

**Town of Rotterdam Planning Commission  
Minutes of July 15, 2025 Meeting**

The Rotterdam Planning Commission held a meeting on Tuesday, July 15, 2025, at 7:30 p.m. at the Rotterdam Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York 12306.

Present:	Kimberly Ricker Scannell, Chairman Lynn Flansburg, Vice Chairman Clark Collins Wayne Calder Joseph Signore Joseph Miglucchi Danielle Ciampino Peter Comenzo, Town Planner Stephen Valiquette, Attorney Jamilee Marino, Secretary	Excused:
----------	---	----------

Chairman Scannell called the workshop to order at 7:00 p.m.

**Request for Condition Modification**

1. **Tomra Recycling, LLC – 31 Opus Boulevard.** Request to modify Site Plan approval Condition #4 of Resolution PC-21-2025 to construct a 36' x 100' addition for the location of an enclosed trailer tipper tower with a height of 70' and minor site plan modifications on a ±4.33-acre parcel.

Motion was made by Mr. Collins to approve the Request for Condition Modification.

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

**Waivers**

1. **The Boardroom Lounge – 1002 Wedgewood Avenue.** The applicant requests a Waiver of Site Plan review to operate an indoor cornhole venue for casual and competitive cornhole play in Suite 2, ±6,000 square feet of ±12,000 square feet building on a ±2.46-acre parcel.

Motion was made by Joe Signore to approve the Waiver conditioned on the following:

1. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Inspector/Code Enforcement Officer prior to operation.
2. Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.
3. Owner/applicant shall install Knox box. Please contact Fire District #2 for specifications.

4. Owner/applicant shall install a water meter that reads in gallons with an outside reader without a wand to read prior to the issuance of a Certificate of Occupancy.
5. Applicant shall submit proof of NYS Liquor Authority approval for the sale of wine and beer prior to any sales of such items.
6. Applicant shall obtain Schenectady County Health approvals prior to any sale of food items. All vendors shall have Schenectady County Health and/or NYS Department of Health approvals prior to operating on premises. If vendors are operating in the parking lot, a Waiver of Site Plan shall be obtained prior to any such event

Danielle Ciampino seconded the motion and vote resulted in unanimous approval of the motion

2. **Cozy Nails Spa – 2603 (2601) Guilderland Avenue.** The applicants request a Waiver of Site Plan review to operate a nail salon and beauty spa in existing ±2,320 square foot tenant space on a ±0.24-acre parcel.

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

1. Approvals are contingent upon compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Inspector/Code Enforcement Officer prior to operation.
3. Awnings along the façade shall be replaced and parking lot shall be patched, repaired, seal coated, and striped prior to the issuance of a certificate of occupancy.
4. Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.
5. Owner/applicant shall install Knox box for emergency personnel. Please contact Fire District #2 for specifications.
6. Owner/applicant shall install a water meter that reads in gallons with an outside reader without a wand to read prior to operation. Please check with DPW for retailers.
7. Applicant shall obtain Schenectady County Health Department approval and/or New York State Department of State licensing.
8. Prior to Certificate of Occupancy, applicant shall provide a copy of the duly executed Ventilation System Certification to DPW.
9. Parking demands necessary for this use may impact tenancy options for remaining portion of the building.

Lynn Flansburg seconded the motion and vote resulted in unanimous approval of the motion

3. **Upstate Collectiblez LLC – 93 W. Campbell Road.** The applicant requests a Waiver of Site Plan review to operate a retail store in tenant space G-120, ±2,279 square feet, from June 18, 2025 – August 31, 2026 at the ViaPort Rotterdam Mall.

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

1. Compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the Building Inspector/Code Enforcement Officer prior to operation.
3. Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.

4. Owner/applicant shall install Knox box for emergency personnel. Please contact Fire District #6 and/or #7 for specifics.

Danielle Ciampino seconded the motion and vote resulted in unanimous approval of the motion

4. **Spirit Halloween – 80 W. Campbell Road.** The applicant requests a Waiver of Site Plan review to operate Spirit Halloween, a costume and accessory retail store, in existing ±25,060 square foot building, former Office Max, on a five (5) acre parcel.

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

1. Approvals are contingent upon compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Inspector/Code Enforcement Officer prior to operation.
3. Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.
4. Owner/applicant shall install Knox box for emergency personnel. Please contact Fire District #7 for specifications.

Joe Miglucci seconded the motion and vote resulted in unanimous approval of the motion

5. **Art of Hair – 93 W. Campbell Road.** The applicant requests a Waiver of Site Plan review to operate a beauty salon/barber shop in tenant space C-100, 1067 square feet, former Hair City Cutters from August 1, 2025 – September 30, 2026 at the ViaPort Rotterdam Mall.

Motion was made by Danielle Ciampino to approve the Waiver conditioned on the following:

1. Compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the Building Inspector/Code Enforcement Officer prior to operation.
3. Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.
4. Owner/applicant shall install Knox box for emergency personnel. Please contact Fire District #6 and/or #7 for specifics.
5. Applicant shall obtain Schenectady County Health approval and/or New York State Department of State licensing.

Joe Signore seconded the motion and vote resulted in unanimous approval of the motion

6. **Stewarts Shops Corp – 647 Mariaville Road.** The applicant requests a Waiver of Site Plan review to operate a karate studio in existing tenant space #2, ±2,500 square feet on a on a ±2.91-acre parcel.

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

1. Compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Inspector/Code Enforcement Officer prior to operation.
3. Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.
4. Owner/applicant shall install Knox box for emergency personnel. Please contact Fire District #6 for specifications.
5. All water usage shall be metered. A water meter shall be installed that reads in gallons with an outside reader that does not require a wand to read.

Joe Signore seconded the motion and vote resulted in unanimous approval of the motion

7. **Jimit Patel – 1926 Curry Road.** The applicant requests a Waiver of Site Plan review to add a ±600 square foot apartment, to existing 31 room hotel, on a ±1.52-acre parcel. Engineer: ABD Engineers.

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

1. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Inspector/Code Enforcement Officer prior to operation.
2. Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.
3. Owner/applicant shall install Knox box. Please contact Fire District #3 for specifications.
4. Owner/applicant shall install a water meter that reads in gallons with an outside reader without a wand to read prior to the issuance of a Certificate of Occupancy.

Danielle Ciampino seconded the motion and vote resulted in unanimous approval of the motion

8. **Brianna Kwiatkowski – 2976 Hamburg Street.** The applicant requests a Waiver of Site Plan review to operate, Oh Honey, Café & Bakery, in existing ±1,440 square foot building, former Maureen’s Yarn Boutique, on a ±33,264 square foot parcel

Motion was made by Joe Signore to approve the Waiver conditioned on the following:

1. Approvals are contingent upon compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Inspector/Code Enforcement Officer prior to operation.
3. Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.
4. Owner/applicant shall install Knox box for emergency personnel. Please contact Fire District #3 for specifications.
5. Owner/applicant shall install a water meter that reads in gallons with an outside reader without a wand to read prior to the issuance of a Certificate of Occupancy.
6. Property is located in Sewer District #7 and is connected to sanitary sewer.

7. Applicant shall obtain Schenectady County Health Department approval and/or New York State Department of State licensing.

Joe Miglucchi seconded the motion and vote resulted in unanimous approval of the motion

**Agenda:**

Attendance was taken and it was -determined there is a quorum.

**Chairman, Ricker-Scannell:** Alright, first thing we're going to do is vote on accepting the minutes from our last meeting. Please remember, if you were not at our last meeting, you should abstain from voting. Do I have a motion to accept the minutes?

**Mr. Collins:** I'll make the motion Madam Chairman.

**Chairman, Ricker-Scannell:** Thank you. Mr. Collins. Do I have a second?

**Mr. Calder:** I'll second.

**Chairman, Ricker-Scannell:** Thank you, Mr. Calder. Jamilee, please call the roll.

**Jamilee Marino:** Mr. Collins?

**Mr. Collins:** Yes.

**Jamilee Marino:** Mr. Calder?

**Mr. Calder:** Yes.

**Jamilee Marino:** Mr. Signore?

**Mr. Signore:** Yes.

**Jamilee Marino:** Mr. Miglucchi?

**Mr. Miglucchi:** Yes.

**Jamilee Marino:** Mrs. Ciampino?

**Mrs. Ciampino:** Yes.

**Jamilee Marino:** Vice Chairman Flansburg?

**Vice Chairman Flansburg:** I abstain, as I was not present at the meeting.

**Jamilee Marino:** Chairman Ricker-Scannell?

**Chairman, Ricker-Scannell:** Yes.

Motion carried. Very Good.

1. **Stewarts Shops Corp - 1841 Helderberg Avenue.** Final Site Plan/Special Use Permit Public Hearing to construct a £4,500 square foot convenience store with four (4) fueling islands on a 0.87-acre parcel. Engineer: Scott Edward Kitchner PE.

**Chairman, Ricker-Scannell:** First up Stewarts Shops, 1841 Helderberg Avenue.

**Marcus Andrews:** Thank you. Good evening. My name is Marcus Andrews. I'm with Stewarts here before the Board this evening, seeking approval for proposed redevelopment of our existing Stewarts, located at 1841 Helderberg Ave in the Town of Rotterdam. Since the last time we were here last month, minor revisions to the plans, just more or less detail more of the sidewalk around the actual site itself, we addressed the majority of the engineering comments as well as DPW comments, and we did receive a few minor comments that came through with the agenda. There's nothing in it that seemed to be out of the question. Majority were just standard notes to put on the plans prior to signing, we have initiated the process with National Grid. As far as moving the utility poles, I did meet them on site approximately a week after the last meeting. They know what we're looking for. They know what the Town's looking for. It's in their hands now to just get a plan done and back to us with cost and timing outside of that, the plans really haven't changed a whole lot, so open it up if the Board has any further questions on this.

