

**Town of Rotterdam Planning Commission
Minutes of December 3, 2024 Meeting**

The Rotterdam Planning Commission held a meeting on Tuesday, December 3, 2024, at 7:30 p.m. at the Rotterdam Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York 12306.

Present:	Kimberly Ricker Scannell, Chairman Lynn Flansburg, Vice Chairman Mark D'Alessandro Clark Collins Wayne Calder Joseph Signore Joseph Miglucci Peter Comenzo, Town Planner Stephen Valiquette, Attorney Marlo Carter, Secretary	Excused:
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Waivers:

No waivers to review.

Agenda:

Attendance was taken and determined there is a quorum.

The Pledge of Allegiance to the Flag was recited.

Ms. Scannell: First up is approval of the summary minutes of November 19, 2024.

Mr. Collins: I will make that motion.

Mr. Calder: I'll second it.

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

Ms. Carter: Mr. Collins?

Mr. Collins: Yes.

Ms. Carter: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Ms. Carter: Mr. D'Alessandro?

Mr. D'Alessandro: Yes.

Ms. Carter: Mr. Calder?

Mr. Calder: Yes.

Ms. Carter: Mr. Signore?

Mr. Signore: Yes.

Ms. Carter: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Carter: Ms. Scannell?

Ms. Scannell: Yes.

- 1. Titan Valley Development Inc. – Arlene Street. Final Site Plan to create up to 46 parking spaces on a ±0.47-acre parcel for additional parking for the Palazzo Ristorante located a 2780 Hamburg Street. Engineer: Hershberg & Hershberg.**

Mr. Citone: Everyone knows Joe's Place. I'm just going to focus on the parking lot section there.

Okay, so the concern was the rainfall, where the water is going to go. So, the proposal was to include a dry well at the end of the parking lot, which is by the entrance. Also, if we take the parking lot and we shift it to the left and to the right or to the east and to the west, we have 20 feet of green space on both sides. So, that will alleviate a lot of the water runoff. And then whatever is going to go down is going to hit that drain before it hits Arlene Street. That drain, again, would be a dry well.

In addition to the water runoff, we're going to have the shrubberies on both sides. The shrubberies will be on Arlene Street and also on the side of the house on Arlene Street. This is the top section here. There's currently a fence on one side of the property that would be replaced with a vinyl fence. And then in the center, they are proposing two (2) pillars. I think we need additional pillars. I don't think two (2) is enough. I don't think two (2). Those pillars will have lights. So, I'm going to add just a few more. And I know the concern about the lights is to make sure that they're low profile. But you all have said that you drove by the restaurant, and you've seen the pillars out front on Hamburg Street. Same thing. Right in front when you drive by, you've got five (5) pillars, in between is a black fence. And then you have the lights. So instead of using a low ambient light, I will increase the light to 100 watts in each one (1) of those pillars on that side parking lot. And I believe it should be plenty enough of light.

Any additional concerns?

Mr. Signore: How big is that dry well?

Mr. Citone: It's 1,000 gallons.

Mr. Signore: I mean, is that prepared to take like a heavy downpour on a parking lot? You know, like sometimes you get these storms, and you get like an inch of water almost instantly.

Mr. Citone: Yeah, and that's been quite frequent these past several years where it's just water's coming down like a river. I mean, I have a dry well currently in the back of the building. I don't see an issue with the one I have in the back of Joe's place.

Mrs. Flansburg: Similar size?

Mr. Citone: It's 500.

Mrs. Flansburg: Oh, okay.

Mr. Citone: It's 500. And that's actually a little tiny spot. If you look at that, there's a little small dry well there. The way we have it pitched behind the building, everything is going back into the side, which absorbs the water. There's not an issue. If we pitch it to the east and to the west, again, both sides has 20 feet of green space. And then just if this is pitched to the east and to the west and then a little bit going out, we've got the green space over here as well, which is another 10 feet. Before you hit Arlene Street.

Will it catch it all? I'm going to say yes. Am I an expert? No. I know you guys don't like, you know, you want facts, but just being realistic.

Mr. Comenzo: It's why you're paying the engineer, right?

Mrs. Flansburg: Right. Who's telling us, yes.

Mr. Citone: So, and yeah, these are the drawings by, you know, Bill, with Hershberg and Hershberg. And, you know, based on his notes, you know, the conversation that we had, he said this should be sufficient as long as we pitch the rain, push the parking lot to the west and to the east.

Ms. Scannell: Peter, do you know if Mary had an opportunity to look at this at all?

Mr. Comenzo: Yes, she did. I had emailed Bill, who's the engineer for this. As part of the conditions of approval, obviously, we're going to need those calculations. And he's going to make sure that everything is going to work over there. Pretty competent in getting that information to us as part of the final.

Mr. Citone: And if that, excuse me for interrupting. And if the thousand gallon isn't plenty, then we put one (1) further, then we would incorporate one (1) in the back or one (1) at the beginning, I should say.

Mr. Comenzo: I mean, he's the stormwater engineer. So, we're going to rely on him to make sure that it's going to work. I know the soil is all sand.

Mr. Citone: Yeah, it's all sand. So, the percolation, I mean, again, I don't have the facts. I know you guys want to hear the facts. But if I pour water into the sand, it just disappears.

Ms. Scannell: So, I like that we've got some arrows.

Mr. Citone: Yes.

Ms. Scannell: Those are good things. Arrows are my friend.

Mr. Citone: It's just whether the driver can follow the arrow.

Ms. Scannell: Right. Well, we know that. So, we've got two (2)-way traffic on one (1) side. What's happening on the other side?

Mr. Citone: So, on that side, please.

Ms. Scannell: No, actually, I'm looking at the existing building for now.

Mr. Citone: Okay. So, on the existing building, we're going to keep this two (2)-way. The folks don't want to exit through unless you want to force everyone to go through Arlene.

Ms. Scannell: So, no, I'm not trying to force you to do anything. I'm just trying to get a feel for it.

Mr. Citone: That would be a bottleneck situation. I mean, for a lot of reasons, it's tough, period.

Mr. Scannell: But do you have two (2)-way traffic on the other side of the building is what I'm asking.

Mrs. Flansburg: Left side, closer to the hotel.

Mr. Citone: So, the hotel side currently is just one (1) side.

Ms. Scannell: Okay. So, is that something that you'd be indicating with an arrow or some signage so that folks know it's not a free-for-all?

Mr. Citone: So that side, let's call it the hotel side. So, I share space with Hesh, which is the owner of Quality Inn. We don't see eye-to-eye. So, before I get the approval to open up, we made this two (2)-way. So, we made it where we have a fire truck come down. We have two (2) fire trucks come down. We have over 20 feet. So, there wouldn't be an issue. The amount of room that I own from the building over is about nine (9) feet over. And the owner would be 13 feet. So, I would have to get his permission to make sure that we're on the same page, that, hey, we're going to put arrows going down. I do plow. When I plow, I plow both sides, both mine and his property. I don't think it would be an issue. Is that something that you would like to see?

Ms. Scannell: Well, I guess now I have another question with regard to if you own nine (9) feet over. Are cars supposed to be going up and down that side of the building?

Mr. Citone: Are they or are they not?

Ms. Scannell: Are they?

Mr. Citone: Yes, because between my nine (9) feet and his space.

Ms. Scannell: Well, I understand that. And so, do you have an easement or something that's allowing?

Mr. Citone: Yes, there's an easement that goes right through.

Ms. Scannell: Okay. So, there's an easement.

Mr. Citone: Yes.

Ms. Scannell: So, whether you wanted to use one of his 13 feet or 13 of his 13 feet, you can use all of that room, correct?

Mr. Citone: That is correct.

Ms. Scannell: Okay. So currently you have traffic that goes. If I pull in, I can go to the back parking lot on the left-hand side of the building as I face it. But if I'm in the back, I can't come out that same way that I just went in.

Mr. Citone: No, I don't want you to go. That's correct. I don't want that.

