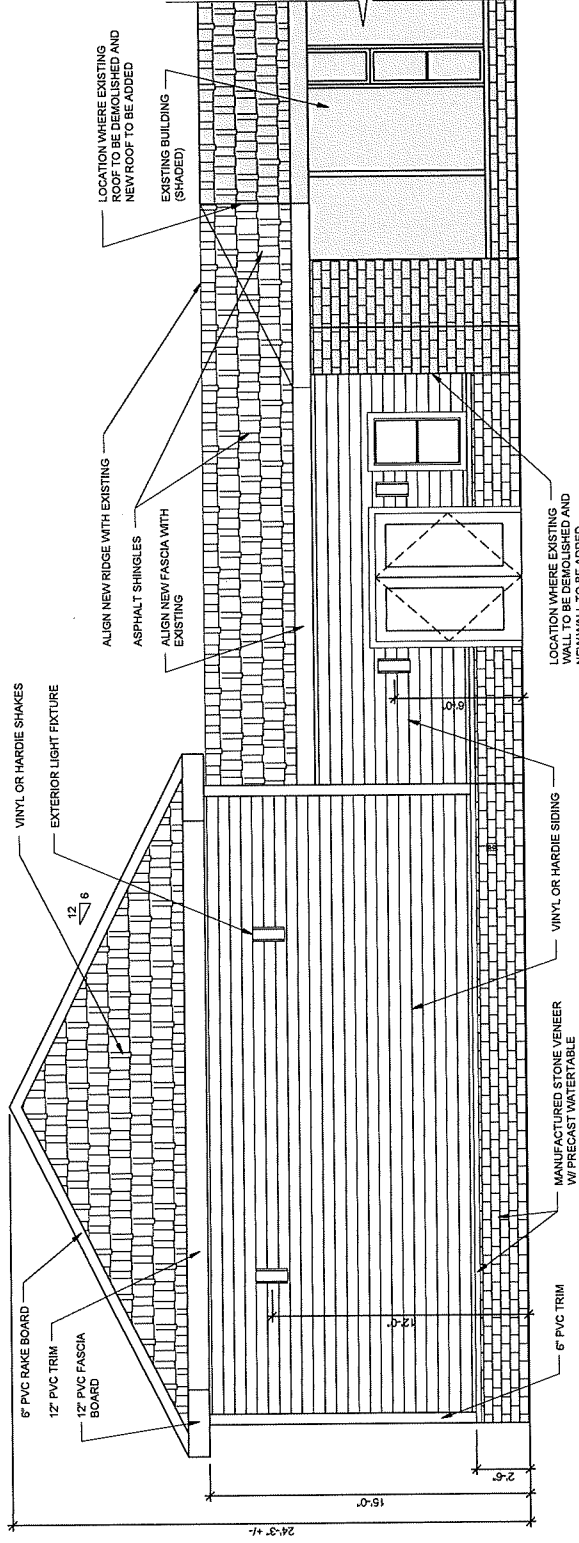
SCALE:
 AS NOTED

SHEET:
 A7

DD SET - NOT FOR CONSTRUCTION



2 SIDE (EAST) ELEVATION
 SCALE: 3/8" = 1'-0"
 A7



1 REAR (SOUTH) ELEVATION
 SCALE: 3/8" = 1'-0"
 A7

DPW Comments
February 1, 2022

3. **3324 South Thompson Street, LLC – 3324 South Thompson Street.** Concept/Sketch Site Plan review for the construction of a ±5,000 square foot storage building on a ±0.3-acre parcel. Engineer: Ingalls & Associates, LLP.
1. Provide floor plan and breakdown of interior space.
 2. Provide building elevations.
 3. Property is zoned Light Industrial (I-1) and has 25-foot setbacks, applicant will need variances to the side yard setbacks. DPW recommends shifting the building north 5 feet to allow for adequate access to the side and rear of the property. This will allow the potential to install additional access points to the building.
 4. Detail lighting.
 5. Front of building should be paved and not gravel.