**Chairman, Ricker-Scannell:** Thank you. I just wanted to take a moment also and just acknowledge what a lovely job Stewarts has done at the Highbridge Road location. It looks unbelievably wonderful, and the community is responding extremely well, not just to the location and to have another Stewarts, but in particular, they really like the sign. So, I know we had a big wish list, but thank you. It looks very nice. You probably just want to put that in all your brochures its beautiful. All right. Mrs. Ciampino, questions, comments, concerns?

**Mrs. Ciampino:** No, I'm good.

**Chairman, Ricker-Scannell:** Thank you. Mr. Collins?

**Mr. Collins:** Well, you all do a great job, and that's got to be one of the nicest Stewarts stores I've ever seen on Highbridge. I know you do a great job. So, I don't have any concerns or words but Stewarts stores is a great neighbor in Rotterdam. And we got five (5). I don't know if there's a place if they want to put anymore, but if you find one.

**Marcus Andrews:** We keep looking.

**Mr. Collins:** Thank you. That's all, Madam Chairman.

**Chairman, Ricker-Scannell:** Thank you, Mr. Calder?

**Mr. Calder:** No, I don't have nothing new to add, we've covered this quite a bit. It's a good project. Thank you.

**Chairman, Ricker-Scannell:** Thank you. Mrs. Flansburg?

**Vice Chairman Flansburg:** I was not at the last meeting, so I read through the whole packet. I looked through everything. So, it's probably something you addressed at the last meeting. I just have a couple of questions. The intersection, the crosswalk, where is it supposed to go to? Does it go toward Dunkin Donuts? Or does it go toward that median?

**Marcus Andrews:** Both of those are existing today.

**Vice Chairman Flansburg:** Okay, so it goes over to the gas station, to Speedway, or whatever it is. Okay? I love the project. I love where you placed the building. I'm sure you don't care, because this is what I should have said if I was at the last meeting. The picnic tables, like I meet someone and hang out at one of the other ones, they're very welcoming. You don't feel like you're in a parking lot, even though you're kind of off from a parking lot. Intersection. You guys have been a wonderful company to work with. It seems like all of the TDE comments, everything has been back and forth, and it's just minute details. I did have one other thing circled number nine (9) says no outdoor display of merchandise shall be permitted unless depicted on the final site plan. I do not see any on here, but I do see things outside of Stewart's. Different locations may have different things. I just want you to not limit yourself if you don't need too.

**Marcus Andrews:** Yeah, we'll verify that everything that's on the plan is what we'd be looking for.

**Vice Chairman Flansburg:** Right? Because sometimes they have firewood outside, or, you know, windshield washer fluid or something like that. I just didn't want you to have a thing on there that sticks you to something you're not interested in. But thank you again. Lovely. Absolutely lovely, thank you.

**Chairman, Ricker-Scannell:** Thank you, Mr. Signore?

**Mr. Signore:** Did NIMO give you any ideas? Do you think?

**Marcus Andrews:** No. They looked at it. They had a couple they thought of, maybe there might be a possibility to move those poles completely to the other side of the street but it's all going to depend on different things for them. So, they threw around a few different options. But until I see the plan from their engineers, I have no idea what they would do.

**Mr. Signore:** When, when does Stewart's hope to get started by?

**Marcus Andrews:** We'd look to get started as quickly as we could, you know, outside of this approval, and then we'd be into building permit approvals. But,

**Mr. Signore:** I mean, be more difficult if it's later in a year ago, right?

**Marcus Andrews:** Correct?

**Mr. Signore:** You know, if you get into November, December.

**Marcus Andrews:** If we get into that, we run into paving, we run into paving issues. We've done; we have done them before.

**Mr. Signore:** Yeah.

**Marcus Andrews:** If for some reason, this project starts late, we would work on getting the build, the new building built right, and then just let it set in the winter, and then come back in the spring and finish the project.

**Mr. Signore:** Yeah right, I know it was a long wait, because I know their family had to stay and you had to wait for that property.

**Marcus Andrews:** Yep

**Mr. Signore:** You had to buy the property from them and Stewart was very gracious with her and even stay here until whenever, which was tremendous. Great company and really, really great job on Highbridge. You know, you take a brownfield and you turn it into that project there, tremendous, tremendous, really, I'm impressed.

**Marcus Andrews:** Thank you.

**Chairman, Ricker-Scannell:** Very good. Thank you, Mr. Signore. Mr. Miglucci?

**Mr. Miglucci:** I totally agree with the Board. Did a great job over on Highbridge, you knocked that one out of the park. Yeah, my only other thing was with the poles with NIMO too, so I guess that's something you have to hash out.

**Marcus Andrews:** Yeah.

**Mr. Miglucci:** Looks good. I have no problem.

**Chairman, Ricker-Scannell:** Very good. Thank you, Peter?

**Mr. Comenzo:** Just had two (2) things. The first one (1), I know you have the draft conditions of approval. You are okay with temporary CO?

**Marcus Andrews:** Yeah.

**Mr. Comenzo:** So, you get to work, okay?

**Marcus Andrews:** Yep.

**Mr. Comenzo:** And then the other one (1) was, we had discussed briefly the noise location and probably the things hanging on the fence probably are not going to work?

**Marcus Andrews:** Probably not.

**Mr. Comenzo:** If there is here is some little wall or something that you can put in.

**Marcus Andrews:** We can bring in closer, that'll benefit what you're looking for. But still..

**Mr. Comenzo:** Yeah, and I went over to the Highbridge Stewart's, just to kind of gauge, and the condenser unit does emit some noise from the unit so,

**Marcus Andrews:** Completely admitted that, yeah.

**Mr. Comenzo:** You need to let it breathe

**Marcus Andrews:** Yeah.

**Mr. Comenzo:** So that is all I have.

**Chairman, Ricker-Scannell:** Thank you, Mr. Valiquette?

**Attorney Valiquette:** No, I think Mr. Signore kind of asked the only question that I was going to talk about or ask about for timeline for Grid but that's pretty much it.

**Chairman, Ricker-Scannell:** All right. Very good. Thank you. I echo everything that's been said. I think it's a great project. Stewart's is a great company to work with. Hopefully we get you in and out and done as quickly as possible, so that you're up and running and no empty buildings are sitting around for the winter because I'm not sure who would like that less you or me.

**Marcus Andrews:** We definitely wouldn't. I understand your stance as well. Yes.

**Chairman, Ricker-Scannell:** Right. Well, very good. So, I am going to go ahead and open the public hearing. Anyone here for the public hearing? Mr. Longo, did you want to say anything? Alrighty? Mr. Nardini.

**Mr. Nardini:** All right. Get it done. Get it done.

**Chairman Ricker-Scannell:** All right. Final call. All right, I'm going to go ahead and close the public hearing. I'm putting on the record that the Town Board issued a SEQR Neg Dec for the project back on February 12, 2020, and now I would entertain a motion on the special use permit.

**Mr. Collins:** I'll make that motion, Madam Chairman.

**Mrs. Ciampino:** Second.

**Chairman, Ricker-Scannell:** Thank you, Mr. Collins. Thank you, Mrs. Ciampino. Jami, could you please call the roll?

**Jamilee Marino:** Mr. Collins?

**Mr. Collins:** Yes.

**Jamilee Marino:** Mr. Calder?

**Mr. Calder?** Yes.

**Jamilee Marino:** Mr. Signore?

**Mr. Signore:** Yes.

**Jamilee Marino:** Mr. Miglucci?

**Mr. Miglucci:** Yes.

**Jamilee Marino:** Mrs. Ciampino?

**Mrs. Ciampino:** Yes.

**Chairman, Ricker-Scannell:** Vice Chairman Flansburg?

**Vice Chairman Flansburg:** Yes.

**Jamilee Marino:** Chairman Ricker-Scannell?

**Chairman, Ricker-Scannell:** Yes. So, the Special Use Permit motion is carried. I would now entertain a motion on the Site Plan, including the conversation that we just had on the record about the noise barrier as we discussed it since I don't think that's in writing anywhere.

**Vice Chairman Flansburg:** Okay, I'll make a motion that we approve the final Site Plan, subject to all the oral and written comments, specifically the noise conversation that just took place.

**Mr. Signore:** I'll second it.

**Chairman, Ricker-Scannell:** Thank you. Mrs. Flansburg. Thank you, Mr. Signore. Jami, could you please call the roll?

**Jamilee Marino:** Mr. Collins?

**Mr. Collins:** Yes.

**Jamilee Marino:** Mr. Calder?

**Mr. Calder:** Yes.

**Jamilee Marino:** Mr. Signore?

**Mr. Signore:** Yes.

**Jamilee Marino:** Mr. Miglucci?

**Mr. Miglucci:** Yes.

**Jamilee Marino:** Mrs. Ciampino?

**Mrs. Ciampino:** Yes.

**Jamilee Marino:** Vice Chairman Flansburg?

**Vice Chairman Flansburg:** Yes.

**Jamilee Marino:** Chairman Ricker-Scannell?

**Chairman, Ricker-Scannell:** Yes.

**Chairman, Ricker-Scannell:** Motion carried, congratulations. Thank you for your continued reinvestment in our Town.

**Marcus Andrews:** Thank you to the Town again for this project. For your help with this project, as well as all of our projects, including Highbridge. And we are glad that it came out as expected from the Town, and we look forward to this one being the same. Thank you.