Ms. Scannell: So, what I'm thinking is because you don't want me to, if there's not an arrow there and there's arrows everywhere else, I might say, huh, looks like a big fugazi over here. I'm just going to go out the same way I came. So, my original question was, are you planning on having any signage or any arrows or anything on the, as we look at it, the left-hand side of the building?

Mr. Citone: Yes, there is arrows here, one (1)-way arrow. So, if you go there now, the arrows are there. I mean, granted, it's not noted on this. As my intention was, you know, our own street property. This was going to be, you know, if we were going to discuss this, then I would have Bill Hershberg put in the arrows on this side. But there are arrow points.

Ms. Scannell: Well, I think that the minutes from the last meeting do reflect that we talked about the existing building and that we would be taking a closer look at the existing building as we were looking at the new parking lot. Because one (1) really does have a lot to do with the other.

Mr. Citone: Yes, yes and no. But I also made a statement last meeting that this property here is maybe, I'm in the process of making a purchase of this property here, which will alleviate, it will change the whole dynamics of the parking lot, the front, the back, the sides. So just to satisfy your...

Ms. Scannell: Right. But while I recognize that you're not here for what might happen. You're here for what you'd like to have happen, which is this plan that we have in front of us. Right?

Mr. Citone: Yes.

Ms. Scannell: Okay. So I'm going to open it up to the Planning Commission members to see what kind of feedback they have. Mrs. Flansburg?

Mrs. Flansburg: It's like you listened to everything we said at the last meeting and fixed all the issues that we had. Had you come with this plan at the last meeting, we would have progressed a little bit further right away. I love the flow of it. The spaces that you got rid of for your tenants. Will there be other ones that are specifically designated for them that were on your original plan? You had the...

Mr. Citone: Behind the building.

Mrs. Flansburg: Okay, I think it's fantastic. Some of the stuff on the previous plan didn't make sense. As far as the flow of traffic, egress, ingress from Arlene Street. So, I appreciate you and your engineer taking into consideration what we said and hopefully this will alleviate the majority of your issues that you're having. Thank you.

Mr. Citone: Thank you.

Ms. Scannell: Mr. Signore?

Mr. Signore: I'm good with it. And maybe a concern you might want to have. As you mentioned, your neighbor, we're looking here to the left and you share that easement or property, whatever you got going. My next-door neighbor was great for about three (3) years till their tree fell on my house. And then things change. So, you might want to plan for the time that you may not be able to use that. That would be my concern for you.

Mr. Citone: I agree with you 100 percent. And that was the one (1) reason of the purchase of the Arlene Street property. And to have the ingress and egress on this one (1) side. And to eliminate him completely. So, God forbid, one day he wakes up and he says, "Hey Joe, I don't want you on my side," then what do I do?

Ms. Scannell: But you don't have an easement, right?

Mr. Citone: I do, but the easement, it only covers so much. So, in the front, if you're standing in front of the Palazzo to the left, you have this parking lot here. People park in the front parking lot. That property, which I'm pointing to right here, belongs to the Quality Inn. Which I pay a monthly rent for. Doesn't provide water, doesn't provide a roof, doesn't provide anything other than, thank you for your check. Hence, my focus is on this side.

Ms. Scannell: Right, but it's referred to on this map as a permanent easement for ingress and egress.

Mr. Citone: It is.

Ms. Scannell: So, without the virtue of having it in front of me, to have our handy dandy attorney look at, I'm going to have to go with, it's a permanent easement. He can't just not be happy with you one (1) day because you're not having a delicious chicken parm special. And so, he says, forget it. I'm not going to let you park, drive your cars up and down for ingress and egress anymore.

Mr. Citone: You can never say anything about what you stated. About coming in and out of Hamburg Street. But the folks, customers, they see, they just see parking spots. They don't know where it belongs to.

Mr. Signore: They go over onto him.

Mr. Citone: You know, unless I stand out front, it's a pick and take. Park that way. This is not the issue. The issue is this side here and the parking that he owns along this short "Inaudible". That's my issue. That's why I never put any markings or any signage on this side. Due to the fact that he owns majority of that road.

Mrs. Flansburg: That's fair. To her point and your issue, I think I've seen it on some buildings. Can you put a sign on the back of your building? You know, wrong way. Do not like so that nobody goes back out that way. Then it's on your property, not on the road. And I don't know.

Mr. Citone: Absolutely.

Mrs. Flansburg: It sort of appeases, you know, hey, I came in this way so I can go back out that way. Not if there's a sign there that says it. And then it doesn't conflict with the person you have an agreement with. It's at least one (1) more step toward what you're looking for.

Mrs. Flansburg: Well, that was a very good suggestion. And again, I am looking at the new part. I think that you did a fantastic job. But I'm also looking at the whole parcel now, how cohesively it will work together. And so, I understand that your engineers spent some time and some energy really focusing on the parking lot area. But I still need to make sure that the flow of the existing parking lot area and some of the things that we've talked about with lighting. And it's not that I don't believe you. I believe you when you say I'm going to fix that light. I know you're going to fix that light. But we're in a situation where it has to be something that's on paper that's going to be signed, that's going to be approved. Do you know what I mean? I don't want you to think I'm giving you a hard time.

Mr. Citone: "Inaudible..." (Not talking near microphone.)

Ms. Scannell: I'm talking about the rear parking lot now. I know we touched a little bit on it last time, how the two (2) are going to flow together. That's something that, at least for me, I think is very important. Because how people maneuver one (1) way down the left-hand side, two (2) ways up and down on the right-hand side, and who knows what in the back. And then this overflow parking area out onto Arlene Street. I personally would like to see more of the flow with the back in addition to something to do with the lighting plan, which I know that Peter said was coming.

Mr. Citone: Okay, just to interest the flow. In a perfect world, if I owned this stretch of road here, it would have been very simple. One (1) way, get your loved ones out. They go right there. They go in the back. They move around. They find a spot. They don't find a spot. They continue this way. They find a spot here. He or she comes in, walks into the other side. That was the idea since day one (1). The conversation with the lawyer, your lawyer here, this person here present in front of me, that I couldn't do that because of the easement. So, I had to go back and forth with Hesh, blah, blah, blah. Long story short, five (5) years later, nothing. There are no markings. There's nothing. It's just plain Jane. And I had to make sure that this side had enough room for two (2) vehicles, a fire truck and so forth, so we can't have any egress, hindrance. The only downfall is where's my vestibule? Where did I build that nice? The vestibule was on the inside, not knowing that this was going to be an issue here. I thought the same thing you did. I had the easement. I was a dummy. So, I spent all that money and time building it, not knowing that that easement was only good for so much space, not the entire driveway. I also black topped the whole side.

Ms. Scannell: I was going to say, I thought it was.

Mr. Citone: I don't have to tell you how much I spent. You guys have seen the place. It's just a lot of money invested into the property. I'm just trying to make it work without me going back to Hesh and saying, Hesh, can I do this? Can I do that?

Ms. Scannell: Show me where the tenants are parking.

Mr. Citone: They're going to be parking in the front here and here.

Ms. Scannell: They're not going to be parking in the rear of the building. I thought you said they were going to be in the rear of the building.

Mrs. Flansburg: He's showing you where they are now.

Mr. Citone: They're going to be parking there.

Ms. Scannell: Okay.

Mr. Citone: Yeah, this goes back. This opens. There's one apartment along this fence here.

Ms. Scannell: Mr. Signore, did you have anything else?

Mr. Signore: No.

Ms. Scannell: Mr. Miglucci?

Mr. Signore: I mean, under the circumstances, I think you've done a great job, quite honestly. You know, you do have to deal with the left side.

Mr. Citone: I offered to pay a premium for just a little piece of it, just for the 13 feet, for this little 13 feet. He wasn't interested in selling that little piece.

Mr. Signore: And like you said, you're already built. You've got the vestibule. I'm okay. Thank you.