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

Involved/Interested Agencies

Schenectady County Economic Development and Planning
New York State Department of Environmental Conservation – Region #4
Rotterdam Highway Department
Rotterdam Police Department
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

Legal Owner's Name: 3324 South Thompson Street, LLC

Mailing Address: 250 Suits Road

City: Duanesburg State: NY Zip: 12056

Daytime Phone: 518-813-1864 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: Michael Flocuzzio

Mailing Address: 250 Suits Road

City: Duanesburg State: NY Zip: 12056

Daytime Phone: 518-813-1864 Fax: _____

Project/Proposal Site Area (Acres or sq. ft.): 0.3 +/- AC

Assessor Tax Parcel No.(s) of Proposal Site: 48.17-7-4

Adjacent Area Owned or Controlled (Acres or sq. ft.): N/A

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

Street Address of Proposed Site (if any):

3324 South Thompson Road

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

Vacant land with gravel area near South Thompson Road on the western side of the parcel.

Existing Zoning Classification: I-1 Light Industrial

School District: Schalmont Fire District: 6

Water Supply Municipal

LEGAL INFORMATION

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

Applicant is proposing a 5,000 SF, single story commercial building for storage and an associated gravel parking area.

Name of public road (s) providing access: South Thompson Street

Width of property fronting on public road: 50'

- I have attached a legal description of the proposed site: yes no
- I have attached a deed of the proposed site: yes no
- I have attached a lease agreement of the proposed site (if applicable): yes no N/A

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

The applicant is requesting site plan approval to construct the proposed building and parking area.

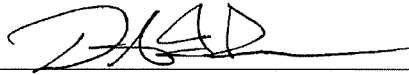
Is the proposed use to be temporary or permanent? If temporary, please explain:

The proposed use is 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:  Date: 01/19/2022

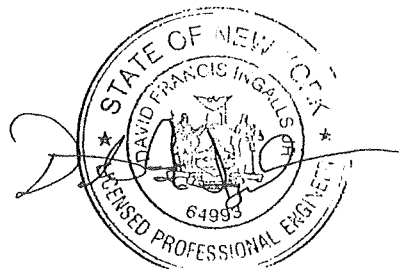
Address: 2603 Guilderland Ave

Phone: 518-393-7725

FAX: 518-393-2324

License Number: 064993

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)

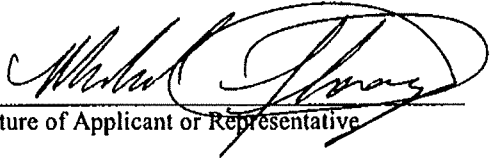
I, the undersigned, swear or affirm under penalty of perjury that the above responses are made truthfully and to the best of my knowledge.

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: Michael Floccuzio Date: 1/19/22

Address: 250 Suits Rd Quanesburg NY

Zip: 12056 Phone: 518-813-1864


Signature of Applicant or Representative

1/19/22
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 19th day of January, 2022.

NOTARY SEAL


Notary Signature

RAYMOND N. INGRAHAM III
Notary Public, State of New York
No. 01IN6396620
Qualified in Schenectady County
Commission Expires Aug. 26, 2023

Notary Public in and for the State of New York
My appointment expires: Aug 26 2023

PART V

(To be completed by the Public Works Department)