**Chairman, Ricker-Scannell:** Thank you.

**Mr. Collins:** You're welcome anytime.



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 PC38-2025

Moved by Mrs. Flansburg, Seconded by Mr. Signore
Applicant: Stewarts Shops Corp

- Applicant: Stewarts Shop Corp
Project Location: 1841 Helderberg Avenue, Rotterdam, New York
Tax Number or Numbers: 59.9-1-10.1
Proposed Project: Final Site Plan to construct a ±4,500 square foot convenience store with four (4) fueling islands on a 0.87-acre parcel.

WHEREAS, public meetings were conducted by the Town of Rotterdam Planning Commission on January 16, 2025, June 17, 2025 and a public hearing on July 15, 2025 to consider the above referenced Site Plan; and,


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

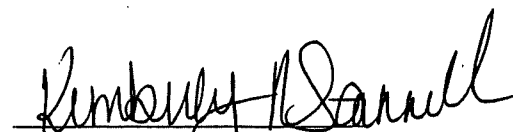
WHEREAS, the Town of Rotterdam Planning Commission after careful consideration of the application, testimony of the applicant and/or representative and members of the public in attendance at the hearing, and all other materials of record HEREBY APPROVES THE SITE PLAN; NOW

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

- 1. Final Fees Due: Final Site Plan: \$350.00, Advertising: 38.50, Total \$388.50
2. See attached letter from our TDE, Ron Treers with CHA, dated July 10, 2025 stating all review comments have been adequately addressed.
3. Prior to Chairman's signature, the final site plan shall be modified to the satisfaction of DPW and the TDE and shall meet the requested modifications as outlined in the comment letters and discussed in the July 15, 2025 meeting.
4. Approval is conditioned upon applicant addressing all Rotterdam DPW and TDE comments and full and final approval of the DPW.
5. The applicant must receive Highway Work Permits that match the final approved site plan from Schenectady County DPW for grading, utility, sidewalk, and entryway work onto Helderberg Avenue. Copies of all correspondence with Schenectady County should be provided to the Town.

6. Prior to the issuance of a final Certificate of Occupancy, all work within the County right-of way must be completed. Temporary Certificates of Occupancy may be issued by the Town, if necessary, due to the potential delay for the relocation of the utility poles in order to construct the multi-use path along Helderberg Avenue.
7. Prior to the issuance of a final Certificate of Occupancy, all work within the State right-of way on Curry Road must be completed. Temporary Certificates of Occupancy may be issued by the Town if necessary.
8. Prior to the issuance of building certificates for construction, the developer shall provide a phasing and sequencing plan to demonstrate adequate safety measures are in place to allow for the existing convenience store and/or fueling pumps to remain open during construction.
9. Add note to plan: "No outdoor display of merchandise shall be permitted unless depicted on the final site plan."
10. Add note to plan: "One water meter shall be installed on the service connection. Final type and location to be approved by DPW."
11. Add note to plan: "Owner/applicant shall install Knox Box for emergency personnel." Check with Fire District #2 for specifications.
12. Add note to plan: "Sign permits shall be obtained for the proposed project identification signage including any proposed pylon, monument and/or building mounted signage."
13. Add note to plan: "Building design shall be in substantial conformance to the proposed Exterior Elevations last revised July 1, 2025 and shown on the title sheet as presented to the Planning Commission on July 15, 2025."
14. Add note to plan: "Any existing water lines shall be decommissioned in accordance with Town standards. Check with the Town of Rotterdam DPW for specifications."
15. Add note to Landscaping Plan: "Landscaped areas shall contain a sprinkler system." All water used shall pass through water meter.
16. Add note to Landscaping Plan: "Landscaping shall be maintained in perpetuity and dead/dying plant materials shall be replace in-kind."
17. Add note to plan: "No stockpiling or burying of construction debris, slash, stumps, or construction material is permitted."
18. Add note to plan: "Prior to issuance of site development permits, the applicant shall meet with the Town Stormwater Management Officer who must review and approve the proposed work plan."
19. Final approval is contingent upon the applicant receiving permits (site development and building) from the DPW Building Inspector.
20. The applicant shall provide the Town of Rotterdam DPW paper and electronic AutoCAD file copies of the utility "As-Built Record Drawings" upon completion and testing of the utilities.
21. Prior to the issuance of Site Development and/or Building Permit(s) by the Town of Rotterdam, the applicant shall attend a pre-construction meeting with the Building Inspector and DPW staff to confirm the completion of the above stated conditions.

  
Peter J. Comenzo  
Senior Planner

  
Kimberly Ricker-Scannell  
Planning Commission Chairman



*Town of Rotterdam*  
*Office of the Planning Commission*

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

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

**Resolution Number PC39-2025**

Moved by Mr. Collins, Seconded by Mrs. Ciampino  
Applicant: Stewarts Shops Corp

**Applicant:** Stewarts Shop Corp

**Project Location:** 1841 Helderberg Avenue  
Rotterdam, New York

**Tax Number or Numbers:** 59.9-1-10.1

**Proposed Project:** Special Use Permit to construct a ±4,500 square foot convenience store with four (4) fueling islands on a 0.87-acre parcel.

**WHEREAS**, public meetings were conducted by the Town of Rotterdam Planning Commission on January 16, 2025, June 17, 2025 and a public hearing on July 15, 2025 to consider the above referenced Special Use Permit; and,

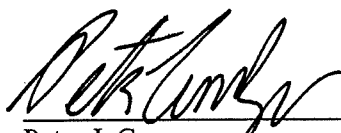
**WHEREAS**, this matter was discussed and approved, as meeting the standards for a Site Plan Review as set forth in Chapter 270 of the Code of the Town of Rotterdam entitled ZONING; and,

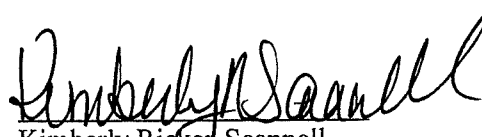
**WHEREAS**, the Town of Rotterdam Planning Commission after careful consideration of the application, testimony of the applicant and/or representative and members of the public in attendance at the hearing, and all other materials of record **HEREBY APPROVES THE SPECIAL USE PERMIT; NOW**

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

- |                    |                     |              |
|--------------------|---------------------|--------------|
| 1. Final Fees Due: | Final Site Plan:    | \$350.00     |
|                    | <u>Advertising:</u> | <u>38.50</u> |
|                    | Total               | \$388.50     |
2. See attached letter from our TDE, Ron Treers with CHA, dated July 10, 2025 stating all review comments have been adequately addressed.
  3. Prior to Chairman's signature, the final site plan shall be modified to the satisfaction of DPW and the TDE and shall meet the requested modifications as outlined in the comment letters and discussed in the July 15, 2025 meeting.
  4. Approval is conditioned upon applicant addressing all Rotterdam DPW and TDE comments and full and final approval of the DPW.
  5. The applicant must receive Highway Work Permits that match the final approved site plan from Schenectady County DPW for grading, utility, sidewalk, and entryway work onto Helderberg Avenue. Copies of all correspondence with Schenectady County should be provided to the Town.

6. Prior to the issuance of a final Certificate of Occupancy, all work within the County right-of way must be completed. Temporary Certificates of Occupancy may be issued by the Town, if necessary, due to the potential delay for the relocation of the utility poles in order to construct the multi-use path along Helderberg Avenue.
7. Prior to the issuance of a final Certificate of Occupancy, all work within the State right-of way on Curry Road must be completed. Temporary Certificates of Occupancy may be issued by the Town if necessary.
8. Prior to the issuance of building certificates for construction, the developer shall provide a phasing and sequencing plan to demonstrate adequate safety measures are in place to allow for the existing convenience store and/or fueling pumps to remain open during construction.
9. Add note to plan: "No outdoor display of merchandise shall be permitted unless depicted on the final site plan.
10. Add note to plan: "One water meter shall be installed on the service connection. Final type and location to be approved by DPW."
11. Add note to plan: "Owner/applicant shall install Knox Box for emergency personnel." Check with Fire District #2 for specifications.
12. Add note to plan: "Sign permits shall be obtained for the proposed project identification signage including any proposed pylon, monument and/or building mounted signage."
13. Add note to plan: "Building design shall be in substantial conformance to the proposed Exterior Elevations last revised July 1, 2025 and shown on the title sheet as presented to the Planning Commission on July 15, 2025."
14. Add note to plan: "Any existing water lines shall be decommissioned in accordance with Town standards. Check with the Town of Rotterdam DPW for specifications."
15. Add note to Landscaping Plan: "Landscaped areas shall contain a sprinkler system." All water used shall pass through water meter.
16. Add note to Landscaping Plan: "Landscaping shall be maintained in perpetuity and dead/dying plant materials shall be replace in-kind."
17. Add note to plan: "No stockpiling or burying of construction debris, slash, stumps, or construction material is permitted."
18. Add note to plan: "Prior to issuance of site development permits, the applicant shall meet with the Town Stormwater Management Officer who must review and approve the proposed work plan."
19. Final approval is contingent upon the applicant receiving permits (site development and building) from the DPW Building Inspector.
20. The applicant shall provide the Town of Rotterdam DPW paper and electronic AutoCAD file copies of the utility "As-Built Record Drawings" upon completion and testing of the utilities.
21. Prior to the issuance of Site Development and/or Building Permit(s) by the Town of Rotterdam, the applicant shall attend a pre-construction meeting with the Building Inspector and DPW staff to confirm the completion of the above stated conditions.

  
Peter J. Comenzo  
Senior Planner

  
Kimberly Ricker-Scannell  
Planning Commission Chairman

2. **MAN Properties, LLC - Mariaville Road & Old Mariaville Road.** Final Site Plan/Special Use Permit Public Hearing review for the construction of a +6,000 square foot warehouse building for two (2) or more tenant spaces on a +2.07-acre parcel. Engineer: ABD Engineers, LLC.