Ms. Scannell: Mr. Miglucci?

Mr. Miglucci: I think 100-watt bulbs will provide enough lumens to subdue yet safely light that area. Yeah, if you switch to 100 watt.

Mr. Citone: We've already changed this side of the building with 100 watts. And it's a huge difference.

Mr. Citone: Yeah, it's a big difference, right?

Mr. Miglucci: Yeah. That's all I have. Everything else looks good. You did a good job on everything. There is the issue ongoing here about the easement and that, but I mean, everything else looks good to me.

Ms. Scannell: Thank you. Mr. D'Alessandro?

Mr. D'Alessandro: I'm pretty much all set. I mean, you've answered the question I had about the fence. You said you were going to put vinyl on it.

Mr. Citone: Yeah, vinyl. I put vinyl around the property. It has a nice coat. I put vinyl along the sides so it's nice and clean.

Mr. D'Alessandro: You answered the question about the lights and the light poles and all that. My feeling about signs is nobody pays attention to them. You can put as many signs as you want up there. There's actually a sign on Glenridge Road that says bridge 10.5 feet. How many times have people listened to that sign? That's all I have.

Ms. Scannell: Thank you. Mr. Calder?

Mr. Calder: Can we go back to Arlene Street just for a second? I'm going to get off the other. Everybody else is on. I didn't hear Peter. Peter, when DPW went over there and checked the drainage, Mary Barrie went over there, I think. What did she find?

Mr. Comenzo: There is no drainage in the road. That was originally stated at the last meeting. There is no dry wells there. I think that's after that meeting.

Mr. Calder: That's when we put the dry well in.

Mr. Comenzo: We redesigned. Mary did go over there.

Mr. Calder: So, she felt comfortable that the dry well was there?

Mr. Comenzo: The drainage has been addressed now with the dry well. The only thing we need from the engineer on the final, he was going to provide the engineering part of it. I know we put that together, it's just not shown on this map.

Mr. Calder: So right now, we're comfortable with the way he projected to be here? On the map?

Mr. Comenzo: Yes.

Mr. Calder: Okay. I have no other questions. Thank you.

Ms. Scannell: Thank you. Mr. Collins?

Mr. Collins: I'm not going to beat you up on parking. They're going to drive anywhere they want anyway. I have a question about the dry well. Are you using a prefab dry well or are you going to make an old-fashioned dry well that would usually work better than some of the new ones?

Mr. Citone: "Inaudible..." (Not speaking into microphone).

Mr. Collins: The cement place. Yeah, I know.

Mr. Citone: They're great.

Mr. Collins: You're going to use one of his?

Mr. Citone: Yes. He has a nice precast.

Mr. Collins: Okay.

Mr. Citone: Just pick it out.

Mr. Collins: All right. That was my only question. If you're going to build one, you've got to build a precast. Grandview?

Mr. Citone: Grandview.

Mr. Collins: All right. And you're going to crown the...

Mr. Citone: Yeah, that's when we do the blacktop.

Mr. Collins: I just was curious about the dry well. If you're using a prefab or building one. I'm good.

Ms. Scannell: Thank you. Attorney Valiquette?

Mr. Valiquette: Yeah, I think just the situation about the easement is just unfortunate, but it is what it is.

Mr. Citone: It is. I assume, and they always tell you growing up, never assume.

Mr. Valiquette: No, I think sometimes there's a legal explanation, but sometimes there's just a business explanation that says maybe just have a good, better professional relationship with your neighbor that you have the agreement with. That's all I can add to that.

Ms. Scannell: Peter, anything I'm forgetting? Questions, comments, concerns? Something you'd like to see.

Mr. Comenzo: No, I'm good.

Ms. Scannell: Okay, so Rotterdam Town Board issued a negative declaration on October 9th, 2024. There's our SEQR tidbit for this project. I would entertain a motion if anyone is feeling they wanted this to be a final, or if you would like to have Joe come back and see us again, I would entertain a motion in either direction.

Mr. Collins: I'd like to make a motion that this is a final with all conditions that we stated here tonight.

Mr. Miglucci: I'll second.

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

Ms. Carter: Mr. Collins?

Mr. Collins: Yes.

Ms. Carter: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Ms. Carter: Mr. D'Alessandro?

Mr. D'Alessandro: Yes.

Ms. Carter: Mr. Calder?

Mr. Calder: Yes.

Ms. Carter: Mr. Signore?

Mr. Signore: Yes.

Ms. Carter: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Carter: Ms. Scannell?

Ms. Scannell: Yes.

Mr. Citone: Thank you, everybody.

Mrs. Flansburg: Thank you.

Ms. Scannell: Continued success with your business.



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 PC65-2024

Moved by Mr. Collins seconded by Mr. Miglucci
Applicant: Titan Valley Development Inc.

Applicant: Titan Valley Development Inc.

Project Location: Arlene Street
Rotterdam, New York

Tax Number or Numbers: 59.15-1-10.11

Proposed Project: Final Site Plan to create up to 46 parking spaces on a ±0.47-acre parcel for additional parking for the Palazzo Ristorante located a 2780 Hamburg Street.

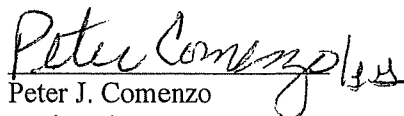
WHEREAS, public meetings were conducted by the Town of Rotterdam Planning Commission on November 7, 2024 and November 19, 2024, to consider the above referenced Site Plan and,

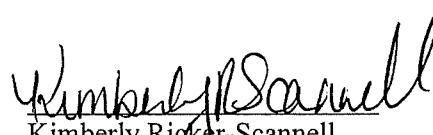
WHEREAS, this matter was discussed and approved, as meeting the standards for a Site Plan Review as set forth in Chapter 270 of the Code of the Town of Rotterdam entitled ZONING; and,

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. Prior to Chairman's signature, the final site plan shall be amended to include grading, fencing, and lighting details.
2. Parking lot shall be paved/striped and landscaping installed no later than June 30, 2025.
3. Prior to construction, the applicant shall obtain permits from the Rotterdam Highway Department for access onto Arlene Street.


Peter J. Comenzo
Senior Planner


Kimberly Ricker-Scannell
Planning Commission Chairman

2. Mark & Deanna Nardini – 313 Old Mariaville Road, Mariaville Road & Old Mariaville Road. Report and Recommendation to the Town Board on a Change of Zone from Agricultural (A-1) to General Business (B-2) for the potential construction of three (3) office/warehouse buildings. Engineer: ABD Engineers & Surveyors.

Ms. Scannell: More questions last week and answers this time. Apologize we couldn't get your questions. Well, we appreciate you coming back. Again, we're not trying to give you a hard time. We just have a lot of questions, and your engineer really couldn't answer them.

Mr. Hitchcock: John Hitchcock with ABD Engineers, and this is the owner, Mark Nardini, back again.

Looking to change this parcel from an A-1 to a B-2 zone. We have three (3) 4,600-square-foot warehouse/office buildings, and when we say office, we're talking, like, maybe a desk. I think Mark's going to step in right now and explain more what he wants to do on this site.

Mr. Nardini: Yeah, mostly just a contractor's house, a small bathroom for somebody to go to the bathroom, get to work, grab a truck around here, and head out for the day. Plumbers, electricians, you know, small contractors, roofers. I ran my excavating business down this road for 30 years now. I know all the neighbors. I've talked to every neighbor down the road. They don't have a problem with this. We get along great, and it's no problem.

Mr. Hitchcock: Yeah, and then there's the steep slopes in the rear of the site and the ravine back there, the stream running through there. It makes it really tight to put, like, a full-blown, say, a medical office in there, which I think was probably one (1) of your concerns is something of that size going into one of those buildings. You just don't have the room for the parking for something like that or for a septic system to accommodate a building like that.