Date Submitted: _____ Staff: _____

Total Fees: _____ Receipt #: _____

File #: _____ Complete Application: _____

Short Environmental Assessment Form

Part 1 - Project Information

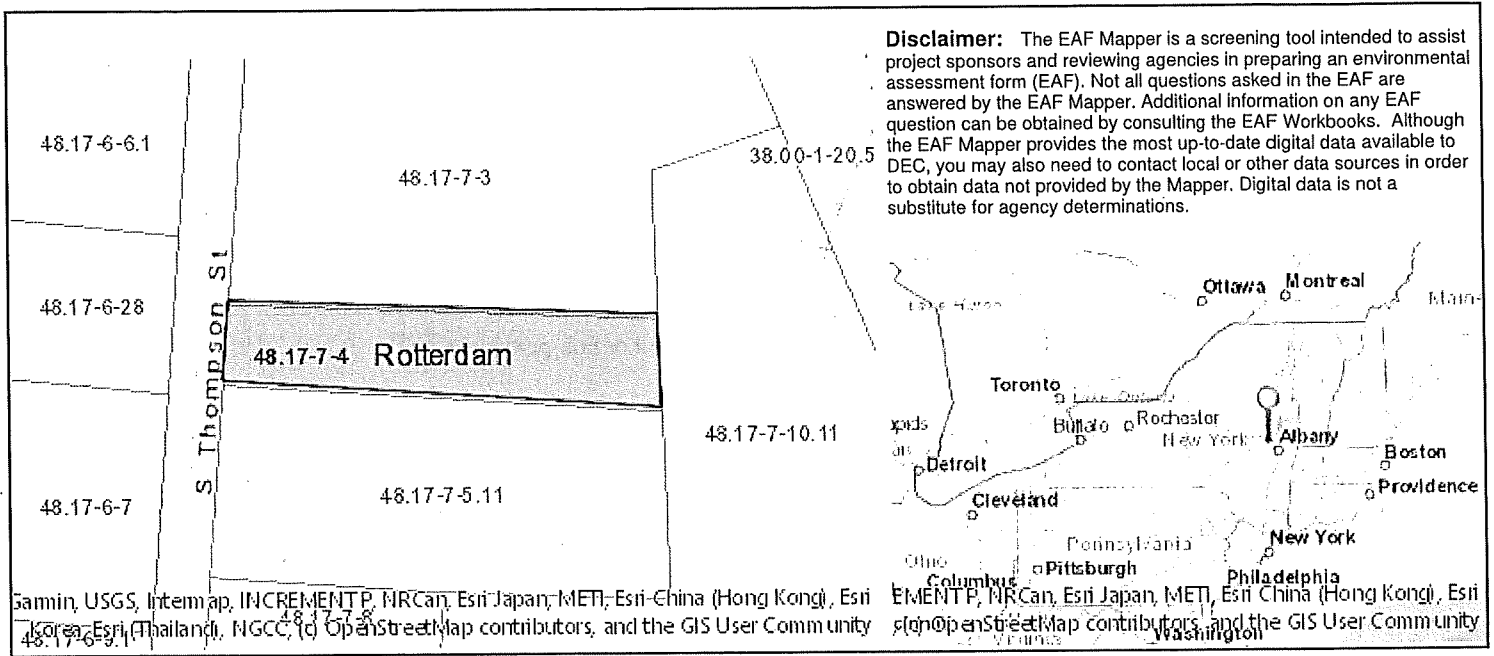
Instructions for Completing

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: 3324 South Thompson Street Site Plan			
Project Location (describe, and attach a location map): 3324 South Thompson Street (TM ID# 48.17-6-4)			
Brief Description of Proposed Action: The applicant is proposing the construction of a 5,000 SF +/- single story commercial storage building with associated gravel parking area. This project will require a side setback variance. <div style="text-align: right; color: gray; font-size: small;">JAN 25 2022</div>			
Name of Applicant or Sponsor: Michael Floccuzio		Telephone: 518-813-1864 E-Mail: floccuzio88@gmail.com	
Address: 250 Suits Road			
City/PO: Duanesburg		State: NY	Zip Code: 12056
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 checked="" 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 checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		_____ 0.3 acres	
b. Total acreage to be physically disturbed?		_____ 0.3 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 0.3 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			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<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? b. Are public transportation services available at or near the site of the proposed action? 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"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<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: _____ No wastewater connection is proposed or required, the proposed project will be an unstaffed storage building. _____	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? 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 checked="" type="checkbox"/>	<input type="checkbox"/>	
	<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? 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"/>	
	<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

DPW Comments
February 1, 2022

4. Town of Rotterdam – Land Use Applications. Report and Recommendation to the Town Board to establish a 12 Month Moratorium on Land Use Applications for Multi-Family Dwellings.

