PUBLIC HEARING

- To amend Chapter 270, Zoning, of the town code, relating to a change of zone from Agricultural (A-1) to General Business (B-2). Applicant is requesting a Change of Zone to facilitate the construction of a 102,500 square foot BJ's Wholesale Club with associated 8 island fueling station at 900 Duanesburg Road (Tax Map No. 57-3-7.112), and 2,000 square foot retail building with associated drive thru at 880 Duanesburg Road (Tax Map No. 57.7-1-1.2).

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, August 9, 2023, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 262.23

TO RECOGNIZE THE INTRODUCTION OF INTRODUCTORY LOCAL LAW ___ OF 2023; TO AMEND CHAPTER 270, ZONING, OF THE TOWN CODE, RELATING TO A CHANGE OF ZONE FROM AGRICULTURAL (A-1) TO GENERAL BUSINESS (B-2) AND REFER TO THE PLANNING COMMISSION FOR REPORT AND RECOMMENDATION

WHEREAS, The Town has received an application for a Change of Zone request on ±17.3 acres from Agricultural (A-1) to General Business (B-2) where applicant would like to construct a 102,500 square foot BJ's Wholesale Club with associated 8 island fueling station at 900 Duanesburg Road, Tax Map No. 57-3-7.112, and 2,000 square foot retail building with associated drive thru at 880 Duanesburg Road, Tax Map No. 57.7-1-1.2; NOW

THEREFORE, UPON MOTION OF Councilmember **DODSON**, seconded by Councilmember **CHRISTOU,**
BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby recognizes the introduction of Introductory Local Law No. ____ of 2023 to amend Chapter 270, Zoning, of the Town Code, for a change of zone from Agricultural (A-1) to General Business (B-2) at 900 Duanesburg Road, Tax Map No. 57-3-7.112, and 880 Duanesburg Road, Tax Map No. 57.7-1-1.2.

SECTION 2. The Town Board hereby refers this Introductory Local Law No. ____ of 2023 to the Planning Commission of the Town of Rotterdam for report and recommendation thereon.

SECTION 3. This resolution shall become effective August 9, 2023.

DATED: August 9, 2023

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on August 9, 2023, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this August 11, 2023.

Diane M. Marco

Diane M. Marco, Town Clerk



TOWN OF ROTTERDAM

John F. Kirvin Government Center • 1100 Sunrise Boulevard • Rotterdam, NY 12306
Telephone: 518-355-7575 • Fax: 518-355-7976 • Website: www.rotterdamny.org

LEGISLATIVE REQUEST FORM

DATE:	August 1, 2023
TO:	Mollie Collins, Town Supervisor
FROM:	Joanne Schillaci, Zoning Officer
TITLE OF REQUEST:	Refer to Planning Commission for Report and Recommendation for Change of Zone from Agricultural (A-1) to General Business (B-2).
TOWN BOARD MEETING:	August 9, 2023
Background Information:	Owner: Flying J, Inc. 185 S. State Street, Suite 1300 Salt Lake City, Utah 84111 Applicant: GDPL Ville Rotterdam, LLC 145 Otterkill Road Mountainville, NY 10953 Change of Zone request on ±17.3 acres from Agricultural (A-1) to General Business (B-2). The applicant would like to construct a 102,500 square foot BJ's Wholesale Club with associated 8 island fueling station at 900 Duanesburg Road (Tax Map No. 57-3-7.112), and 2,000 square foot retail building with associated drive thru at 880 Duanesburg Road (Tax Map No. 57.7-1-1.2).
Evaluation/Analysis:	Rotterdam Town Code 270-174 states that Change of Zone applications shall be referred to the Planning Board for a report and recommendation prior to a public hearing.
Recommendation(s):	Refer to Planning Commission for Report and Recommendation.
Attachment/Document(s):	Application Materials
Compliance with Purchasing Policy:	N/A
Effect(s) on Existing Law(s):	NYS Town Law Article 16 Proposed Local Law of the Year 2023
LEGISLATION WILL BE PREPARED BY:	Supervisors Office

PARTNERS
LUIGI A. PALLESCHI, P.E.
JOSEPH J. BIANCHINE, P.E.
ROBERT D. DAVIS, JR., P.L.S.