Ms. Scannell: So, you know our job here is to give a report and recommendation. Our job is not to say, yes, you can do this, or no, you can't do this. And so, for us to be able to give a report and recommendation for a change of zone, we just had to be super sure that if we give you a change of zone now, I know that this is not going to happen. Burger King is not going to go. You know what I'm saying? And so that was where we just had a lot of questions. Originally, when the plan came in, there was something mentioned on it about office, like an office. Are you going to have a bathroom? Do you need to have a septic? What's going on with that? Let's talk about that.

Mr. Nardini: It's just a small bathroom. Say you have a one (1) or two (2) person operation and just somebody to, when they show up to get their gear or their trucks, they have a place to go to the bathroom.

Mrs. Flansburg: So, each building would have one, or you're subdividing within each building for multiple offices with multiple bathrooms?

Mr. Nardini: Yes.

Ms. Scannell: Well, I don't understand yes.

Mr. Nardini: Each bay. This wouldn't be one (1) unless one (1) contractor wanted to rent the whole thing. If one (1) could go in there, I'd put two (2) bathrooms.

Ms. Scannell: In each building?

Mr. Nardini: In each building, yes. Say somebody doesn't want to rent a 4,000-square-foot building. They want to go half. Right. But a lot of it may be storage. You have boat storage, car storage, RV storage, things like that. It's not just contracting jobs. Storage needs to be public up, warehouse needs.

Mr. Signore: For somebody else who has a business, they put their stuff right in there.

Mr. Nardini: Yes, roofers, guys like that.

Ms. Scannell: What he's saying so far. So far, it's all acceptable in B-2?

Mr. Valiquette: Yes.

Mr. Nardini: You know, years ago, I bought this lot next to me and ahead of the zone. Right next to me. So, yeah, this one (1) over here. I work on this one (1), and we use that for just, you know, truck storage and equipment storage, and we try to keep it nice and neat.

Ms. Scannell: So, you're almost considering this to be like industrial flex space, or no?

Mr. Nardini: I don't know. It wouldn't be industrial, would it? More of just a commercial thing. Like I said, a roofer, a plumber, an electrician, just to store their materials and somewhere to go during the day and get their gear and take off and go to work.

Mr. Hitchcock: It's not going to be set up for somebody to spend, you know, 10 hours a day working on it, you know.

Mr. Nardini: Right.

Ms. Scannell: Mrs. Flansburg, questions, comments, concerns?

Mrs. Flansburg: Well, part of what you were saying at the last meeting is changing the zone means forever changing it. So, you're the owner, and you intend to do what you say, but you could then sell it, and Burger King could technically come in. For argument's sake, something other than the type of business you said. So, we're approving not just or not at all your project. We would just be approving the change of zone, which the attorney had pointed out at the last meeting, all of the things that would be acceptable in that zone change. So that's what we're really here for today. Whether you want bathrooms in a building and you want three (3) buildings and how many parking spaces, that's if you were to get back here for a site plan review. So, we're just trying to figure out not only what you are looking to do, but also how the property is so we know what it could be or could not be later.

Mr. Nardini: There's limitations down here, it's a dead-end road.

Mr. Hitchcock: It is.

Mr. Nardini: You're not going to be pulling tractor trailers down there.

Mrs. Flansburg: Okay, so focus more on that part. Where are the limitations for a giant parking lot for one (1) big space? If somebody were to come in and buy, to the left, the two (2) buildings, is there something that limits them from demolishing what you have and putting a giant building up with a bunch of parking spaces?

Mr. Hitchcock: You've got your flood zone here. And your steep slopes back here. So, the back of the buildings, it's going to be really the limit of space you could use. We've got a little bit of space here where we would put the septic system for this building. But to get a large building to accommodate a full-size office or a restaurant, to get that parking, the storm water, the septic that you would need for something like that, you don't have that room because of the limitations in the rear.

Mrs. Flansburg: Same for the one (1) property all over to the right.

Mr. Hitchcock: Same for the other side. You do have this area here that's usable, but this is your limit of what you could have up front for parking.

Mrs. Flansburg: Okay, and I think that's what we need to focus on, is even though it would be permitted, it wouldn't be able to meet the level of approvals needed to become any of those other things that we're looking for it not to be there.

Ms. Scannell: So, another thing too, Attorney Valiquette, I'll let him, I'll turn this over with regard to special use permits.

Mr. Valiquette: A lot of the uses here that the Planning Commission might be concerned about, whether it's going to be a car wash or a dry-cleaning facility, something like that, these are all special use permits. So, they would have to come back anyways and get those permits. I think one of the other things to think about is just from a logistical standpoint. This site can really only support certain types of buildings. You're not going to have a hospital in here, which is something that's not a special use permit in B-2. It just isn't going to fit on this site. So certain things just aren't an issue from a workability standpoint. Certain things we get to address down the road if somebody does want to do those items.

Ms. Scannell: Is there anything else Mrs. Flansburg?

Mrs. Flansburg: No, thank you.

Ms. Scannell: Mr. Signore?

Mr. Signore: I'm good with it. I mean, why not change agricultural to B-2? Isn't that what you want? You know what I'm saying? And on a personal note, I mean, I know the Nardini family for quite a while, and they've always done a good job, and they've always been respectable in the town. And I'm sure it'll be the same way right here. So, I'm good. I'm good.

Ms. Scannell: Mr. Miglucchi?

Mr. Miglucchi: It's not really on a major corridor. It's kind of off to the back, and I understand what you mean. You know, kind of like Brennan landscaping, Apollo Heating, or something like that. You go in there, load up your truck, go in the bathroom, do what you got to do, hop in the truck, you're gone. I think it's okay.

Ms. Scannell: Thank you. Mr. Collins?

Mr. Collins: It's a good use for that. I mean, that road's kind of, like you say, beat up, and I've been around a long time, and five (5), six (6), five (5) cars there in a day, you know. But I got one (1) question for you. And I understand this bathroom won't stall or whatever. So, when you design a septic, are you going to design it to house more than one (1) bathroom, considering that you're going to take that into consideration when you put the septic in? So, if you think you're going to have three (3) tenants, you need, say, a 3,000-gallon septic system instead of a 1,000.

Mr. Hitchcock: Oh, not a 3,000.

Mr. Collins: Well, I'm just throwing it out there.

Mr. Hitchcock: I mean, we'll probably do it for, you know, like a one (1) bedroom home equivalent. Usually on commercial projects like this, it's about 15 gallons per day per employee. So, you design it that way. But that's what we'd be looking at.

Mr. Collins: You could always add to it if you had too anyway. Right. I mean, I don't know what else you would do with that area out there. Like you say, after they never fixed the bridge, it became like a, I don't know what it became.

That was my only question, how are you going to handle a septic if you had more than one (1) bathroom in a building? I'm good.

Ms. Scannell: Thank you. Mr. Calder?

Mr. Calder: No, I really don't have nothing. We asked you to come in here from our November meeting. You did. You explained everything in understanding what our counsel is telling us here that he can't do. I'm good with this.

Ms. Scannell: Thank you. Mr. D'Alessandro?

Mr. D'Alessandro: I'm fine with it. I know Mr. Nardini, he does excellent work. So, I'm sure whatever he puts there is going to be very, very good. That's all I have.

Ms. Scannell: Well, we do appreciate you coming back in here. The report and recommendation is exactly that, right? We just want to be able that we're on solid ground because it's for a change of zone. I'm going to entertain a motion for a positive report and recommendation, and I would like to include all of the things that our attorney has filled us in on with regard to the fact that some of these uses, one (1), are impractical, and two (2), you would have to come back and get a special use permit for. So again, just to show that we take it seriously when somebody is looking for a change of zone of this type of thing. So, I would entertain a motion for a positive report and recommendation.

Mr. Signore: I'll move.

Mr. D'Alessandro: I'll second that motion.

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

Ms. Carter: Mr. Collins?

Mr. Collins: Yes.

Ms. Carter: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Ms. Carter: Mr. D'Alessandro?