**Chairman, Ricker-Scannell:** All right, next up, Man Properties LLC and Mariaville Road and Old Mariaville Road. Final Site Plan, Special Use Permit, Public Hearing. Emphasis on the word final. I'm sure Mr. Nardini is happy.

**Mr. Bianchine:** Good evening. I'm Mr. Bianchine with ABD. You know Mark. Mark owns two (2) acres there that we're looking to get a Special Use Permit and the Site Plan approval for 6000 square foot building that he would like to build and develop for a couple tenants that's there. We made a couple submissions. I just got the comments just today, since the last meeting, two (2) main things. One (1) was the wetlands. We're lucky enough to get DEC out there to look at it. And then they did write us a letter, pretty amazing, saying that there were not wetlands anywhere.

**Unknown:** (Inaudible)

**Mr. Bianchine:** I don't know, I think Mary Barrie may have something to do with that? Mark has also met with the Highway Superintendent out there, and he's okay with the site plan, as we have presented with the curb cut opening. If he wants any changes or anything, obviously we'll make them. I did see from the list that I got today that you want a few more notes. I went over them with Mark before the meeting here, and he has no problem with any of them. We'll add those to the plans. He's aware, well aware that he's got to put a well in out there, and he was hoping to get the final site plan approval before he starts work on that. But he's hoping to start work on it, the whole site and everything this summer.

**Mr. Nardini:** Yeah.

**Mr. Signore:** Well, it makes sense. Yeah, put all that money in for a well. And yeah.

**Mr. Bianchine:** You want to make sure you got the well. He should have.

**Chairman, Ricker-Scannell:** I'm sorry. Mr. Bianchine, can you go ahead?

**Mr. Bianchine:** Yeah, so I pretty much will take care of adding the notes to the plans and the building elevation was the other thing. Mark had this drawn up by his architect, be a standard metal building, looking at a darker gray siding and white trim

**Mr. Nardini:** White roof.

**Mr. Bianchine:** White roof.

**Mr. Collins:** That's a nice picture.

**Chairman, Ricker-Scannell:** Yeah.

**Mr. Bianchine:** Actually, similar to one that Mike Floccuzio built up on Hungry Hill.

**Chairman, Ricker-Scannell:** So, I guess one (1) of the questions or one (1) of the comments that I think we should be having a conversation about, I understand the wanting to get to work and also the Town's perspective, that we need a well. And, you know, we need a well. That's not a surprise, but one (1) of the conditions, as written on here, is that, prior to the chairman's signature, a well must be drilled and test results provided to the Town demonstrating adequate potable water for the proposed project. You're comfortable with that?

**Mr. Nardini:** I thought I needed it before I got a building permit or after or a CO.

**Mr. Comenzo:** Building permit, actually.

**Mr. Nardini:** Building permit?

**Mr. Comenzo:** Building Permit, yeah.

**Chairman, Ricker-Scannell:** We're good with that?

**Mr. Nardini:** Oh, yeah absolutely.

**Chairman, Ricker-Scannell:** Perfect. Mr. Miglucci, questions, comments, concerns?

**Mr. Miglucci:** No, I think it's come along pretty good. Building looks nice. And it's been here several times. It looks good to me. I have no real problem with it.

**Chairman, Ricker-Scannell :** Mr. Collins?

**Mr. Collins:** Oh my gosh, you see how far down they got a drill? Shouldn't be that far down.

**Mr. Bianchine:** Two hundred feet or so.

**Mr. Nardini:** Yeah, my other one's about that too.

**Chairman, Ricker-Scannell:** Great, thank you.

**Mr. Collins:** Just curious, no I think it's a good project. It's a great rendering of the building. So, I think it's a good place for it. And I think you know, it will add something up there.

**Mr. Bianchine:** Nice.

**Mr. Collins:** Thank you.

**Mr. Bianchine:** Thanks.

**Chairman, Ricker-Scannell:** Mr. Signore?

**Mr. Signore:** I'm fine with it. I know Mark and his family have been members of this community forever and ever and ever and they've been outstanding people and I know Mark will do an outstanding job here. He had a little bump in the road, but he got through them, and he'll do a great job. I like your building, Mark. I'm locked in.

**Mr. Nardini:** Thanks, Joe,

**Mr. Signore:** Yeah, you're welcome, more than welcome.

**Chairman, Ricker-Scannell:** Thank you, Mrs. Ciampino?

**Mrs. Ciampino:** I have nothing additional to add. It's a beautiful building.

**Mr. Bianchine:** Thanks.

**Chairman, Ricker-Scannell:** Thank you, Mr. Calder?

**Mr. Calder:** I have nothing really, except a perfect location for it. Nice spot out there. Yeah, I have nothing else.

**Chairman, Ricker-Scannell:** Thank you. Mrs. Flansburg?

**Vice Chairman Flansburg:** Echo all of their comments. Great Building, great area. I just have one (1) question, can you flip over and just identify ground covering your map, your picture on the other side is more detailed than like what we have, so some of the ground covering. So, if it's green, it's grass or forest, right?

**Mr. Bianchine:** It's mostly trees on it.

**Vice Chairman Flansburg:** Right? No, I've been out to the property.

**Mr. Bianchine:** The disturbed area here will be grass through here.

**Vice Chairman Flansburg:** Okay.

**Mr. Bianchine:** Creating shrubs along the highway.

**Vice Chairman Flansburg:** Okay, just like I said, just on this one (1), we're not able to see the delineation like you have. And you know, over the years, we've had green not actually be grass when the project has been done. So, I just figured I would ask, just for clarification.

**Mr. Bianchine:** It's mostly trees there.

**Vice Chairman Flansburg:** It's all trees there, and this?

**Mr. Bianchine:** Little gravel area there.

**Vice Chairman Flansburg:** Right? And when you come on the road, it's past the giant ditch that is where it's going to start. Okay, not a problem. I think it's a great project. Great area. Thank you.

**Chairman, Ricker-Scannell:** Thank you. Are you going to be using any additional signage, like where you turn off from Mariaville Road, like for way finding purposes?

**Mr. Bianchine:** I guess we could do something.

**Chairman, Ricker-Scannell:** Oh, no, I'm just curious. I'm not making you do it.

**Mr. Bianchine:** (Inaudible)

**Chairman, Ricker-Scannell:** Okay, so just need to make sure, if you do that, that that kind of aligns with don't pay for anything until you talk to Lisa. Make sure that all the signs you know meet code but it makes sense to me that you would have some way finding there just so that folks, depending on who your tenant is and what their purpose is. You know, you don't want people maybe, believe me, we've all been around. We know how people are.

**Mr. Bianchine:** A lot of people come to my shop for the fire department.

**Chairman, Ricker-Scannell:** Oh my gosh, wow. And what is? What, I'm just curious and I know that this is not a you necessarily, or what is that? Is that a pool? What is that on the corner there? It's a pool.

**Mr. Nardini:** Yeah it's a pool.

**Mr. Bianchine:** I don't know how it got there, do you?

**Mr. Nardini:** Yeah, my son in law.

**Chairman, Ricker-Scannell:** Just by that?

**Mr. Nardini:** (Inaudible)

**Vice Chairman Flansburg:** It means it's not going to be there.

**Chairman, Ricker-Scannell:** Happiest day of my life was when I didn't have to have a pool anymore. Pools, are a lot of work. Neighbors, pool now, that's a lot of fun. All right? Peter, anything?

**Mr. Comenzo:** No. I mean, the only comment had been on the well. We typically and the reason why it is before the Chairman's signature, we typically will have proof of potable water if we are approving an office. But I do not know in this case, sounds like Mark's going to go out there and drill the well right away. So yes, you will not have any problem.

**Chairman, Ricker-Scannell:** Perfect. Yeah, awesome. Super. Mr. Valiquette?

**Attorney Valiquette:** Nice work with DEC, as mentioned before and Larry is happy with it right away, I'm happy.

**Mr. Bianchine:** Thanks.

**Chairman, Ricker-Scannell:** All right. Very good. Well, we just have another Public Hearing. It's Mr. Longo's opportunity now to say something, if he wants to, because I don't know anybody else's last name here, but I am opening up the Public Hearing. Nope, nope, nope. Nobody wants to talk. All right. Going once, going twice. Public Hearing is closed. The Town Board issued a SEQR Neg Dec for this project back on January 22nd of 2025 and I would now entertain a motion on the Special Use Permit for multiple tenants.

**Vice Chairman Flansburg:** I'll make that motion.

**Chairman, Ricker-Scannell :** Thank you. Mrs. Flansburg, so do I have a second?

**Mr. Signore:** I'll second.

**Chairman, Ricker-Scannell:** Thank you, Mr. Signore. Jami, could you please call the roll?

**Jamilee Marino:** Mr. Collins?

**Mr. Collins:** Yes.

**Jamilee Marino:** Mr. Calder?

**Mr. Calder:** Yes.

**Jamilee Marino:** Mr. Signore?

**Mr. Signore:** Yes.

**Jamilee Marino:** Mr. Miglucci?

**Mr. Miglucci:** Yes.

**Jamilee Marino:** Mrs. Ciampino?

**Mrs. Ciampino:** Yes.

**Jamilee Marino:** Vice Chairman Flansburg?

**Vice Chairman Flansburg:** Yes.

**Jamilee Marino:** Chairman Ricker-Scannell?

**Chairman, Ricker-Scannell:** Yes. Motion carried and I will also entertain a motion on the Site Plan.

**Mr. Miglucci:** I'll make that motion.

**Chairman, Ricker-Scannell:** Thank you. Mr. Miglucci, do I have a second?

**Mr. Signore:** Second.

**Chairman, Ricker-Scannell:** Thank you. Mr. Signore. Jami, could you please call the roll?

**Jamilee Marino:** Mr. Collins?

**Mr. Collins:** Yes.

**Jamilee Marino:** Mr. Calder?

**Mr. Calder:** Yes.

**Jamilee Marino:** Mr. Signore?

**Mr. Signore:** Yes.

**Jamilee Marino:** Mr. Miglucchi?

**Mr. Miglucchi:** Yes.

**Jamilee Marino:** Mrs. Ciampino?

**Mrs. Ciampino:** Yes.

**Jamilee Marino:** Vice Chairman Flansburg?

**Vice Chairman Flansburg:** Yes.

**Jamilee Marino:** Chairman Ricker-Scannell?

**Chairman, Ricker-Scannell:** Yes. Motion carries. Thank you very much. Congratulations, and thank you for doing your business in Rotterdam. You know that, we're happy.