ABD ENGINEERS SURVEYORS

411 Union Street Schenectady, N.Y. 12305
518-377-0315 Fax 518-377-0379
www.abdeng.com

DEDICATED
RESPONSIVE
PROFESSIONAL

July 28, 2023

Re: GDP LVille Rotterdam, LLC
900 Duanesburg Road
880 Duanesburg Road
Town of Rotterdam
Project #5657A

Mollie Collins, Town Supervisor
Town of Rotterdam
1100 Sunrise Boulevard
Schenectady, NY 12306

Dear Supervisor Collins:

The Applicants, BJ's Wholesale Club and GDP LVille Rotterdam, LLC (contract vendee), would like to relocate their current Rotterdam Market and develop the 17.3± acres with retail building, gas station, and drive thru building located on two parcels (Tax ID: 57-3-7.112 and 57.7-1-1.2), addresses 900 and 880 Duanesburg Road. The owner of the two parcels are Flying J Inc. (AKA FJ Management, Inc. The current zoning is Agriculture A-1 and proposing a change of zone to B-2 General Business. We hope you and the Town Board Members can see this stretch of Route 7 has become an important community commercial corridor.

Enclosed for the proposed change of zone for GDP LVille Rotterdam, LLC are twenty-two (22) copies of:

1.) Application for a change of zone.

2.) Rezone map prepared by ABD Engineers & Surveyors, LLP dated July 28, 2023.

3.) Copy of current deeds.

4.) Rezone description

5.) Long Environmental Assessment Form.

Also enclosed is a check for $1,000.00 payable to the Town of Rotterdam.

We would greatly appreciate being scheduled to present this application to the Town Board and Planning Commission at their August 2023 meetings.

Should you have any questions or need anything further, please do not hesitate to contact me.

Very truly yours,
ABD ENGINEERS & SURVEYORS, LLP

Luigi A. Palleschi, P.E.
Partner

LAP:clv
encl.
cc: Tiffany Marsh w/encl. (via email)
MaryBeth Slevin w/encl. (via email)
Peter Comenzo w/encl (via email).
5657A-07242023

****

TOWN OF ROTTERDAM CHANGE OF ZONE APPLICATION

Application Fee **$1,000**

Existing Zone Classification: A-1 Agricultural

Proposed Zone Classification: B-2 General Business

PART II
GENERAL INFORMATION

Legal Owner's Name: Flying J, Inc. (AKA FJ Management, Inc.)
Mailing Address: 185 S State Street, Suite 1300
City: Salt Lake City State: Utah Zip: 84111
Daytime Phone: _____ E-mail: _____

If applicant is not the owner, include written owner authorization for the below-designated contact to serve as representative.

Owner's Designated Contact: Luigi A. Palleschi, P.E., ABD Engineers & Surveyors, LLP

Mailing Address: 411 Union Street
City: Schenectady State: NY Zip: 12305
Daytime Phone: 518-377-0315 E-mail: luigi@abdeng.com
Project/Proposal Site Area: (Acres or sq. ft.) 17.3± Acres
Assessor Tax Parcel No.(s) of Site: 57-3-7.112 & 57.7-1-1.2
Adjacent Parcels Owned or Controlled and Tax Map Parcel No: (Acres or sq. ft.) N/A

Street Address of Proposed Site (if any): 900 and 880 Duanesburg Road (NYS Route 7)

Describe Existing Use(s) on Proposed Site: (commercial vacant, residential, buildings, well, sewer drainfield, etc.)
The land previously contained a barn structure. The remainder of the land (two parcels) is vacant.

School District: Schalmont Fire District: 6

Water Supply: Rotterdam

LEGAL INFORMATION

Location of Proposal Site: (General description by which direction and how far from roads and intersections and other community features)
On NYS Route 7 just east of I-88 on ramp.

Name of Public Road(s) Providing Access: NYS Route 7

Width of Property Fronting on the Existing Public Road in Linear Feet: 700±

Does the Proposal Have Access to an Arterial or Planned Arterial? (X) Yes ( ) No
Name(s) of Arterial Road(s): NYS Route 7 - Duanesburg Road

A legal description of the proposed site must be attached: (X) Yes ( ) No

A copy of the assessor's map of the proposed site must be attached: (X) Yes (X) No

A copy of the most current deed(s) of the proposed site must be attached: (X) Yes ( ) No

(All applications must contain a legal description that describes the exterior boundaries of the entire area to be rezoned. Please include the legal description for the entire area to be rezoned and also a copy of the assessor's map. A simple copy of the deed is not sufficient to process the change of zone request).

If you do not hold title to property, what is your interest in it? Contract Vendee

What factors support this rezone? (This may be provided on a separate sheet of paper if necessary)

The site fronts on NYS Route 7, which is a commercial corridor and is not suitable for agricultural use or those residential uses that are allowed. The site has access to water, gas, and other utilities. No public sewer available at this time so onsite septic system will be needed.