Mr. D'Alessandro: Yes.

Ms. Carter: Mr. Calder?

Mr. Calder: Yes.

Ms. Carter: Mr. Signore?

Mr. Signore: Yes.

Ms. Carter: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Carter: Ms. Scannell?

Ms. Scannell: Yes.

Ms. Scannell: Thank you very much.



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 PC64-2024

Moved by Mr. Signore seconded by Mr. D'Allesandro
Applicant: Mark Nardini

**Resolution Adopting a Report and Positive Recommendation on
the Change of Zone Request by Mark Nardini**

WHEREAS, the Town Board of the Town of Rotterdam ("Town Board") has received an application from Mark Nardini ("Applicant") for a Change of Zone Request on ±3.07- acres parcel from Agriculture (A-1) to General Business (B-2) to facilitate the potential construction of three (3) contractor storage buildings. Property comprises 4 parcels of vacant land located along Old Mariaville Road and is known as Tax Map Nos. 47.-4-8, 47.-4-9, 47.-4-10 and 47.-4-11; and

WHEREAS, the Town Board referred the Change of Zone application to the Planning Commission on November 13, 2024 for a report and recommendation thereon; and

WHEREAS, the Applicant presented the Change of Zone application to the Planning Commission at its regularly scheduled meeting held on November 13, 2024 and the Planning Commission tabled action on this matter with an additional presentation by the applicant on December 3, 2024; and

WHEREAS, the Planning Commission reviewed the proposed Change of Zone upon an updated presentation by the Applicant at its regularly scheduled meeting held on December 3, 2024; and

WHEREAS, the Planning Commission has deliberated on the proposed Change of Zone;

NOW, THEREFORE, upon motion of Member Signore, seconded by Member D'Alessandro;

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

1. The Planning Commission hereby adopts the following as its report on the proposed Change of Zone:

Change of Zone Request on ±3.07- acres parcel from Agriculture (A-1) to General Business (B-2) to facilitate the potential construction of three (3) contractor storage buildings. Property comprises 4 parcels of vacant land located along Old Mariaville Road and is known as Tax Map Nos. 47.-4-8, 47.-4-9, 47.-4-10 and 47.-4-11.

The property is surrounded by a mixed use of commercial and residential uses. The Poentic Kill is located on the property and there is floodplain constraints associated with full development. There is a large amount of roadway frontage on Old Mariaville Road and

sufficient area to construct contractor storage buildings. There is limited potential for farming or residential development due to the environmental constraints of the property. There is no public water available and the construction of septic systems difficult due to the environmental constraints of the property and the location of a well. This area is very convenient for traveling to and from multiple locations.

If rezoned to B-2, the following uses would be permissible:

- All nonresidential uses permitted as of right in the B-2 District.
- Dry-cleaning, carpet-cleaning and laundry facilities.
- Bottling plants.
- Bus barns and public garages.
- Car washes.
- Contractor shops and equipment storage yards.
- Creameries and milk plants.
- Kennels and veterinary hospitals.
- Laboratories for scientific or industrial research, testing and development.
- Lumberyards and building material sales yards.
- Machine shops.
- Mechanical, optical, photographic, scientific or electronic manufacturing conducted entirely within a completely enclosed building.
- Newspaper and printing establishments.
- Saw and planing mills.
- Trucking terminals, warehousing and distributing, provided that no outdoor storage of materials shall be permitted.
- Woodworking mills.
- Fuel-oil storage tanks.
- Wind energy facilities subject to the requirements of the Town of Rotterdam Wind Energy Facility Law

The primary effect of a change of zone would be to eliminate all of the currently allowable uses of the parcel to be changed which includes Agriculture, while adding all allowable uses of the B-2 zoning district. Due to the lack of public water, floodplain constraints, topography, and location it is highly unlikely that many of these potential uses in the B-2 zoning district would be feasible and the proposal for contractor storage or this type of use seems to be one of the only viable options. There is existing B-2 zoning on property owned by the applicant located east side of Old Mariaville Road adjacent to the NYS Thruway which is being used in a similar manner as proposed.

2. Subject to the considerations set forth in Paragraph 3, below, the Planning Commission hereby adopts a **positive recommendation** on the Mark Nardini Change of Zone request for the following reasons:

A. The property is in an area that has similar uses, including contractor buildings and equipment storage located directly east of the proposed Change of Zone.

B. The applicant is proposing the potential construction of three (3) contractor storage buildings on property that comprises 4 parcels of vacant land located along Old Mariaville Road which would be compatible with the area.

C. Not all contractor storage buildings are proposed to be built at once and instead will be built per need for them, thus reducing the impacts on neighboring properties.


D. The site is proposed to have access to Old Mariaville Road and impacts to the neighboring property is minimal. There is limited potential for farming or residential development due to the environmental constraints of the property.

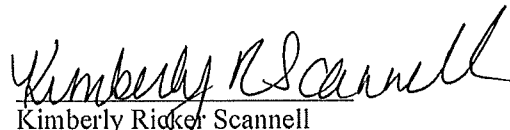
E. Due to the lack of public water, floodplain constraints, topography, and location it is highly unlikely that many potential uses in the B-2 zoning district would be feasible and the proposal for contractor storage or this type of use seems to be one of the only viable options if this zone were to be changed by the Town Board.

F. In addition to the impracticability of many of the permissible uses (as detailed in E hereinabove), a special use permit is required for many permissible B-2 uses, which would allow the Planning Commission an additional opportunity to weigh the benefits and risks of such use upon site plan review.

3. Neither a positive recommendation by the Planning Commission, nor any rezoning action taken by the Town Board, should be construed as an approval or other favorable position concerning any proposed conceptual development plan. Any proposed development shall remain subject to full review by the Planning Commission.

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


Peter J. Comenzo
Senior Planner


Kimberly Ricker Scannell
Planning Commission Chairman

3. JC Discount Wine and Liquor LLC – 2300 Curry Road. Preliminary Site Plan review to allow the construction of a ±5,550 square foot retail liquor store with ±2,250 square foot mezzanine on a ±30,243 square foot lot. Engineer: Bohler Engineering.

Mr. Freitag: Good evening, Tim Freitag with Bohler Engineering. Here on behalf of the applicant, JC Discount Wine and Liquor LLC. Along with me tonight is Girpit Singh, representing the applicant for the redevelopment of the former gas station at 2300 Curry Road. It's in the B-2 General Business Zoning District on a .7-acre site, paved edge to edge.

This project was back before this Commission back in April. We introduced the project. This Board directed us over to the Zoning Board to secure a front yard setback that was needed for this project. So, the Zoning Board did grant us a front yard setback along Curry Road. We've also been busy working with the Town DPW and County addressing some comments and revising the site plan specifically related to access. That's been a big focal point of this project. And if you're familiar with the site today, there's four (4) driveways because it's really wide curb cuts. It's a free-for-all out there. So, we've got good access management planning here. We've consolidated to one (1) driveway on the two (2) road frontages with internal circulation. There are stacking accommodations at the driveways that the County wanted to see.

We're here tonight to re-engage this Commission. We submitted our full plan set last month. We're here in support of that. We can talk about project changes and answer any additional questions or comments that the Board may have.

Some of the major changes since the plan in April. The building actually got a little bit smaller. So, we went from about 5,200 square feet to a 4,935 square foot. This will be a retail facility for the liquor store. We've consolidated the driveways like I spoke about. There are approximately 25 parking spaces proposed. This does require a waiver from this Commission, 30 are required based on the size of the building. Six per thousand for retail are required. That would be 30 spaces. We're proposing 25. We have a little bit wider of a driveway on County Route 7. That's to accommodate deliveries. So, the truck would be maneuvering in and out of that driveway as shown on the site plan with the truck turning movements.