**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 PC40-2025**

Moved by Mr. Miglucci seconded by Mr. Signore  
Applicant: MAN Properties, LLC

- Applicant:** MAN Properties, LLC
- Project Location:** Mariaville Road & Old Mariaville Road  
Rotterdam, NY
- Tax Number or Numbers:** 47.00-4-11 and 47.00-4-10 (combined)
- Proposed Project:** Final Site Plan for the construction of a ±6,000 square foot warehouse building for two (2) or more tenant spaces on a ±2.07-acre parcel

**WHEREAS**, public meetings were conducted by the Town of Rotterdam Planning Commission on March 4, 2025, May 6, 2025 and a public hearing on July 15, 2025 to consider the above referenced Site Plan; and,


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

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

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

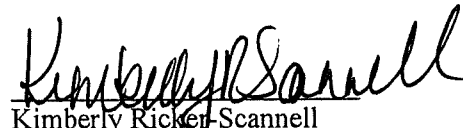
- |                    |                     |                  |
|--------------------|---------------------|------------------|
| 1. Final Fees Due: | Application:        | \$350.00         |
|                    | Special Use Permit: | \$500.00         |
|                    | Final Site Plan     | \$350.00         |
|                    | Advertising         | \$40.70          |
|                    | <u>Less Paid</u>    | <u>-\$650.00</u> |
|                    | Total               | \$ 590.70        |
2. On June 18, 2025, DPW and NYSDEC conducted a site visit and it was determined that no NYSDEC permits were needed for the proposed project.
  3. Prior to Chairman's signature, the applicant shall provide documentation from the Highway Superintendent that the proposed work in the Town ROW is acceptable and that Highway Work Permits can be issued.
  4. Prior to Chairman's signature, a well must be drilled and test results provided to the Town demonstrating adequate potable water supply for the proposed project.
  5. Proposed ground cover and landscaping type should be identified on the final site plan.
  6. Add note to plan: "Owner/applicant shall install Knox Box for emergency personnel." Check with Fire District #6 for specifications.

7. Add note to plan: "Sign permits shall be obtained for the proposed project identification signage including any proposed pylon, monument and/or building mounted signage."
8. Add note to plan: "Building design shall be in substantial conformance to the proposed Exterior Elevations presented to the Planning Commission on July 15, 2025."
9. Add note to plan: "Landscaping shall be maintained in perpetuity and dead/dying plant materials shall be replace in-kind."
10. Add note to plan: "No stockpiling or burying of construction debris, slash, stumps, or construction material is permitted."



---

Peter J. Comenzo  
Senior Planner



---

Kimberly Ricker-Scannell  
Planning Commission Chairman



Town of Rotterdam  
Office of the Planning Commission

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

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

**Resolution Number PC41-2025**

Moved by Mrs. Flansburg seconded by Mr. Signore  
Applicant: MAN Properties, LLC

- Applicant:** MAN Properties, LLC
- Project Location:** Mariaville Road & Old Mariaville Road  
Rotterdam, NY
- Tax Number or Numbers:** 47.00-4-11 and 47.00-4-10 (combined)
- Proposed Project:** Special Use Permit for the construction of a ±6,000 square foot warehouse building for two (2) or more tenant spaces on a ±2.07-acre parcel

**WHEREAS**, public meetings were conducted by the Town of Rotterdam Planning Commission on March 4, 2025, May 6, 2025 and a public hearing on July 15, 2025 to consider the above referenced Special Use Permit: and,

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

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

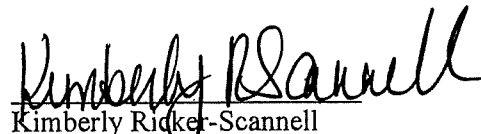
**IT IS HEREBY RESOLVED THAT**, this Special Use Permit is approved with the following conditions as stipulated by the Planning Commission:

1. Final Fees Due:
 

Application:	\$350.00
Special Use Permit:	\$500.00
Final Site Plan	\$350.00
Advertising	\$40.70
<u>Less Paid</u>	<u>-\$650.00</u>
Total	\$ 590.70
2. On June 18, 2025, DPW and NYSDEC conducted a site visit and it was determined that no NYSDEC permits were needed for the proposed project.
3. Prior to Chairman's signature, the applicant shall provide documentation from the Highway Superintendent that the proposed work in the Town ROW is acceptable and that Highway Work Permits can be issued.

4. Prior to Chairman's signature, a well must be drilled and test results provided to the Town demonstrating adequate potable water supply for the proposed project.
5. Proposed ground cover and landscaping type should be identified on the final site plan.
6. Add note to plan: "Owner/applicant shall install Knox Box for emergency personnel." Check with Fire District #6 for specifications.
7. Add note to plan: "Sign permits shall be obtained for the proposed project identification signage including any proposed pylon, monument and/or building mounted signage."
8. Add note to plan: "Building design shall be in substantial conformance to the proposed Exterior Elevations presented to the Planning Commission on July 15, 2025."
9. Add note to plan: "Landscaping shall be maintained in perpetuity and dead/dying plant materials shall be replace in-kind."
10. Add note to plan: "No stockpiling or burying of construction debris, slash, stumps, or construction material is permitted."

  
Peter J. Comenzo  
Senior Planner

  
Kimberly Ridker-Scannell  
Planning Commission Chairman

- 3. Thomas Feulner - 4866 Pattersonville-Rynex Corners Road.** Sketch Site Plan/Special Use Permit review to operate horse riding arena/stables on a 60-acre parcel. Engineer: Empire Engineering, PLLC.

**Chairman, Ricker-Scannell:** All right. Next up, we've got Mr. Feulner. Am I saying that the right way?

**Mr. Feulner:** Yeah.

**Chairman, Ricker-Scannell:** Hi Thomas. How are you?

**Mr. Feulner:** Good how are you?

**Chairman, Ricker-Scannell:** You go by Tom?

**Mr. Feulner:** Thomas.

**Chairman, Ricker-Scannell:** I could call you Thomas, I do not mind. So, this is 4866 Pattersonville-Rynex Corners Road, is this the old Dusty Boots?

**Mr. Feulner:** It is.

**Chairman, Ricker-Scannell:** All right, very good. So, we look forward to hearing about this.

**Mr. Longo:** Yes, good evening. Mr. Longo, Empire Engineering, here representing Tom in his Site Plan, Special Use Permit application for 4866 Rynex Corners, as the Chairman mentioned. This is just south of Route 5S about three quarters of a mile up the road to the south, just past the overhead wires and driveway that goes back to what used to be the landfill and is now a solar farm to the east of this property. Large wooded area around the property, 60-acre parcel, as was mentioned, it was previously the Dusty Boots riding arena. So, most all the infrastructure is there, really, all the infrastructure is there, the paddock, the turnout sheds, the pavilion. It's really, I don't know if I'd say unfortunate, but kind of like a little bit dreamy, when you look at it, like, if these weeds were gone, and this was, you know, kind of brought back to life and revived a little, you know, it could be a lot of fun, you know for Tom. So, there we did receive the couple of DPW comments. But while we're talking about the operations, I'll skip to number three (3) for now, as far as kind of what the proposed use is. Private riding, is the intent here. It's not a re-creation of the Dusty Boots or anything but a private stable and paddock. No indoor enclosure or anything and so not open to the public, no overnight RVs or anything like that. And so then also about the building that's, it is not a barn, so there's not horses or animals proposed inside of that barn. I guess maybe you got like 250 horses or 400 horses might be inside of the building as a garage maintenance facility and what have you. But not a barn, no, not a stable for horses. But you know private yard maintenance whatnot, but it will be proposed for water service and septic, you know, if he were to be there during the day or whatnot. This property was owned by a different group only a couple of years ago who actually went through the application process to get the water service approved, which is the water main runs along the driveway, the access drive going back to the what's now the solar panels, the old landfill. So, we propose to connect the water from there and install the septic system. We did do perc tests with DOH for that system. Then it kind of worked backwards but comment one (1) from DPW was DEC. We did look at these maps when we got started on this but honestly the maps, I

really don't know why this new map has a big purple blob in the middle of the paddock on this property. So, if you look at the GIS, I have a couple of you know, online mapping systems that we've printed here. But you know what I would say is, this is a small area. It's certainly less than an acre. Have about a half an acre. So, 60 by 80 building and the septic areas are the only disturbance in the upland, in the grassy area. Any sort of wet is way away from where we are, so we didn't feel the need to have any sort of interaction with DEC. I'm not really sure what the purple blob requires of anyone. If there could be a, you know, a rational test of, you know, this is, it's next to the paddock. It's the grass. It's, not a wetland here. And then same with, with the SHPO consultation, I would assume and I guess, get a you know, clarification from Peter throughout this process. But I would assume this is we're headed towards, hopefully, a Type II SEQR. It's a, you know, as I mentioned, 60 by 80 building. There's no real disturbance, no real other activity and there's no other permits. No, you know, required stormwater permit or wetland impact permits, certainly. So, we wouldn't, at that point typically involve SHPO in a project like that, either. So those were the two (2) comments. And other than that, yeah, I mean, it just like to kind of bring this property back to life a little bit, start using it. He owns it. And you know, as I mentioned, that there's a lot to sift through to get it, to get it looking nice again.