Does any City officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? YES _____ NO X. If yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

UTILITIES

Proposed Source of Water:
( ) Individual Wells (X) Public System ( ) Private Community System
( ) Other, please describe _____

Proposed Means of Sewage Disposal:
( ) Public Sewer ( ) Dry Sewer ( ) Community System (X) Septic Tank & Leachfield ( ) Other, please describe _____

PART III

****
SURVEYOR/ARCHITECT/ENGINEER VERIFICATION
****

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

Signed: _____ Date: July 25, 2023
Address: 411 Union Street, Schenectady, NY Phone: 518-377-0315
Zip: 12305

PLEASE AFFIX SURVEYOR/ARCHITECT/ENGINEER SEAL HERE

STATE OF NEW YORK
LUIGI A. PALLESCHI
94676
LICENSED PROFESSIONAL ENGINEER

****

LEGAL OWNER SIGNATURE

****

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

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

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

Name: Flying J, Inc.
Address: 185 S State Street, Suite 1300
Salt Lake City, UT

Date: _____
Phone: _____
Zip: 84111

Signature of applicant or representative

July 25, 2023
Date

NOTARY

STATE OF NEW YORK) ss:
COUNTY OF _____)

SUBSCRIBED AND SWORN to before me this 26 day of July, 2023

NOTARY SEAL

Notary Signature

PAUL M JONES
Notary Public, State of Utah
Commission # 727187
My Commission Expires
October 11, 2026

Notary Public in and for the State of ~~New York~~ Utah
Residing at: Cottonwood Heights, UT
My appointment expires: 10/11/2026

PLEASE AFFIX NOTARY SEAL HERE

TOWN OF ROTTERDAM

John F. Kirvin Government Center • 1100 Sunrise Boulevard • Rotterdam, NY 12306
Telephone: 518-355-7575 • Fax: 518-355-7976 • Website: www.rotterdamny.org

LETTER FROM PROPERTY OWNER GRANTING AUTHORIZATION TO ACT

A COPY OF THIS LETTER MUST BE SUBMITTED FOR EACH PROPERTY OWNER INVOLVED

I, Flying J, Inc., being duly sworn declare that I am the

(PROPERTY OWNER)

owner of the property involved in a proposed change of zone application request before the Town of Rotterdam for property known as parcel number (s):

Tax Parcel Number(s): 57-3-7.112 & 57.7-1-1.2

I hereby grant Luigi A. Palleschi, P.E., ABD Engineers & Surveyors, LLP and/or their agent(s) to act on my behalf.

I further declare that all statements, answers, and information herein submitted is in all respects true and correct to the best of my knowledge and belief.

Signature (Authorized Representative): [signature], CFO

Date: July 26, 2023

NOTARY

STATE OF NEW YORK) ss:
COUNTY OF _____)
SUBSCRIBED AND SWORN to before me this 26th day of July, 2023

NOTARY SEAL

[signature]
Notary Signature

PAUL M JONES
Notary Public, State of Utah
Commission # 727167
My Commission Expires
October 11, 2026

Notary Public in and for the State of ~~New York~~ Utah
Residing at: Cottonwood Heights, UT
My appointment expires: 10/4/2026

Schenectady County Endorsement Page

JOHN J. WOODWARD
Schenectady County Clerk
620 State Street
Schenectady, NY 12305

Document Type Deed

From Party Peter & Virginia Collier

To Party Flying J, Inc.

RETURN TO Russel G. Workman
Flying J Inc
1104 Country Hill Dr, Murray UT 84105

RECEIVED
$ 1,200.00
REAL ESTATE
SEP 14, 2007
SCHENECTADY COUNTY
617

RECORDED
09/14/2007 3:54:20 PM
County Clerk
JOHN J. WOODWARD
SCHENECTADY COUNTY, NY

Book/Page: DEED/1767/648
Total Pages: 5

Receipt No:	462297
Doc No:	2007-4302
Inst Num:	200739877
NY REALTY TRANSFER TAX	$1,200.00
NY LAND SUR	$4.75
NY E & A FEES	$66.00
NY LAND COMP SUR	$14.25
CO GENERAL REVENUE	$32.50
CO LAND SUR	$0.25
CO E & A FEES	$9.00
CO LAND COMP SUR	$0.75
TOTAL PAID	$1,327.50

INV: 462297 USER: EMG

Visit our Webpage:
Schenectadycountyclerk.com

NOTICE: This endorsement page constitutes the Clerk's endorsement in accordance with Local Law #7 of 1996–DO NOT DETACH–This page becomes part of the document. Upon recording, this document becomes a public record–Please refrain from using personal identifying information that should not be disclosed to the public.