We're going to have the septic system out in the front corner of this triangular-shaped property. And overall, the project does provide a significant amount of green space increase for this property. Nearly 4,000 square feet of additional green space is proposed for the property, so that's a great improvement. And it will help address any stormwater mitigation that's required for the project. We do have the DPW comments that I can certainly talk through. And I believe we're still waiting on engineering comments unless those have been submitted to date.

So as part of the agenda was the DPW comments. I can kind of just walk through those briefly. Item one (1) just talks about the consolidation of the single curb cut to both Curry and Fort Hunter roads.

The TDE, we're still waiting on those engineering comments.

The variance in the front yard was granted on May 15th.

Provide building elevations. So, we are working through the building elevations. We do have a draft if the Board or the Commission would like to see some of those, but we can certainly provide in future submissions along with signage for item number five (5).

Item number six (6) is just updating some existing conditions as the former building has been removed on the property to date.

Item seven (7) is to include the parking spaces along the front edge of the building with concrete rather than asphalt pavement, which the applicant is okay doing.

Item four (4) requests the proposed vinyl fence for the dumpster enclosure and gate should be changed to TREX to be consistent with other commercial developments in the Town. That's acceptable to the applicant, so we can do that.

We can add some additional landscaping, especially to the property to the south to some of the neighboring residential districts, so that's acceptable. And we can also add some fencing to further buffer that side of the property. We're looking at a proposed six (6) foot tall white vinyl fence along the southern portion of the property boundary there.

Item ten (10) asks to consider banking four (4) spaces in the north corner. We feel we need the amount of spaces that's proposed. So, we'd like to keep those. And again, we are already asking for a reduction in what's required by code, so we'd like to stay with the proposed 25 parking spaces to accommodate the potential demand at this store.

Item 11, some low landscaping over in that area, the front corner. We can provide some additional buffering there. That is where our septic system is going, so we just don't want to propose any type of root system that's going to interfere with the underground septic system there, but we can look at adding some buffering there for the pavement areas.

And then item number 12 just asks for some protection of the lighting fixtures in the middle of the site. There's a light pole in the middle to light up the parking area. What we would recommend, rather than bollards there, is just putting them on an elevated base, so sometimes those are on 30, 36-inch concrete bases to protect the light pole. That we can certainly do and it is a good recommendation.

So, we don't see any major concerns there with the DPW comments. We'll certainly be on the lookout for engineering comments to make sure, from a stormwater utility perspective, the project is acceptable.

And we're here tonight to address any further questions, comments, suggestions that the Commission has.

Ms. Scannell: Well, we appreciate you being here, and I love driving past there, seeing the possibilities and the potential. It's very exciting. One (1) of the things that the Planning Commission pays attention to are the properties owned by the applicant in other parts of our Town. And so, if you could share with the applicant that all of their other properties should be in good repair, and they should be having a good relationship with codes, and if there's any violations, that when they're coming in front of this Planning Commission, to quote Clark, we don't really like to reward bad behavior. So, hopefully that's something that we can all be on the same page with.

Regularly, kind of, make sure that everyone is in compliance when they are coming and asking for a new project.

Mr. Freitag: Sure, we'll share that message.

Ms. Scannell: I appreciate that. I'm just curious, why did you make the building smaller?

Mr. Freitag: The front corners of the building here and there, which "Inaudible" off provides a little break up in the building architecture. And it also actually helped that setback variance to that front corner of the property.

Ms. Scannell: Have we talked about signage? I thought I heard somewhere that you were going to consider using the existing sign.

Mr. Freitag: Yes, that's the plan right now. And as part of the building elevations, we're going to propose a refacement of that sign, and we can provide a detail of what that's going to look like.

Ms. Scannell: Okay. The elevations, we'll probably see those next time.

Mr. Freitag: Yeah, we can formally respond to the DPW comments or engineering comments and include that in the package. There are some drafts available if you'd like to see them tonight to get initial feedback.

Ms. Scannell: Well sure, I'd love to see them.

Mr. Freitag: So, I unfortunately don't have a full size, but just a black and white copy. I'll just run through this and maybe you can pass it down the line.

Ms. Scannell: Yeah, that'd be great. Thanks.

Mr. Freitag: This is just the proposed building elevations. It's really dressed up. There's a breakup in the large facade. There's going to be different stone materials, so brick and split face CMU that's going to break up some of the larger walls. A lot of glass door frontage with the gable roof line that's proposed. Just some 2D elevations. There's a floor plan that's included in the layout just to get a better understanding of where the cash out area is, the entrances and staging areas and shelving. And the last page shows the refacing of the freestanding sign that's proposed.

Mr. Collins: Could you point out the building to the left, right?

Mr. Freitag: The main entrance is here and there's going to be a secondary entrance here, just ancillary. No current use for customers right now, but maybe loading or staging uses.

Mr. Collins: That way you have another exit if there's a problem with a fire or something. That solves that problem.

Mr. Freitag: So that's the design intent right now. It still has to go through architectural design and engineering.

Ms. Scannell: Mr. Collins, questions, comments, concerns?

Mr. Collins: Well, I'm glad you did the bollards because I happened to be in an establishment one (1) night where somebody drove through the wall and it was kind of scary, so that helps.

Mr. Freitag: It's incredible how many vehicles crashed into buildings.

Mr. Collins: Somebody really almost died from it. I really don't like those four (4) parking spaces up front and the only reason being is because the entrance off of Curry Road, sometimes people are pulling in, sometimes people are pulling back. I wouldn't have a problem even dropping a waiver down because usually with liquor stores people are in and out in five (5) minutes. During the holidays sometimes they're there, but I prefer to drop it down to two (2) and move them over so there's a little more swing when people back out. They're not backing into somebody coming in, so if you lost two (2) I'd feel better about it. I don't think it's going to make a big difference in overall parking. I think it's a good plan. I like the bollards. This used to be an old Texaco gas station years ago. Like I said, I'm happy to see the bollards. The lighting in the middle. Like you say, if you set it up three (3) feet or so you probably wouldn't... I understand with the bollards, but they look kind of funny in the middle. It might just take away from the overall look of the project. That's my own personal opinion, I'm only one (1) vote. As long as you set it up three (3) foot, I don't think there would be a problem. I did run into one (1) of them things once, especially my truck got... I wasn't paying much attention to it. I think it's a good project. I like the looks of the building. I like the idea that you cut it back. It just doesn't look like a box. It has a little more character to it. It's a good project. That's all I have.

Mr. Freitag: We'll look a little closer at the parking and see if there's any adjustments we can do. Our thought was to promote employees parking so it's not high turnover. We can look at that closer.

Mr. Collins: I'm pleased that you got bollards. In fact, I was talking to Tom at breakfast. We don't understand how you guys got away without putting bollards across the street. We just didn't even do it. We're usually looking at Stewart's and those people. I really like how the building is cut back on the sides. I think it gives it a lot more character instead of just a big box. That's all I have, Madam Chairman.

Ms. Scannell: Thank you. For sure you are reading my mind with that. I am very concerned about those parking spots especially because people like to cut through that area. Thank you for bringing up that concern. Mr. Calder?

Mr. Calder: I like the project very much. I think the location is perfect. It's nice to see something go in there that's hopefully going to look just like this or close to this. I know this is only preliminary, but I like it. I'd be more concerned myself if it's a liquor store, you're talking maybe a security system, maybe things like this you can talk about later. Even the lighting as far as around the building. Is there going to be a door in the back access or any egress in that back door for deliveries or anything?

Mr. Freitag: On page three (3) of this pamphlet, I know there wasn't enough for everybody but there included a floor plan that shows the door locations.

Mr. Calder: That's a concern, that back door, I think for security purposes. Something you might want to think about later doing something with that. Other than that, I like this very much. It's a lot better than another store.

Mr. Freitag: And a lot better than the pavement that's out there today.

Mr. Calder: It's nice, I like it.

Mr. Collins: So that back door is just going to have a panic bar on it?

Mr. Freitag: It's a fire door, emergency access.

Mr. Collins: That makes sense.

Mr. Calder: I'm done. Thank you.