**Chairman, Ricker-Scannell:** So, I can remember Dusty Boots Riding Club from when I was little girl. I didn't ride horses, kind of afraid of them, but I have the best horses in the world that live across the street from me. They're our neighbors where it's like neighbors' pools, neighbors' horses. I love them, but Tom, tell me what we're doing here. So, it says that we're going to kind of be like Dusty Boots. But then it says, but then Chris is saying, no, we're not really like Dusty Boots. Tell us what's going on.

**Mr. Feulner:** So, we plan on eventually, building a house there, you know, down the road. And then she can bring her horses there, you know, store them there. Now she keeps them at her parents, which is up in Duanesburg, so it's kind of an inconvenience. So that's mainly one (1) of the things keeping her horses at the homestead.

**Chairman, Ricker-Scannell:** Okay but there's no house there yet? Okay, so you're going to have just your horses.

**Mr. Feulner:** Correct, her horses.

**Chairman, Ricker-Scannell:** They're going to be yours when you are married, right?

**Mr. Feulner:** Yes.

**Chairman, Ricker-Scannell:** Do you think like in the future would you want to expand and maybe have lessons, or do any of that? Or no?

**Mr. Feulner:** I don't think so, because horse people are crazy.

**Thomas Feulner**  
**4866 Pattersonville-Rynex Corners Road**

**Chairman, Ricker-Scannell:** No, I think it's, I think it's great. You know, SHPO Peter, that is the historical preservation.

**Mr. Comenzo:** Just to get into the why this is before the Board is we do require a special use permit for riding stables. The application itself was pretty unclear as to exactly what you were looking to do if you are just going to have it for your own horses at this point in time, I was potentially envisioning, you know, maybe having events, or would there be an indoor arena? Or are you going to be renting stalls out? But if that's not the case, we may not need to go in depth here. We could, we might be able to do this as a Type II action. There just seems to be a little miscommunication, I guess, into exactly what you are proposing, and I didn't get a chance to have a conversation with you.

**Mr. Feulner:** Yeah.

**Mr. Comenzo:** We could declare lead agency if it comes, if we decide to go through SEQR, if it meets that test, or if it's a Type II action, and they could, we could schedule a public hearing, and they can come in and just get their approvals for that.

**Chairman, Ricker-Scannell:** Yeah, no, I think understanding a little bit more about where we're going with this, we don't want to, I mean, Tom has to have horses. We don't want to make this any more difficult than having horses. So yeah. And as far as the SHPO consultation letter, I mean, you have literally solar, a utility scale solar array and lithium batteries on one (1) side of you. So, I'm kind of feeling like, if that met the metrics for SHPO, then you're well, you know.

**Mr. Comenzo:** You know I think this could probably be considered some type of an Ag use too. So that's something we'll have to take a look at in the regulations. Like I said, understanding that this is not going to be a commercial operation that, you know, and not to say in the future, you could not come in and propose something along those lines. But, you know, I think that puts it in a different category completely.

**Mr. Longo:** Yeah, thanks for helping to, you know, kind of talk through this, and that was really our biggest thing in trying to figure out what the right application was, because Tom wants this. He wants the maintenance building as well here, and that'll help him utilize his property a little better, keep some machines in there, you know, be able to do what he needs. But right now, there's no use at all on the property. So, in order to get the horses going, in order to start using this, we needed to fit something there. So, yeah, it's not it's certainly private. I don't know if you maybe would have friends come with their horses or something, but it's not a club. It's not a club or for-profit thing that you're getting started that's going to have business traffic or anything but it will be a private riding stable. So, in order to even get the building permit, we had to have the active use. So that's kind of why we're here for this. Classify this as an active use of the private stables. Also, with that comes this accessory building, as Tom mentioned, you know, hopefully down the road there's more use to the property. Anything, you know, if that did change in the future, would maybe need the Board's review, a single-family house or a

subdivision off of this. You know, whatever would come of the rest of the 60 acres would come at a, you know, another day.

**Chairman, Ricker-Scannell:** Now that we've kind of had this conversation, and we're all a little, you know, and we're all in the same place, certainly this Board would want to expedite this as much as we can. We get it. Time is money. Money is time. Mr. Longo probably isn't cheap. We get it. You get what you pay for, which is good, but I'm going to open it up to the Board, but yes, please, I'd like us all to keep in mind that this might be a little different than we thought going in. So, Mr. Miglucci?

**Mr. Miglucci:** Yeah. I mean, if it's not really any like commercial or, you know, club use, or anything like that. I don't have much to comment. If it's something he just wants to get done for his family and personal use, I'm okay with it.

**Chairman, Ricker-Scannell:** Very good. Mr. Calder?

**Mr. Calder:** I'm not sure what to ask to be honest with you, let me see if I understand this. Now you're just doing this because your wife likes horses?

**Chairman, Ricker-Scannell:** And it's a pretty good reason. The best reason.

**Mr. Calder:** If I were you, it's a good reason, I suppose. But I mean, it's as pets she just keeps them.

**Mr. Feulner:** Yeah, two (2) are hay burners, and she barrel races, the other one (1).

**Mr. Calder:** What kind of races?

**Mr. Feulner:** Barrel races.

**Mr. Calder:** Barrel races, okay. And there's no commercial activities going on there at all. It's already in your yard? Yeah, because I was understanding it was like Dusty Boots, and it's not at all like that.

**Mr. Feulner:** No.

**Mr. Calder:** No, okay, and no plans in the future of changing things?

**Mr. Feulner:** Not that I can foresee. She doesn't really like horse people either.

**Mr. Calder:** How many horses?

**Mr. Feulner:** Three (3).

**Mr. Calder:** Three (3)? Oh, okay, I have nothing else.

**Mr. Feulner:** I would say there's quite a bit of property there.

**Chairman, Ricker-Scannell:** Mrs. Ciampino?

**Mrs. Ciampino:** So, are you going to build extra stables to have more horses, or are you just going to have three (3)?

**Mr. Feulner:** Yeah, I guess it all depends. When we figure out how big of the, when we build a barn and we'll probably build, you know obviously three (3) stalls for the three (3) horses that we currently have and then maybe one (1) or two (2) extra and use it for hay storage or something. I don't know. It's kind of I haven't really thought about that yet.

**Mrs. Ciampino:** So, if someone came to you and said, oh, can we rent a stable from you? Like, that's not..

**Mr. Feulner:** Probably not.

**Chairman, Ricker-Scannell:** So, you won't do boarding?

**Mr. Feulner:** No.

**Mrs. Ciampino:** Okay, yeah, I'm fine. I'm good.

**Chairman, Ricker-Scannell:** Great. Thank you. Mr. Collins?

**Mr. Collins:** It's basically in progress to your whole thing, right?

**Mr. Feulner:** Yeah?

**Mr. Collins:** Private for your own use, yeah? God bless you.

**Chairman, Ricker-Scannell:** All right, very good. Mr. Signore?

**Mr. Signore:** Yeah, pretty basic. Private property has a couple of horses, like people have a couple dogs, yeah?

**Chairman, Ricker-Scannell:** Mrs. Flansburg?

**Vice Chairman Flansburg:** So, if we all agree that we're looking to expedite it, does that mean it would qualify as like a Waiver of Site Plan review? Or are you looking for a motion to Declare Lead Agency and then we move to a final would it even require a Special Use Permit?

**Chairman, Ricker-Scannell:** Peter?

**Mr. Comenzo:** So, the use itself, so for in order for him to build a garage, I think this is what Chris is alluding to, right? That has to be an active use. You cannot just build an accessory structure. The fact that there's horses going there, technically, you need a Special Use Permit. We could waive the requirement for a Site Plan. Look at this potentially as a Type II action. I have to go through the regulations and make sure that it is and then just schedule this for a Public Hearing, just for the Special Use part, at the next meeting. If there is no commercial use of the property, you know, I think it falls into a different category than it does.

**Vice Chairman Flansburg:** So, what kind of motion would you need today to do that?

**Chairman, Ricker-Scannell:** Declare Lead Agency?

**Mr. Comenzo:** If, yeah, I guess you could, with the caveat that, if it is unnecessary, if it is a Type II action, and we don't need to do SEQR.

**Vice Chairman Flansburg:** How would it work?

**Mr. Comenzo:** That's something I'll have to take a look at.

**Chairman, Ricker-Scannell:** So, Attorney Valiquette, could you please propose a motion based on the discussion that we just had that someone could make?

**Attorney Valiquette:** Sure, I think.

**Marcus Andrews:** I would be happy to....

**Attorney Valiquette:** I think we could make a motion to Declare Lead agency under the condition that if a Type II action and this is not warranted, that the Planning Commission would have Lead Agency for any type of SEQR declaration.

**Chairman, Ricker-Scannell:** And if it is a Type II action. We could go ahead.

**Attorney Valiquette:** And we could move forward with the Special Use Permit.

**Chairman, Ricker-Scannell:** And waive the Site Plan?

**Attorney Valiquette:** Yeah.

**Vice Chairman Flansburg:** I'm going to make the motion that he just said. Who is on board with me?

**Chairman, Ricker-Scannell:** Second?

**Mrs. Ciampino:** I'll second.

**Chairman, Ricker-Scannell:** Thank you. Thank you, Mrs. Flansburg. Thank you, Mrs. Ciampino.

**Attorney Valiquette:** One thing that I would just make sure that we have on either, you know, any motion for approving the special use that we just make sure that we specify that it's a private stable and not a public stable. We have two (2) different definitions in the code for that. You are very clearly a private stable. You know, in your own words, don't want to deal with horse people, and public stables are wholly dealing with horse people. So, yeah, I think that's the only thing that I would really add to that.