Name and Address of Preparer:
Mark A. Myers
The DeLorenzo Law Firm, LLP
201 Nott Terrace
Schenectady, NY 12307

Return to:
Russel G. Workman
Senior Corporate Counsel
Flying J Inc.
1104 Country Hills Dr.
Ogden, UT 84403

WARRANTY DEED

This indenture, made the 13 day of September, 2007 between Peter M. Collier and Virginia R. Collier, Husband and Wife residing at 327 12th Street, Schenectady New York, 12306
party of the first part, and Flying J Inc., a Utah Corporation with a principle place of business located at 1104 Country Hills Drive, Ogden Utah 84403
party of the second part,

R 57.07 SEC. 1 BLK. 1 LOT 1.2 R.P.I.S.A. TAX MAP IDENT.

Witnesseth, that the party of the first part, in consideration of ten dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Rotterdam, County of Schenectady and State of New York more particularly described in Schedule "A" which is attached hereto and intended to be a part hereof.

Being the same premises conveyed to the party of the first part by deed from Fred J. Dedrick, Sr. a/k/a Frederick J. Dedrick, Sr. and Lola Dedrick, his wife, said deed dated 12/06/1983 and recorded 12/07/1983 in Liber 1983 at page 832.

Together with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; together with the appurtenances and all the estate and rights of the party of the first part in and to said premises; to have and to hold the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

And the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

And the party of the first part covenants as follows: that said party of the first part is seized of the said premises in fee simple, and has good right to convey the same; that the party of the second part shall quietly enjoy the said premises; that the said premises are free from incumbrances, except as aforesaid; that the party of the first part will execute or procure any further necessary assurance of the title to said premises; and that said party of the first part will forever warrant the title to said premises.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

In witness whereof, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

(Witness)

(Witness)

Peter M. Collier
Peter M. Collier

Virginia R. Collier
Virginia R. Collier

To order this form call INFO-PRO at 800-655-2021

ACKNOWLEDGMENT - In New York State (RPL-309a)

State of New York, County of Schenectady, ss:

On the 13 day of September, in the year 2007, before me, the undersigned, personally appeared Peter M. Collier and Virginia R. Collier

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

MARK A. MYERS
Notary Public, State of New York
Qualified in Fulton County
No. 01MY6004592
Commission Expires 03/31/10

(signature of individual taking acknowledgment)

(name and office of individual taking acknowledgment)

ACKNOWLEDGMENT - outside of New York State (RPL-309b)

State of _____, County of _____, ss:

On the _____ day of _____, in the year _____, before me, the undersigned, personally appeared _____

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in _____

(insert city or political subdivision and state or county or other place acknowledgment taken)

(signature and office of individual taking acknowledgment)

(name and office of individual taking acknowledgment)

ACKNOWLEDGMENT BY SUBSCRIBING WITNESS

State of _____, County of _____, ss:

On the _____ day of _____, in the year _____, before me, the undersigned, personally appeared _____

the subscribing witness(es) to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say, that he/she/they reside(s) in _____

(include the street and street number, if any, thereof);

that he/she/they know(s) _____ to be the individual(s) described in and who executed the foregoing instrument; that said subscribing witness was present and saw said _____ execute the same; and that said witness at the time subscribed his/her/their name(s) as a witness thereto. And (if taken outside New York State) that said subscribing witness(es) made such appearance before the undersigned in _____

(insert city or political subdivision and state or county or other place acknowledgment taken)

(signature and office of individual taking acknowledgment)

(name and office of individual taking acknowledgment)

First American Title Insurance Company of New York

Title No. 3008-205644

SCHEDULE "A"

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF ROTTERDAM, COUNTY OF SCHENECTADY AND STATE OF NEW YORK AND DESCRIBED NO FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY SIDE OF THE SCHENECTADY-DUANESBURG STATE HIGHWAY WHERE IT IS INTERSECTED BY THE DIVISION LINE BETWEEN THE LANDS NOW OR FORMERLY OF EARL CROUNSE AND LELAND E. COOK AND BERDELLA M. COOK, AND

RUNS THENCE NORTH 18° 21' WEST. 272 FEET ALONG THE LANDS NOW OR FORMERLY OF EARL CROUNSE; 9.983.

THENCE NORTH 45° EAST 100 FEET ALONG THE LANDS OF EARL CROUNSE;

THENCE SOUTH 19° 20' EAST, 351.3 FEET THROUGH THE LANDS OF COOK TO THE NORTHERLY SIDE OF THE SCHENECTADY-DUANESBURG STATE HIGHWAY; AND

THENCE SOUTH 85° 51' WEST 100 FEET ALONG THE NORTHERLY SIDE OF THE SCHENECTADY-DUANESBURG STATE HIGHWAY TO THE POINT OF BEGINNING.