Ms. Scannell: Thank you. Mr. D'Alessandro?

Mr. D'Alessandro: I agree with Mr. Calder and Mr. Collins, I really like the setup. I like the building. I do have a couple questions.

One (1) of them, too, was I like the triangle with the post in it to stop the cut-through from Fort Hunter because you know people are going to try to jet through there and I think this is a good way to stop that. I'm not a lighting engineer but I do have a couple questions and one (1) of them, I didn't see any light on the Route 7 side where that corner is or light over the back door, too?

Mr. Freitag: There will be security lighting over the back doors. That's standard practice and then it's a good point about the cut-through and if you recall probably not because April was a long time ago, the former plan actually had the driveways lined up with each other and it would be an easy way for a cut-through so part of the design intent with offsetting those driveways is to prevent that from happening.

And then there was a lighting plan included in the...

Mr. D'Alessandro: Yeah, I saw the lighting plan but I counted the lights but I didn't see any on that, like the corner cut on that Route 7 sign. I was kind of concerned especially, you know, on that side of that whole side of the building there wasn't any light at all. I mean I would probably maybe stick a light on the corner where that cut is. Just light it up a little bit for security reasons. That's all I have. Otherwise, I love the project.

Ms. Scannell: Thank you. Mr. Miglucci?

Mr. Miglucci: I like your building, it looks nice. What's going on on the second floor? I see the stairway in the back, is that for public access or are you going to have...

Mr. Freitag: My understanding is it's not public access, it's mezzanine space for additional storage.

Mr. Miglucci: Everything's out of the ground?

Mr. Freitag: Out of the ground?

Mr. Miglucci: All the old pumps, all that stuff is out of the ground?

Mr. Freitag: Yes.

Mr. Miglucci: That's all I have. Looks good.

Ms. Scannell: Thank you. Mr. Signore?

Mr. Signore: I'm glad to see that corner cleaned up, you know, and this would be a nice addition to the Town. Now you're on a very, you know, you're on the main thoroughfare of Curry Road and then, of course, Fort Hunter is also a very busy road, okay? And I want to be mindful of the neighbors that live around this and have to go by it every day. Now, I don't want to sound critical or anything, but the landscaping, you know, nine (9) and 11 are of a concern of mine because, you know, you do have neighbors, you want some eye candy, you want it looking nice and JC Liquor Store that is there now, I mean, their only shrubbery was like some cinder blocks full of dirt and some plants coming out of it and, of course, when they plowed, all them cinder blocks got moved and everything else and now it's been replaced with you know, these galvanized metal I don't know, for the lack of a better term, tubs kind of thing, you know? But, I mean, you know, you got a nice building here, you get a nice clean start, you're in a residential area, you're on the main drag, so, I mean, I'd like to see some amenities that make this look good, you know, and not just some cinder block planters and, you know, that kind of thing. And, I mean, you had a concern about the septic system, but you can have shrubs and those, you don't have to have trees, you know, but, I mean, you could make it all look nice, you know, expose the cover of the septic tank so people know where they're going and don't have to dig it up or anything like that. But, based on what I saw at the other liquor store, you know, I didn't think it was all that great, quite honestly, the little bit of shrubs in the front, but I'd like to see an improvement in that area. Some nice stuff. You're on the main corner. People come into the Town, they see that, you know, it's like, it's a reflection on the Town.

Ms. Scannell: Thank you, Mr. Signore. Do you have anything else?

Mr. Signore: No, no.

Ms. Scannell: Thank you. Mrs. Flansburg?

Mrs. Flansburg: Pretty much I agree with all of them up here. I just wanted to know if you could, for future reference, I know it'll be on your plan, but can you just sort of identify, when you were talking about fencing, are you envisioning it just the back of the building, the whole back of the property, one (1) side?

Mr. Freitag: The fencing is supposed to cover the building as close to the property. And then you have used supplemented some of that.

Mrs. Flansburg: And then snow storage, looks like with all the green space that you're adding wouldn't be as much of an issue, and it's going to look so much better than what is there. And I don't know, one (1) of the coolest parts so far has been that the building literally came down in a day. I saw the back digger, my family, I don't know what it is, out there at the start of the day, and at the end of the day the building was completely gone. I missed the whole in-between.

Mr. Freitag: Missed all the fun.

Mrs. Flansburg: I missed all the fun. I think everything it's going to be a wonderful addition to our community, and particularly in that spot. And I'm sure the current liquor store that they have, they did the best with what they have and the space that they have. Now they have a blank slate. And they can start fresh. So, I think it will be great.

Ms. Scannell: Thank you. Yeah, I completely agree with the landscaping comments. I think really all we have right now is grass. So going up from there should be pretty easy for us to envision and for you to be able to show us. Together with the standard comments on the plans for the landscaping that they would be replaced in perpetuity.

And I also I didn't catch that lighting in that corner that Mr. D'Alessandro was referring to. And he's 100% spot on that is going to be one (1) of the darker areas. So being mindful of the neighbors but still lighting it up. This is great. We're really looking forward to it. I agree with everybody's sentiments. How excited we are to have this project in our town.

Attorney Valiquette, do you have any questions or comments?

Mr. Valiquette: No, none that have not been addressed.

Mr. Freitag: Any other questions related to the EAF or the SEQR form that was submitted? Make sure everybody's comfortable from a SEQR perspective.

Ms. Scannell: I know Rotterdam declared lead agency in April. I don't think we're all set with SEQR, Peter?

Mr. Comenzo: Yeah, I guess after we get the engineering comments back they typically maybe have a comment or two (2) on the form but as submitted it looked okay to me. I think we're good in that respect. The only comments since you asked for comments, I guess the only thing would be is have we gotten any feedback from DOT in regards to the...

Mr. Freitag: Yeah, they're in the loop on the revised driveway locations. Formal approval permit from DOT is a while out but their conceptual like stage two (2) acceptance is what we call it for making everybody comfortable.

Mr. Comenzo: I mean that's what we'd be looking for I guess conceptual approval from DOT and also from the County. I know they did have comments originally on the entrance so I think that should be not a problem.

Mr. Freitag: And they've been provided on the revised plans?

Mr. Comenzo: Yes.

Mr. Freitag: Do you have an idea of when to expect the engineering comments and is that the last letter that's outstanding?

Mr. Comenzo: I'm going to save a couple weeks probably. Took a little bit to get it from Karen.

Mr. Freitag: And then next steps would be to formally respond to those and DPW comments and come back to this

Board for a final?

Ms. Scannell: That would be the plan. Does that time frame seem right for you Peter?

Mr. Comenzo: Yeah, I guess we'll see what the engineer comes back with but definitely I think we're in pretty good shape.

Ms. Scannell: Well, thank you. This is a great update, and we look forward to getting you guys back here soon.

Mr. Freitag: Appreciate it. Appreciate your time and comments. Thank you.

Ms. Scannell: Thank you for your investment in Rotterdam. Looking forward to it.

4. Hungry Hill Ventures LLC – 1002 Wedgewood Heights. Conceptual Sketch Plan/Special Use Permit to construct a ±12,000 square foot warehouse/office with up to 2 tenants on a ±2.46-acre parcel. Engineer: ABD Engineers & Surveyors.

Mr. Hitchcock: John Hitchcock, ABD Engineers. I'm here with the owner Mike Floccuzio of 1002 Wedgewood Heights. So, what we're trying to do here is a 12,000 square foot warehouse office building. It is at the south end of Wedgewood Heights and just south of the 12,000 square foot building that this Board approved what was it a year ago, I think. That's how fast he built it. I thought it was that long ago.

But same type of building, same design is what he's looking to do on this part of the parcel. It will have water, public water and a septic system which we plan on putting on the west side of the parking lot here. Obviously, we'll have to get out there and do some test pits and percolation tests for the septic which we'll do as this moves on. We came here tonight to get feedback from the Board but also what we need is a setback for variance for the rear of the building. It's a 25-foot setback requirement in the rear of the building and we're providing 10.5 and the reason that is to allow for trucks to move around the front of the building and we're pushing it back. We're only pushing it against the railroad track property so we're not pushing it against any residential houses or anything like that. We don't believe it's a big ask for the variance, but we know we have to go through the process.