**Chairman, Ricker-Scannell:** All right, sounds good. I think we got that all on the record.

**Vice Chairman Flansburg:** Do you need everybody?

**Chairman, Ricker-Scannell:** And if we could have a motion, yes, we have a motion and a second. I just need Jami to call the roll.

**Jamilee Marino:** Mr. Collins?

**Mr. Collins:** Yes.

**Jamilee Marino:** Mr. Calder?

**Mr. Calder:** Yes.

**Jamilee Marino:** Mr. Signore?

**Mr. Signore:** Yes.

**Jamilee Marino:** Mr. Miglucchi?

**Mr. Miglucchi:** Yes.

**Jamilee Marino:** Mrs. Ciampino?

**Thomas Feulner**  
**4866 Pattersonville-Rynex Corners Road**

**Mrs. Ciampino:** Yes.

**Jamilee Marino:** Vice Chairman Flansburg?

**Vice Chairman Flansburg:** Yes.

**Jamilee Marino:** Chairman Ricker-Scannell?

**Chairman, Ricker-Scannell:** Yes. Very good motion carried. Hopefully we'll get to your horses as fast as we can, to your homestead parcel.

**Mr. Feulner:** Thank you.



*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 PC42-2025**

Moved by Mrs. Flansburg seconded by Mrs. Ciampino  
Applicant: Thomas Feulner

**Applicant:** Thomas Feulner

**Project Location:** 4866 Pattersonville-Rynex Corners Road  
Rotterdam, NY

**Tax Number or Numbers:** 12.-3-15.1

**Proposed Project:** Site Plan/Special Use Permit review to operate horse riding arena/stables on a 60-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, July 15, 2025, the Rotterdam Planning Commission hereby declares itself lead agency and authorizes the Rotterdam Town Planner to prepare, file, publish, and distribute all documents as necessary to comply with 6 NYCRR Part 617 (State Environmental Quality Review).

Peter J. Comenzo  
Senior Planner

Kimberly Ricker-Scannell  
Planning Commission Chairman

**4. Dunnsville Properties, LLC - 271 Dunnsville Road. Sketch Two (2) Lot Subdivision: Lot 1 = +0.92 acres with proposed single-family residence and Lot 2 = #0.76 acres with proposed single-family residence. Engineer: Empire Engineering, PLLC.**

**Chairman, Ricker-Scannell:** All right, tell us what's going on. Mr. Longo.

**Mr. Longo:** Alright, so, Mr. Longo, again, Empire Engineering here representing Dunnsville Properties, LLC, the owner of the parcel that is at 271 Dunnsville Road, if you recall, I think it was Thanksgiving this past year, the house had an unfortunate fire. It's in the middle of this property 1.68 just shy of two (2) acres, 1.7 acres here is the existing parcel. What we're looking to do. The house has been demolished. The yards been cleaned up. It's been back filled sand all that. There was a shed in the rear that's been removed. So, you know, the new owner has, cleaned this up best he can. But instead of, you know, just going back in that, same footprint of the house, it really would make sense to make two (2) parcels out of this, two (2) new houses. It would match the line of the road I've got. This is Dunnsville on the west side, there are three (3) houses to the south of this property. Two (2) houses to the north would meet, pretty consistent with the road frontage. We'd also meet consistency with the depth for where the houses would be. Sit in similar depth of setback as the adjoining houses. There would be two (2) septic systems as one (1) septic system for each house. We did do perc tests here as well to confirm that those would be conventional ones. Conventional ones just a slight shallow amount of fill, but that's pretty much just some lot grading, but conventional systems for septic, water at the street. This property does border the Normans Kill. And as the Board may know, certainly would know, this Normans Kill does have a floodplain associated with it. It does flood. There is a small triangle of area that is on the property that is within the floodplain. Everything else on this property is in elevation above that. So, certainly no grading within the floodplain. And also, there was a comment about DEC. The Normans Kill would have a setback from the banks. Any activity would be also 100 feet from the banks of the stream as well. So, there should not be, there would not be any involvement for any permitting or anything regarding the site development. So, yeah, we're here for a sketch plan for two (2) lot subdivision, as I mentioned. You know, we're trying to kind of keep in keeping with this, or be in keeping with the neighborhood and the adjoining houses.

**Chairman, Ricker-Scannell:** Thank you. So, I think it's great everything that you told us about the wetlands and DEC and the setbacks and everything from the Normans Kill. So are you going to, we're going to be requiring some kind of a formal consultation. Obviously, we're going to need to have something in writing from DEC that it is just what you told us, even though I believe you, but we're going to need a DEC consultation so that we know that these are, everything you're saying, that they are correct, and that we can go ahead and build on them. Am I reading that right Peter?

**Mr. Comenzo:** Yes, I think anything that's located there has potential for wetlands. We would have them consult. So, this relates to the new DEC regulations that were adopted on January 1st. So, we're still figuring it out, and as well as DEC so they do the determinations in the main office. And if you have a consultation with them, I know we had the previous one here for Mr. Nardini, and that we actually were able to get somebody out on site. And it looks good that we don't need any permits from DEC.

**Mr. Longo:** So we can certainly, you know, inquire and pursue that same letter. It sounds like that you guys are now becoming familiar with, yeah, we certainly, we don't anticipate a permit. I don't believe there's going to be any alteration to this plan. But we can, we have the five feet (5'), 10' to work with, if we even needed to, but we would not intend to have any permits. We would stay outside of any jurisdictional regulatory limits, which I believe is the 100' from the stream. So yes, we can. We can consult with DEC and get them to, you know, concur, and give their jurisdictional determination.

Similar to the Nardini project, it's the riverine portion of the mapping they show the wetland. So that's kind of what showed up on Mr. Nardini's project, and that's why we had him consult with DEC. And they went out there and said, yeah, the stream channel is the stream channel and that this is outside the stream channel. And they issued a letter pretty quick.

I may have to call in Joe as well for a little good luck. But yeah. So, what I can say too about this specific area, as Peter mentioned, the riverine and the stream, right at the bank of the stream, right on the north, north west portion of the property, it goes significantly up. So, I mean, you're like, you would have to walk up a hill and then back down that hill to get to the water. So, there's no question about whether it's wet or not. So, the stream ends here 100 feet. You know, statutory requirement, do you meet that. We show it based on the survey map that we would, but we'll get, you know, DEC, to concur with us there.

**Mr. Collins:** Can I ask a question Madam Chairman?

**Chairman, Ricker-Scannell:** Of course.

**Mr. Collins:** I can be a little dense at times, but there was a house there that burned down. You got rid of it. Okay, so if this gentleman decided just to rebuild the house, he would not have to go through DEC or anything. Correct?

**Mr. Longo:** Correct.

**Mr. Collins:** Because he would be just rebuilding what he had. So, if that house was legitimate, if you only built one (1), what's the difference if you built two (2)?

**Mr. Longo:** I would agree with you, yes, unfortunately, it does sound like I don't have as good of an argument as I did on the last project. That project was minor in terms. We've created a SEQR event here with a two (2) lot minor subdivision. So, you know, as far as I wish, but yes, we are creating the SEQR event to split the lot and do the subdivision with.

**Mr. Collins:** In my mind, I just ...

**Vice Chairman Flansburg:** Well, he's not doing the same thing.

**Chairman, Ricker-Scannell:** Not only was it two (2) houses, it's two (2) septic systems, right? There's kind of a well but septic, right?

**Mr. Collins:** In my mind I need clarification for me to understand that, like I say, I can be a little like a senile moment you know.

**Mr. Longo:** And same thing though, with the, you know, with the previous development we're holding, the same depth of development. So, with the house and with the septic, we're not going further in to that setback or anything. It's just that they're, wider. There's, two (2) on either side.

**Mr. Collins:** Sorry for the interruption.

**Chairman, Ricker-Scannell:** No, that was great. This is a good Q and A part. Do you have anything else? Mr. Collins?

**Mr. Collins:** I'm okay. Well, if you get through the zoning, then we'll see you again, anyway. It just bothered me. That's all I have.

**Chairman, Ricker-Scannell:** Mrs. Ciampino?

**Mrs. Ciampino:** I actually had the same question I was talking to him about that. So yeah, that was all I was wondering, too.

**Chairman, Ricker-Scannell:** Mr. Calder?

**Mr. Calder:** I would, we're pretty early, yet. So, you got a lot to do before we come back here and can make some real decisions. So, I have nothing.

**Chairman, Ricker-Scannell:** Mrs. Flansburg?

**Vice Chairman Flansburg:** I've heard you say, similar road frontage, similar depth to home as the others along the same side of the street, but not similar lot sizes?

**Mr. Longo:** Yes, similar.

**Vice Chairman Flansburg:** So, there's others that aren't one (1) acre conforming agricultural lots.

**Mr. Longo:** So, we're proposing lots that one lot would be 0.92, just shy of the one (1) acre requirement. The other would be 0.76. So, then the three (3) houses to the south, one is 0.86, 0.65, and 0.79, and they're about the same 130'. They're slightly smaller to the north 0.81 and 1.25.

**Vice Chairman Flansburg:** Just one (1) is actually conforming?

**Mr. Longo:** Right? One (1) is large enough. One (1) is similar to what we're proposing. But also, yeah, existing non-conforming there.