1. See enclosed Draft Local Law. Public Hearing scheduled for February 9, 2022.

SEQR Requirement: 6 NYCRR 617.9 (c)(36) Type 2 Action.

RESOLUTION NO. 49.22

At the Organizational public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Saturday, January 1, 2022, at 1:00 p.m., the following resolution was duly adopted:

TO RECOGNIZE THE INTRODUCTION OF INTRODUCTORY LOCAL LAW NO. 1 OF 2022 TO ESTABLISH A 12-MONTH MORATORIUM ON LAND USE APPLICATIONS FOR MULTIPLE FAMILY DWELLINGS AND SCHEDULING A PUBLIC HEARING THEREON.

THEREFORE, UPON MOTION OF Councilmember DODSON, seconded by Supervisor COLLINS, NOW

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board recognizes the introduction of Introductory Local Law No. 1 of 2022 to establish a twelve (12) month moratorium on land use applications for multiple family dwellings.

SECTION 2. The Town Board hereby determines that the proposed enactment of Local Law No. 1 of 2022 is a Type II action under the State Environmental Quality Review Act pursuant to 6 NYCRR § 617.5 (c) (36), and therefore no further SEQRA review is required.

SECTION 3. The Town Board hereby refers Introductory Local Law No. 1 of 2022 to the Planning Commission of the Town of Rotterdam for report and recommendation thereon.

SECTION 4. The Town Board hereby authorizes and directs the Senior Planner to refer Introductory Local Law No. 1 of 2022 to the Schenectady County Department of Economic Development & Planning pursuant to N.Y. General Municipal Law 239-m and to circulate such other notices as may be required by law.

SECTION 5. The Town Clerk of the Town of Rotterdam is hereby directed to publish in the official newspaper of the Town of Rotterdam not less than ten (10) days prior to the date designated for the public hearing provided for hereby the following notice:

**TOWN OF ROTTERDAM
NOTICE OF HEARING**

PLEASE TAKE NOTICE: That the Town Board of the Town of Rotterdam will hold a public hearing at the John F. Kirvin Government Center, Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York 12306 at 7:00 p.m. on the 9th day of February 2022 for the following purpose:

For the enactment of Introductory Local Law No. 1 of 2022 relating to the establishment of a 12-month moratorium on land use applications for multiple family dwellings.

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

DATED: January 1, 2022

Daily Gazette: Please publish once on January 8, 2022

Town Clerk

Post

SECTION 6. This resolution shall become effective January 1, 2022.

DATED: January 1, 2022

NAME	AYES	NOES	ABSTAIN
Christou		X	
Miller-Herrera		X	
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam at the Organizational Meeting on January 1, 2022, and that the foregoing is a true and correct transcript of the original resolution and of the whole thereof and that said original resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 7, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(select one:)

of Rotterdam

Introductory Local Law No. 1 of the year 2022

**A LOCAL LAW TO ESTABLISH A 12-MONTH MORATORIUM ON LAND USE
APPLICATIONS FOR MULTIPLE FAMILY DWELLINGS**

Be it enacted by the Town Board of the Town of Rotterdam as follows:

See attached.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

TOWN OF ROTTERDAM

INTRODUCTORY LOCAL LAW NO. 1 OF THE YEAR 2022

A LOCAL LAW TO ESTABLISH A 12-MONTH MORATORIUM ON LAND USE APPLICATIONS FOR MULTIPLE FAMILY DWELLINGS

SECTION 1 - TITLE

This local law shall be referred to as “A Local Law to Establish a 12-Month Moratorium on Land Use Applications for Multiple Family Dwellings”.