ALSO, ALL THAT TRACT OR PARCEL OF LAND, SITUATE ON THE NORTHERLY SIDE OF THE SCHENECTADY-DUANESBURG STATE HIGHWAY, ROUTE 7 IN THE TOWN OF ROTTERDAM, COUNTY OF SCHENECTADY AND STATE OF NEW YORK BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY SIDE OF THE SCHENECTADY DUANESBURG STATE HIGHWAY ROUTE 7 WHERE THE SAME IS INTERSECTED BY THE DIVISION LINE OF THE LANDS OF EDWARD H. KNIGHT AND RUTH E. KNIGHT AND THE LANDS NOW OR FORMERLY OF LELAND E. COOK AND BERDELLA M. COOK; AND

RUNS THENCE NORTH 19° 20' WEST, 351.3 FEET ALONG THE LANDS NOW OR FORMERLY OF LELAND E. COOK AND BERDELLA M. COOK TO THE LANDS OF EARL CROUNSE;

THENCE NORTH 45° 00' EAST, 25 FEET ALONG THE LANDS OF EARL CROUNSE TO A POINT; 10.123.

THENCE SOUTH 19° 52' EAST, 358.72 FEET THROUGH THE LANDS NOW OR FORMERLY OF LELAND E. COOK AND BERDELLA M. COOK TO THE NORTHERLY SIDE OF THE SCHENECTADY-DUANESBURG STATE HIGHWAY ROUTE 7; AND

THENCE SOUTH 85° 51' WEST, 25 FEET ALONG THE NORTHERLY SIDE OF THE SCHENECTADY-DUANESBURG STATE HIGHWAY ROUTE 7, TO THE POINT OR PLACE OF BEGINNING.

CONTINUED...

DEED Book 1767 Page 650
Doc No 2007-4302

TITLE NO. 3008-205644
SCHEDULE A CONTINUED

EXCEPTING AND RESERVING THEREFROM THE PREMISES AMOUNTING TO 0.013 ACRES FOR THE CONSTRUCTION OF INTERSTATE ROUTE 508 AS APPROPRIATED IN NOTICE OF APPROPRIATION DATED MAY 8, 1979 AND FILED JULY 15,1979 IN THE SCHENECTADY COUNTY CLERK'S OFFICE AT BOOK 1028 OF DEEDS AT PAGE 1136, TO WHICH REFERENCE IS HEREBY MADE OF A MORE COMPLETE DESCRIPTION.

THE policy to be issued under this report will insure the title to such buildings and improvements erected on the premises, which by law constitute real property.

FOR CONVEYANCING ONLY: TOGETHER with all the right, title and interest of the party of the first part, of in and to the land lying in the street in front of and adjoining said premises.

Schenectady County Endorsement Page

JOHN J. WOODWARD
Schenectady County Clerk
620 State Street
Schenectady, NY 12305

COUNTY CLERK'S OFFICE
SCHENECTADY, NEW YORK

Document Type Deed

From Party Kenneth Earl Crounse
Anthony Farrone personal rep of
[redacted] Mildred M Crounse

TO: Flying J Inc

RETURN TO Russell Workman
Flying J Inc
1104 Country Hills Drive
Ogden, Utah 84403

RECEIVED
$ 14,000.00
REAL ESTATE
SEP 14, 2007
SCHENECTADY COUNTY
614

RECORDED
09/14/2007 3:20:41 PM
County Clerk
JOHN J. WOODWARD
SCHENECTADY COUNTY, NY

Book/Page: DEED/1767/634
Total Pages: 1

Receipt No:	462285
Doc No:	2007-4299
Inst Num:	200739861
NY REALTY TRANSFER TAX	$14,000.00
NY LAND SUR	$4.75
NY E & A FEES	$66.00
NY LAND COMP SUR	$14.25
CO GENERAL REVENUE	$29.00
CO LAND SUR	$0.25
CO E & A FEES	$9.00
CO LAND COMP SUR	$0.75
TOTAL PAID	$14,124.00

INV: 462285 USER: WLB

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DEED Book 1767 Page 635
Doc No 2007-4299

This Indenture

Made the 14th day of September, Two Thousand and Seven

Between

Kenneth Earl Crounse, residing at 900 Duanesburg Road, Schenectady, New York and Anthony Fazzone, Esq. as Personal Representative of the Estate of Mildred M. Crounse, having his principal offices at 1536 Union Street, Schenectady, New York, parties of the first part and

Flying J Inc., a Utah corporation, having its principal office at 1104 Country Hills Drive, Ogden, Utah, party of the second part

Witnesseth *that the parties of the first part, in consideration of* Three Million Five Hundred Thousand *dollars* ($3,500,000.00) *lawful money of the United States. paid by the party of the second part, do hereby grant and release unto the party of the second part, its heirs and assigns forever,*

ALL

See Schedule A attached and made a part hereof

Being the same premises conveyed to the parties of the first part herein by deed recorded on 2/17/2000 in Liber 1573 Page 62.