**Vice Chairman Flansburg:** The other two (2) things you said were great, similar road frontage, similar depth to where the home would be built. So, I was thinking red flag not similar lot size, but if they're similar lot size, then it is sort of in line with the others that are in that area. Not an argument for us. That's your argument for tomorrow. But I figured I would ask, we'll see how it goes with the Zoning Board, and then we'll see you from there.

**Chairman, Ricker-Scannell:** Mr. Signore?

**Mr. Signore:** So the two (2) houses will be within the character of the neighborhood, okay? And you're going to take one (1), 1.68 acres and divide it and hopefully have two (2) houses, two (2) septic systems, all that?

**Mr. Longo:** Yes, yeah, it's like, you know, it's 80% of the way there. So, we could have put one (1) of these lots and made them conforming, but we feel that by reducing the two (2) variances into the least variance possible would create that consistency.

**Mr. Signore:** Okay, explain to me about the floodplain.

**Mr. Longo:** Yeah. So, the floodplain, as I mentioned, on the northern side of the lot, it goes, there's a steep hill off of the bank of the stream. There's a steep hill about 15, 18 feet high, and then it comes back down maybe, maybe some years ago, somebody might have mined, I know people were taking sand out of this area for it's kind of odd as to why it goes way up.

**Mr. Signore:** It's a berm of some kind, and you pushed it there or....

**Mr. Longo:** Right, or they, mined where the road is, and that's why the roads lower. So this is, there's no question that it's clearly not floodplain to the east of that, because that's sending the stream to the south, then at the southern corner, the southwestern corner of the property, there is a small little triangle on this parcel, and then that floodplain goes, like 100 or so feet into the next parcel below, into their backyard, because the neighbor's backyard is much lower, so in certainly, there's, t no activity here, but you know, flood events would cover a small triangle of this property.

**Mr. Signore:** So, one (1) of the houses that's there already a flood, if they have the floodplain on them. I mean, the floodplain could be an issue to them?

**Mr. Longo:** Not to the house. The houses are proposed with the basement level at or above floodplain. So, basement floor, that's the requirement there for FEMA. Basement floor is at or above floodplain, so that would have a gravity drainage, but you would be done grading the lot about 100' away from this floodplain.

**Mr. Signore:** To the south, the floodplain is more of an issue. Let's say, then the two (2) houses that are proposed.

**Mr. Longo:** Absolutely yes, because we cannot...

**Mr. Signore:** It's existing that house already?

**Mr. Longo:** We can't that house, the existing property, it's rear yard is significantly lower. So, when there's a flood event, though, yeah, whatever happens on this property doesn't, yeah, would not affect their yard.

**Mr. Signore:** It may get water in their yard, right?

**Mr. Longo:** No, no, the neighbor, certainly could, and probably does get water here, yeah.

**Mr. Comenzo:** There was flooding down, further down.

**Mr. Longo:** Yeah.

**Chairman, Ricker-Scannell:** Peter, I know when things are under an acre, you don't need to have a SWPPP. But if this was not, if this as a subdivision, will it have to have a SWPPP, or because each parcel will be under an acre, is that not a requirement?

**Mr. Comenzo:** The total disturbance, I believe, is less than an acre, so they would not require permanent controls. But there'll be an erosion and sediment control plan that'll be proposed as part of this project, if it moves forward, I mean, right at this point in time, we scheduled this for the Planning Commission to declare Lead Agency and to kind of get the ball rolling on this, if tomorrow night, if they're not successful with the Zoning Board, then you won't see it again. But if you are successful, then we'll be doing the additional work for the subdivision regulations, which include SEQR we'll be looking at the wetland issue and then any other issues that that come up. So, really the critical path here is going to be tomorrow night with the Zoning Board.

**Chairman, Ricker-Scannell:** Thank you. Mr. Miglucchi, do you have anything?

**Mr. Miglucci:** Just real quick. I mean, from what I can see, we're going from one (1) home on the books to two (2) homes on the books. That's where I'm at right now. I'm okay so far.

**Chairman, Ricker-Scannell:** Thank you. Mr. Valiquette?

**Attorney Valiquette:** Good luck tomorrow night. It. That's it.

**Mr. Collins:** I have one more question.

**Chairman, Ricker-Scannell:** Sure.

**Mr. Collins:** Did he take out the old septic system already when he demolished the house?

**Mr. Longo:** Yes, it was. So, this is the Site Plan I believe you guys have as well. Here's where the house was. So rather than put any foundations there and then the septic tank, he did have that. Or you could see the tank. I don't know if the firefighters had collapsed it or something. Yeah, you could clearly see right where that tank was.

**Mr. Collins:** That's all. I'm sorry to interrupt.

**Chairman, Ricker-Scannell:** Well, like Peter said, we'll just have to wait and see what happens tomorrow night, I would entertain a motion for the Planning Commission to declare a Lead Agency under SEQR.

**Vice Chairman Flansburg:** I'll make that motion.

**Chairman, Ricker-Scannell:** Thank you. Mrs. Flansburg, do I have a second?

**Mr. Signore:** I'll second.

**Chairman, Ricker-Scannell:** Thank you, Mr. Signore. Jami, could you please call the roll?

**Jamilee Marino:** Mr. Collins?

**Mr. Collins:** Yes.

**Jamilee Marino:** Mr. Calder?

**Mr. Calder:** Yes.

**Jamilee Marino:** Mr. Signore?

**Mr. Signore:** Yes.

**Jamilee Marino:** Mr. Miglucci?

**Mr. Miglucci:** Yes.

**Jamilee Marino:** Mrs. Ciampino?

**Mrs. Ciampino:** Yes.

**Jamilee Marino:** Vice Chairman Flansburg?

**Vice Chairman Flansburg:** Yes.

**Jamilee Marino:** Chairman Ricker-Scannell?

**Chairman, Ricker-Scannell:** Yes. All right.

**Mr. Longo:** Okay, thank you.

**Chairman, Ricker-Scannell:** Hope to see you back.

**Mr. Longo:** Hopefully. Have a good night.

**Chairman, Ricker-Scannell:** Thank you.



*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 PC43-2025**

Moved by Mrs. Flansburg seconded by Mr. Signore  
Applicant: Dunnsville Properties, LLC

**Applicant:** Dunnsville Properties, LLC

**Project Location:** 271 Dunnsville Road  
Rotterdam, NY

**Tax Number or Numbers:** 57.-6-2

**Proposed Project:** Two (2) Lot Subdivision: Lot 1 = ±0.92 acres with proposed single-family residence and Lot 2 = ±0.76 acres with proposed single-family residence.

**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, July 15, 2025, the Rotterdam Planning Commission hereby declares itself lead agency and authorizes the Rotterdam Town Planner to prepare, file, publish, and distribute all documents as necessary to comply with 6 NYCRR Part 617 (State Environmental Quality Review).

Peter J. Comenzo  
Senior Planner

Kimberly Ricker-Scannell  
Planning Commission Chairman

**5. Town of Rotterdam - Battery Energy Storage Systems. Review and discussion on proposed amendments to Town Code Chapter 270 to regulate Battery Energy Storage Systems (BESS).**

**Chairman, Ricker-Scannell:** All right, next up, Town of Rotterdam, battery energy storage systems, we have been asked by the Town Board to provide a report and recommendation. Peter, I think, is going to do a little presentation for us. We're not going to have too much conversation tonight about this. This is a lot of information for us to digest. I would like it to be on the agenda for a conversation in our August meeting, and after we have a conversation in August, if anyone would like to have the benefit of anyone from the Energy Committee or Dan Farnon, the TDE, to ask questions to we can do that. So, Peter?

**Mr. Comenzo:** Peter Comenzo, Town Planner, as Kim had mentioned, this is from the Energy Advisory Committee who worked, I'm going to say, almost a year on this, and I know Joe was the Planning Commission liaison. I believe in putting this together. I know there was some folks, pretty diverse group, that was involved in this, and there's a lot of legislation in here. I did go through it and I provided some comments. There is a lot of language similar to the solar code. It's pretty restrictive as to where you can put battery storage. You need to have municipal water. And for the larger systems you really need to be in a heavy industrial zone. So, I would kind of take a look at this at this opportunity. I believe this draft that came from the Energy Advisory Committee, there may be some revisions to it. I know there was some discussion about, at least in my mind, with the formatting, maybe not necessarily the legislation itself, but some of the formatting to make sure it fits into our code. There's also separate definitions that we have to take out of the existing code and some new definitions to put in there. So that's about it. I don't know if anyone has any questions?

**Chairman, Ricker-Scannell:** Does anyone have any questions for Peter? All right. Well, thank you very much, Peter, and we thank the Energy Advisory Committee, and so again, this is very comprehensive. I would like us to be able to take a good, hard look at it. We've got a month, we can come back with some questions and our report and recommendation, I think could be very thoughtful. If there's things that, as a Planning Commission, we feel could be improved upon, especially from a procedural manner, I think that it would be good to be able to provide thoughtful feedback. All right, very good. We did it.

**Mr. Collins:** I want to go on record to thank Kim for the cake.

**Chairman, Ricker-Scannell:** That's right, nice little treat. Well, thank you all, and don't forget, if you'd like to go to the grand opening of the new Stewarts, make sure you RSVP. It looks like it's going to be a nice time. Good. Very good job, guys. You did excellent work. I entertain a motion to adjourn.

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

**Chairman, Ricker-Scannell:** All in favor.

**Planning Commission Members:** I.

**Chairman, Ricker-Scannell:** All right. Thank you.

Meeting adjourned at 8:38 p.m.

Next meeting scheduled for August 19, 2025.

Respectfully Submitted,

Jamilee Marino

Planning Commission Secretary