SECTION 2 - PURPOSE

The Town of Rotterdam is currently engaged in a process to update its current Comprehensive Plan, which was adopted in 2001. The process to update the current Comprehensive Plan began in 2019, when a Comprehensive Plan Advisory Committee was established and a planning consultant was engaged. Since that time, the Comprehensive Plan Advisory Committee, with the assistance of the planning consultant and Town of Rotterdam staff, has worked on collecting data and input from a number of sources, including from the public, developing a draft vision, goals, and recommendations. As the process was underway, the COVID-19 pandemic arose. With the onset of the COVID-19 pandemic, the Comprehensive Plan Advisory Committee continued working on the update, albeit in a different format, having shifted from in-person meetings, forums, and stakeholder interviews to virtual and socially distanced formats. Notwithstanding this continued effort, the onset of the COVID-19 pandemic delayed the Comprehensive Plan Advisory Committee’s progress on updating the 2001 Comprehensive Plan for consideration by the Town Board. Most recently, the Comprehensive Plan Advisory Committee authorized the draft Comprehensive Plan Update for release to the public for purposes of the Committee holding a public hearing in early 2022.

As the process to update the Comprehensive Plan was unfolding but not yet completed, the Town witnessed increased pressure from developers seeking approval to construct apartment communities. Under the Town’s current zoning, multiple family dwellings are permitted in the R-3 Multiple Family zoning district. However, all or nearly all properties that are zoned R-3 in the Town are

either already improved with apartment communities, or have already received necessary land use approvals to construct apartment communities.

This has led to several requests by developers seeking to build new apartment communities to change the zoning for specific properties to R-3 to permit multiple family dwellings. These requests take the form of Change of Zone applications, which if approved, then result in additional land use applications, such as site plan applications, in furtherance of developing the apartment communities.

Development of apartment communities through Change of Zone applications on a property-by-property basis can lead to piecemeal development of apartment communities throughout the Town. Although there may be areas that are appropriate for multiple family dwellings in Town, using the Change of Zone process to site multiple family dwellings poses the risk of siting an apartment community in an area where it is not consistent with the surrounding neighborhood, in conflict with the character of the immediate area, and in locations where existing infrastructure and roadways are not sufficient for the proposed use.

In light of the current status of the Comprehensive Plan update process, the lack of available vacant property currently zoned R-3 for development of new apartment communities, and the increasing pressure for changes of zone to permit multiple family dwellings, the Town Board finds it to be prudent to impose a temporary moratorium on accepting, processing, and deciding land use applications for multiple family dwellings in order to provide the Town Board with time to consider whether and where apartment communities should be sited in Town and, if and as appropriate, to take appropriate legislative action in that regard.

SECTION 3 – AUTHORITY

This local law is enacted by the Town Board of the Town of Rotterdam pursuant to the N.Y. Municipal Home Rule Law.

SECTION 4 – MORATORIUM

- A. For a period of twelve (12) months following the effective date of this local law, unless earlier repealed by the Town Board, no person shall file, and no Board, body, officer, or employee of the Town of Rotterdam shall consider,

entertain, or accept for review, continue to review, hold a hearing upon, make any decision or determination upon, or issue any approval upon, any application or proposal for any multiple family dwelling. This moratorium shall apply to all such applications or proposals, whether pending or received prior to or after the effective date of this local law. This moratorium shall apply, without limitation, to all Change of Zone applications seeking a change of zoning to R-3 Multiple Family District, all Planned Residential Development applications seeking approval for multiple family dwellings or garden apartments, and all site plan applications seeking approval for multiple family dwelling(s). Any statutory or locally-enacted time periods for processing and making decisions on all aspects of the aforesaid applications are hereby suspended and stayed while this local law is in effect.

- B. This moratorium shall not apply to the issuance of site development and/or building permits for multiple family dwelling projects for which all required municipal approvals have been issued prior to the effective date of this local law, or to any Certificate of Occupancy for any such multiple family dwelling project, or to any Certificate of Occupancy for any construction pursuant to building permits issued prior to the effective date of this local law.