Together with the appurtenances and all the estate and rights of the parties of the first part in and to said premises,

To have and to hold the premises herein granted unto the party of the second part, their heirs and assigns forever.

And said parties of the first part covenant as follows:

First, That the party of the second part shall quietly enjoy the said premises;

Second, That said parties of the first part will forever **Warrant** the title to said premises.

Third, That in Compliance with Sec. 13 of the Lien Law, the grantors will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

R 57.00 P.I.S.A. 3 SEC 7.11 MAP IDENT 9/0 BLK LOT

In Witness Whereof, the parties of the first part have hereunto set their hands and seals the day and year first above written.

In Presence of

Kenneth Earl Crounse
By: Richard Besenval POA

By: John H. Dennis POA

STATE OF NEW YORK)
) ss.
COUNTY OF ALBANY)

On this 14TH day of September, 2007, before me the undersigned, personally appeared **Earl Crounse, by Richard Besenval and John H. Dennis, Powers of Attorney** personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, that by their signatures on the instrument, the individuals or the person on behalf of which the individuals acted, executed the instrument.

Notary Public

LUCAS MIHUTA
Notary Public, State of New York
No. 02MI6122291
Qualified in Schenectady County
Commission Expires Feb. 7, 2009

STATE OF NEW YORK)
) ss.
COUNTY OF ALBANY)

On this 13th day of September, 2007, before me the undersigned, personally appeared **Anthony Fazzone, Esq. as Personal Representative of the Estate of Mildred M. Crounse**, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, that by their signatures on the instrument, the individuals or the person on behalf of which the individuals acted, executed the instrument.

Notary Public

LUCAS MIHUTA
Notary Public, State of New York
No. 02MI6122291
Qualified in Schenectady County
Commission Expires Feb. 7, 2009

SCHEDULE A

All that tract, piece or parcel of land located in the Town of Rotterdam, County of Schenectady and State of New York, being more particularly described as follows:

Beginning at a Granite Monument in the northerly boundary of the Schenectady – Duanesburg State Highway where it is intersected by the division line between lands of Collier described in Book 1068 of Deeds at Page 832 on the east and lands herein described on the west; thence running along the northerly bounds of the said State Highway the following four courses:

1. South 66° 31' 50" West a distance of 12.46 feet;
2. South 82° 05' 00" West a distance of 151.74 feet;
3. South 69° 03' 55" West a distance of 207.06 feet to a Granite Monument;
4. South 61° 34' 50" West a distance of 344.80 feet to a point;

Thence running along the southeasterly boundary of the Interstate Route 508 (Route 7 to Route 7 Connector) the following five courses:

1. North 33° 45' 20" West a distance of 489.52 feet;
2. North 20° 39' 15" East a distance of 212.66 feet;
3. North 43° 31' 05" East a distance of 710.06 feet;
4. South 41° 25' 40" East a distance of 282.62 feet;
5. North 49° 22' 35" East a distance of 831.00 feet to a concrete monument in the division line between lands of Avery as described in Book 1506 of Deeds at Page 256 on the east and herein described on the west;

Thence running South 51° 49' 20" East along the lands of said Avery a distance of 113.23 feet to an iron pin at the northeasterly corner of lands of Mastrianni as described in Book 608 of Deeds at Page 478; thence South 59° 43' 10" West along the lands of Mastrianni a distance of 264.44 feet to a point ; thence South 31° 48' 15" West along the lands of Mastrianni and lands of the Mohawk Valley Library Association as described in Book 857 of Deeds at Page 429 a distance of 539.63 feet to an iron pipe; thence South 30° 06' 30" West along the lands of the Library and the lands of Collier a distance of 342.78 feet to an iron pipe; thence South 32° 23' 00" East a distance of 269.57 feet to the point or place of beginning. Containing 16.429± acres.

0.0185.

DESCRIPTION OF LAND

PROPOSED ZONE CHANGE

BEGINNING at a point in the northerly highway boundary of the Schenectady/Duanesburg state highway at its intersection with the division line between Lands Now or Formerly of Collier as described in Liber 1068 of Deeds at Page 832 on the east and Lands herein described on the west; thence running westerly along said northerly highway boundary of the Schenectady/Duanesburg state highway 716 Feet more or less to a point in the southeasterly highway boundary of Route 7 to Route 7 connector; thence northerly, easterly, southerly and easterly 2,527 Feet more or less to a point in the division line between the Lands Now or Formerly of Avery as described in Liber 1506 of Deeds at Page 256 on the east and the herein described parcel on the west; thence along said division line 113 Feet more or less to a point at the northeasterly corner of Lands Now or Formerly of Mastrianni as described in Liber 608 of Deeds at Page 478; thence westerly and southwesterly 1,022 Feet more or less to a point; thence southerly 349 Feet more or less to a point in the aforementioned northerly highway boundary of the Schenectady/Duanesburg state highway; thence along said northerly highway boundary of the Schenectady/Duanesburg state highway 124 Feet more or less to the point and place of beginning and containing 17.3 acres of land more or less.