And that's it, I'll turn it over to the Board unless Mike has anything else to say.

Ms. Scannell: Alright, we'll start down, let's see we'll start with you Mr. Miglucci.

Mr. Miglucci: It looks like something we've done before. I think we did something pretty much close to it.

Mr. Hitchcock: Almost identical, yes.

Mr. Miglucci: It suits the area. It serves a purpose. I don't have a problem with that.

Ms. Scannell: Mr. Signore?

Mr. Signore: No, I'm okay, I think Joe pretty much said it. Only that's with the character, who owns all the trees and stuff that are cut down here? Isn't there a bunch of trees piled up, looks like wood or something.

Mr. Floccuzio: We might be actually looking if there's a pile of wood back here. That's all the way over here. But over here, on this property, there's actually a big gravel parking lot. It's all clean, there's no trees or anything.

Ms. Scannell: You all set Mr. Signore?

Mr. Signore: Yeah.

Ms. Scannell: Mrs. Flansburg?

Mrs. Flansburg: Do you have the DPW comments that you could just address those?

Mr. Hitchcock: I do have them. Property was recently subdivided. Yeah, that's what we did and designated as equipment storage lot. I think, are you using it for equipment storage right now?

Mr. Floccuzio: Yeah, but also, I think that was, I thought maybe the lot behind, but yeah, right now it's just outdoor storage. That's what's on the site.

Mr. Hitchcock: So yeah, we're just looking to add a building there now.

Proposed building and septic area contains fill material. So, the septic area, we don't believe there's any fill in that area where we're proposing the septic.

Mr. Floccuzio: I was going to say, so I actually cleaned up the property a lot. So, I do know for a fact where the septic area is. This whole area right here is all virgin ground. So, it's all virgin sand, that's why we decided to put it in this corner. So, there's zero fill at all, which we'll see with test pits.

Mr. Hitchcock: And we'll do, you know, the Town can coordinate with the Town to come out when we do test pits at the corners of the buildings just to see what kind of material is there. That's not an issue, and then yeah, the variance which we discussed. We do need to get the variance.

Mrs. Flansburg: And then the third one, easements for turnaround and snow storage.

Mr. Hitchcock: "Inaudible..." (Not talking into the microphone). Yeah, and they could do a turnaround on the site.

Ms. Scannell: So, you'll probably have to have a meeting with Larry, right?

Mr. Hitchcock: Yeah, whatever we'll work something out, that's not a problem at all.

Mr. Floccuzio: Yeah, we cleaned up the property quite a bit. This whole area actually was kind of run down and if you guys go around to the area, see the new facility, everything looks very nice, it's very clean and that's the goal for over here, just try to clean everything up.

Mrs. Flansburg: Nothing further, thank you.

Ms. Scannell: Thank you. Mr. Collins?

Mr. Collins: It looks good, like I said, it's Hungry Hill and the cleanup probably came out good. And as long as you talk to Larry about giving a little room for his truck, so they don't have to back all the way up down the road. That's all I have. It's a good project.

Ms. Scannell: Thank you. Mr. Calder?

Mr. Calder: I like the project, I'm just curious, do you plan on leasing this building after you finish it?

Mr. Floccuzio: That would be the goal, correct.

Mr. Calder: Accurate?

Mr. Floccuzio: Accurate's actually already in this building we purchased. So, that's the goal of why we're doing this. The building I built already is being purchased.

Mr. Calder: So, Accurate is going to go in the other one?

Mr. Floccuzio: Yep, they're going to go in there.

Mr. Calder: I'm just curious. I have nothing else. I like the project.

Ms. Scannell: Thank you Mr. D'Alessandro?

Mr. D'Alessandro: I agree with the rest of the Board Members, I think it's a good project for that area. You don't have to worry about the neighbors in the back because they're probably going to make more noise than you guys do. I think that's a perfect fit for that area. That's all I have.

Ms. Scannell: Great, I completely agree I think you did a nice job with what you've done already. I've seen your work in action. Just make sure that we have a meeting of the minds when it comes to that plow turnaround that you set up something with Larry. So, that he can provide all of his feedback and then as far as easements go, I'll let the attorney weigh in on that.

Mr. Valiquette: Yeah, I think generally I'll just want to see that easement and make sure it's recorded prior to getting its final approval.

Mr. Floccuzio: There's a gate that's been here for years, which I am planning to get rid of, but I was just curious...

Mr. Valiquette: Simply just for access.

Mr. Floccuzio: Okay.

Mr. Valiquette: Access and ingress/egress.

Mr. Hitchcock: And if they push the snow all the way to the back, it actually helps you to plow some of your driveway.

Mr. Valiquette: And if you have an attorney who is going to be drafting that for you just tell them to email it over to me. I'll take a look, give you the thumbs up.

Ms. Scannell: Thank you. Peter, do you have anything?

Mr. Comenzo: No, I did talk to Larry this week about the project. They do plow to the end of that road. So, I think just putting some type of a general easement. Either a meeting or talking to them and getting an agreement as to where they can pull in and turn around. I guess we'll have the other neighbors there too. It's a Town road until it gets to the property line. It was the Town's property, and they sold it. So, it's just a matter of getting that straightened out. Should be easy, pretty straightforward.

Ms. Scannell: Well at this time, I think we're all in agreement that this is a great project. I would entertain a motion that Rotterdam Planning Commission declare lead agency.

Mrs. Flansburg: I'll make that motion.

Ms. Scannell: Thank you, do I have a second?

Mr. Collins: I will second.

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

Ms. Carter: Mr. Collins?

Mr. Collins: Yes.

Ms. Carter: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Ms. Carter: Mr. D'Alessandro?

Mr. D'Alessandro: Yes.

Ms. Carter: Mr. Calder?

Mr. Calder: Yes.

Ms. Carter: Mr. Signore?

Mr. Signore: Yes.

Ms. Carter: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Carter: Ms. Scannell?

Ms. Scannell: Yes.

Mr. Floccuzio: Thank you so much.

Ms. Scannell: Thank you, we look forward to seeing you again soon.

All right boys and girls, that brings us to a close.

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

Mr. D'Alessandro I'll second it.

Ms. Scannell: All in favor.

Planning Commission Members: I.

Meeting adjourned at 8:46 p.m.

Respectfully Submitted,

Marlo L. Carter
Planning Commission Secretary



Town of Rotterdam
Office of the Planning Commission

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

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

Resolution Number PC66-2024

Moved by Mrs. Flansburg seconded by Mr. Collins
Applicant: Hungry Hill Ventures LLC

Applicant: Hungry Hill Ventures LLC

Project Location: Wedgwood Heights
Rotterdam, New York

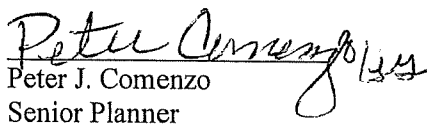
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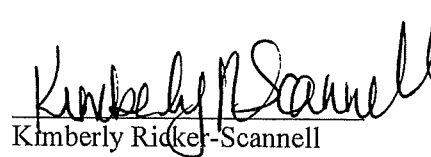
Proposed Project: Conceptual Sketch Site Plan/Special Use Permit to construct a ±12,000 square foot warehouse/office with up to 2 tenants on a ±2.46-acre parcel.

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, December 3, 2024, the Rotterdam Planning Commission hereby declares itself lead agency and authorizes the Rotterdam Town Planner to prepare, file, publish and distribute all documents as necessary to comply with 6 NYCRR Part 617 (State Environmental Quality Review).


Peter J. Comenzo
Senior Planner


Kimberly Ricker-Scannell
Planning Commission Chairman