SECTION 5 – WAIVER

The Town Board of the Town of Rotterdam shall have the power to waive, in whole or in part, or modify the application of, any provision of this local law upon a determination, in its absolute legislative discretion, after public hearing and notice, that this local law would impose extraordinary hardship upon the party seeking such waiver and that a waiver from this local law will not adversely affect the health, safety, and general welfare of the Town of Rotterdam. Any request for a waiver, along with an application fee of \$_____, shall be filed in writing with the Town of Rotterdam Department of Public Works, which shall forward such written request to the Town Board. Upon receipt of any such written request for a waiver, the Town Board shall promptly refer such written request to the Planning Commission. The Planning Commission shall issue a recommendation on the waiver within sixty (60) days of the Planning Commission's receipt of such request. The Town Board shall hold a public hearing within thirty (30) days after the receipt of the Planning Commission's recommendation, upon five (5) days' notice published in the official newspaper of the Town. At such public hearing, the party requesting the waiver and any other parties wishing to present evidence with regard to the

waiver request shall have a reasonable opportunity to be heard. The Town Board shall render a decision on such waiver request within sixty (60) days of the close of the public hearing. If the Town Board determines that the party making the waiver request will suffer an unnecessary hardship if this local law is strictly applied to the particular property, then the Town Board shall waive the application of this local law to the minimum extent necessary to provide the requesting party relief from the strict application of this local law.

SECTION 6 - VIOLATIONS

Except to the extent that a waiver is granted by the Town Board pursuant to Section 5, above, any action while this local law is in effect by any Board, body, official, or employee of the Town of Rotterdam to consider, entertain, or accept for review, continue to review, hold a hearing upon, make any decision or determination upon, or issue any approval upon any application or proposal for any multiple family dwelling shall constitute a violation of this local law, and such action shall be deemed ultra vires and shall be null and void. This local law may be enforced through an action seeking declaratory, injunctive, and/or equitable relief in a court of competent jurisdiction.

SECTION 7 - SUPERSESSSION

To the extent this local law is inconsistent with any state or local statute or regulation, it is the intent of this local law to supersede such statute or regulation, including without limitation the following: (i) Town Law § 274-a with respect to procedures and timeframes for processing applications for site plan review; (ii) Town of Rotterdam Code, Chapter 270, Article XIII, with respect to procedures and timeframes for processing applications for Planned Residential Development districts for garden apartments or multiple family dwellings; (iii) Town of Rotterdam Code, Chapter 270, Article XVII, with respect to procedures and timeframes for processing applications for site plan review; (iv) Town of Rotterdam Code, Chapter 270, Article XIX, with respect to procedures and timeframes for processing applications for special use permit review that involves multiple family dwelling(s); (v) Town Law §§ 267, 267-a, and 267-b, with respect to procedures and timeframes for processing applications for use variances, waivers or other relief from the Town of Rotterdam Code with respect to multiple family dwelling proposals; and (vi) Town of Rotterdam Code, Chapter 270, § 270-177, with respect to procedures and timeframes for processing applications for use variances, waivers or other relief from the Town of Rotterdam Code with respect to multiple family dwelling proposals.

SECTION 8 - SEVERABILITY

If any word, phrase, sentence, part, section, subsection, or other portion of this 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 Law, and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

SECTION 9 – EFFECTIVE DATE

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



Town of Rotterdam
Office of the Planning Commission

Thomas P. Yuille, Chairman
Peter J. Comenzo, Senior Planner

Telephone (518) 355-7575
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6NYCRR PART 617
State Environmental Quality Review
LISTED ACTION(S)

Date: January 1, 2022

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

Name of Applicant: Rotterdam Town Board
John F. Kirvin Government Center
1100 Sunrise Boulevard
Rotterdam, NY 12306

Project: Construction a ±1,930 square foot addition to existing church on a ±2.55-acre parcel.

Location: Town wide

Status: **A determination has been made by the Town of Rotterdam Senior Planner that this project is a SEQR Type II listed action under 6 NYCRR Part 617.5(c)(36). This action has been determined not to have a significant impact on the environment or is otherwise precluded from environmental review under Environmental Conservation Law, Article 8.**

This Type II determination considers that this proposed Local Law is a proposed adoption of a moratorium on land development or construction. As such, this action does not meet or exceeds any of the thresholds in section 617.4 of this Part.

For further information contact: Peter J. Comenzo
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Peter Comenzo
Senior Planner