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Change of Zone		
Project Location (describe, and attach a general location map): 900 Duanesburg Road and 880 Duanesburg Road		
Brief Description of Proposed Action (include purpose or need): Rezoning of 17.3± acres from A-1 Agricultural to B-2 General Business to construct a retail building, gas station, and drive thru building.		
Name of Applicant/Sponsor: GDP Lville Rotterdam, LLC	Telephone: 845-534-0100 E-Mail:	
Address: 145 Otterkill Road, PO Box 55		
City/PO: Mountainville	State: NY	Zip Code: 10953
Project Contact (if not same as sponsor; give name and title/role): Luigi A. Palleschi, P.E., ABD Engineers & Surveyors, LLP	Telephone: 518-377-0315 E-Mail: luigi@abdeng.com	
Address: 411 Union Street		
City/PO: Schenectady	State: NY	Zip Code: 12306
Property Owner (if not same as sponsor): Flying J, Inc	Telephone: E-Mail:	
Address: 185 S State Street, Suite 1300		
City/PO: Salt Lake City	State: UT	Zip Code: 84111

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	**If Yes: Identify Agency and Approval(s) Required**	**Application Date (Actual or projected)**
a. City Counsel, Town Board, ☑Yes☐No or Village Board of Trustees	Rotterdam Town Board	July 28, 2023
b. City, Town or Village ☑Yes☐No Planning Board or Commission	Rotterdam Planning Commission	July 28, 2023
c. City, Town or ☐Yes☑No Village Zoning Board of Appeals		
d. Other local agencies ☐Yes☑No		
e. County agencies ☑Yes☐No	Schenectady County Planning	TBS
f. Regional agencies ☐Yes☑No		
g. State agencies ☐Yes☑No		
h. Federal agencies ☐Yes☑No		

i. Coastal Resources.
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes☑No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☑Yes☐No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☑Yes☐No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☑Yes☐No

If Yes, identify the plan(s):
NYS Heritage Areas:Mohawk Valley Heritage Corridor

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes☑No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☑ No

c. Is a zoning change requested as part of the proposed action? ☑ Yes ☐ No
If Yes,
i. What is the proposed new zoning for the site? Rezone from A-1 Agricultural to B-2 General Business

C.4. Existing community services.

a. In what school district is the project site located? Schalmont

b. What police or other public protection forces serve the project site?
NYS Police, Schenectady County Sheriff, Rotterdam Police Department

c. Which fire protection and emergency medical services serve the project site?
District 6

d. What parks serve the project site?
Featherstonhaugh State Forest, Plotter Kill Preserve, DiCaprio Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Commercial

b. a. Total acreage of the site of the proposed action? 17.3± acres
b. Total acreage to be physically disturbed? 0 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 17.3± acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☑ No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐Yes ☑No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☑Yes ☐No

If Yes,

i. Total number of structures 1

ii. Dimensions (in feet) of largest proposed structure: 28' height; 270' width; and 390' length

iii. Approximate extent of building space to be heated or cooled: 104,500± square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐Yes ☑No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐Yes ☑No

If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? ☐Yes ☐No

If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? ☐Yes ☐No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐Yes ☑No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐Yes ☐No
If Yes, describe:

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐Yes ☐No
If Yes:

- acres of aquatic vegetation proposed to be removed:
- expected acreage of aquatic vegetation remaining after project completion:
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access):
- proposed method of plant removal:
- if chemical/herbicide treatment will be used, specify product(s):

v. Describe any proposed reclamation/mitigation following disturbance:

c. Will the proposed action use, or create a new demand for water? ☑Yes ☐No
If Yes:
i. Total anticipated water usage/demand per day: 10,500± gallons/day
ii. Will the proposed action obtain water from an existing public water supply? ☑Yes ☐No
If Yes:

- Name of district or service area: Rotterdam
- Does the existing public water supply have capacity to serve the proposal? ☑Yes ☐No
- Is the project site in the existing district? ☐Yes ☑No
- Is expansion of the district needed? ☑Yes ☐No
- Do existing lines serve the project site? ☑Yes ☐No

iii. Will line extension within an existing district be necessary to supply the project? ☐Yes ☑No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project:
- Source(s) of supply for the district:

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐Yes ☑No
If, Yes:

- Applicant/sponsor for new district:
- Date application submitted or anticipated:
- Proposed source(s) of supply for new district:

v. If a public water supply will not be used, describe plans to provide water supply for the project:

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☑Yes ☐No
If Yes:
i. Total anticipated liquid waste generation per day: 9,500± gallons/day
ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each):
Sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐Yes ☑No
If Yes:

- Name of wastewater treatment plant to be used:
- Name of district:
- Does the existing wastewater treatment plant have capacity to serve the project? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No

- Do existing sewer lines serve the project? ☐Yes ☐No
- Will a line extension within an existing district be necessary to serve the project? ☐Yes ☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes ☑No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☑Yes ☐No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or 9± acres (impervious surface)

_____ Square feet or 17.3 acres (parcel size)

ii. Describe types of new point sources. On-site stormwater system

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

Stormwater will be handled on-site in stormwater management areas.

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐Yes ☑No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☑Yes ☐No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐Yes ☑No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes ☑No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes ☐No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☑No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

_____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☑No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐Morning ☐Evening ☐Weekend ☐Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☑No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 7 am - 7 pm
- Saturday: 8 am - 3 pm
- Sunday: 8 am - 3 pm
- Holidays: N/A

ii. During Operations:

- Monday - Friday: 8 am - 9 pm
- Saturday: 8 am - 9 pm
- Sunday: 8 am - 9 pm
- Holidays: varies

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☑ No

If yes:

i. Provide details including sources, time of day and duration:

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No

Describe:

n. Will the proposed action have outdoor lighting? ☑ Yes ☐ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

Pole and building mounted, LED down type lighting

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☑ No

Describe:

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☑ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☑ Yes ☐ No

If Yes:

i. Product(s) to be stored Gasoline and diesel

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities:

Underground tanks

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☑ No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☑ Yes ☐ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: TBD tons per _____ (unit of time)
- Operation : TBD tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction:
- Operation:

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: Construction waste to be managed by licensed hauler.
- Operation: Solid waste generated by normal site operations will be handled by licensed hauler.

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☑ Commercial ☑ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	9±	+9±
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	17.3	8.3±	8.3±
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____	0	0	0

c. Is the project site presently used by members of the community for public recreation? ☐Yes☑No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☑Yes☐No

If Yes,

i. Identify Facilities:

Schalmont schools

e. Does the project site contain an existing dam? ☐Yes☑No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐Yes☑No

If Yes:

i. Has the facility been formally closed? ☐Yes☐No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐Yes☑No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐Yes☑No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐Yes☐No

☐ Yes – Spills Incidents database — Provide DEC ID number(s): _____

☐ Yes – Environmental Site Remediation database — Provide DEC ID number(s): _____

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐Yes☑No

If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

v. Is the project site subject to an institutional control limiting property uses? ☐Yes ☑No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐Yes ☐No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? 10+ feet

b. Are there bedrock outcroppings on the project site? ☐Yes ☑No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

Silt loam	90 %
Silt Clay	10 %
	%

d. What is the average depth to the water table on the project site? Average: 0-10+ feet

e. Drainage status of project site soils:

☐ Well Drained:	% of site
☑ Moderately Well Drained:	40 % of site
☑ Poorly Drained	60 % of site

f. Approximate proportion of proposed action site with slopes:

☑ 0-10%:	90 % of site
☑ 10-15%:	10 % of site
☐ 15% or greater:	% of site

g. Are there any unique geologic features on the project site? ☐Yes ☑No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐Yes ☑No

ii. Do any wetlands or other waterbodies adjoin the project site? ☐Yes ☑No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐Yes ☑No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐Yes ☑No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐Yes ☑No

j. Is the project site in the 100-year Floodplain? ☐Yes ☑No

k. Is the project site in the 500-year Floodplain? ☐Yes ☑No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☑Yes ☐No

If Yes:

i. Name of aquifer: Principal Aquifer

m. Identify the predominant wildlife species that occupy or use the project site:
Typical Suburban wildlife

n. Does the project site contain a designated significant natural community? ☐Yes ☑No
If Yes:
i. Describe the habitat/community (composition, function, and basis for designation): _____
ii. Source(s) of description or evaluation: _____
iii. Extent of community/habitat:
- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☑No
If Yes:
i. Species and listing (endangered or threatened): _____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐Yes ☑No
If Yes:
i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐Yes ☑No
If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐Yes ☑No
If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? ☐Yes ☑No
i. If Yes: acreage(s) on project site? _____
ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐Yes ☑No
If Yes:
i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐Yes ☑No
If Yes:
i. CEA name: _____
ii. Basis for designation: _____
iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☑ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based:

_____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☑ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☑ No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

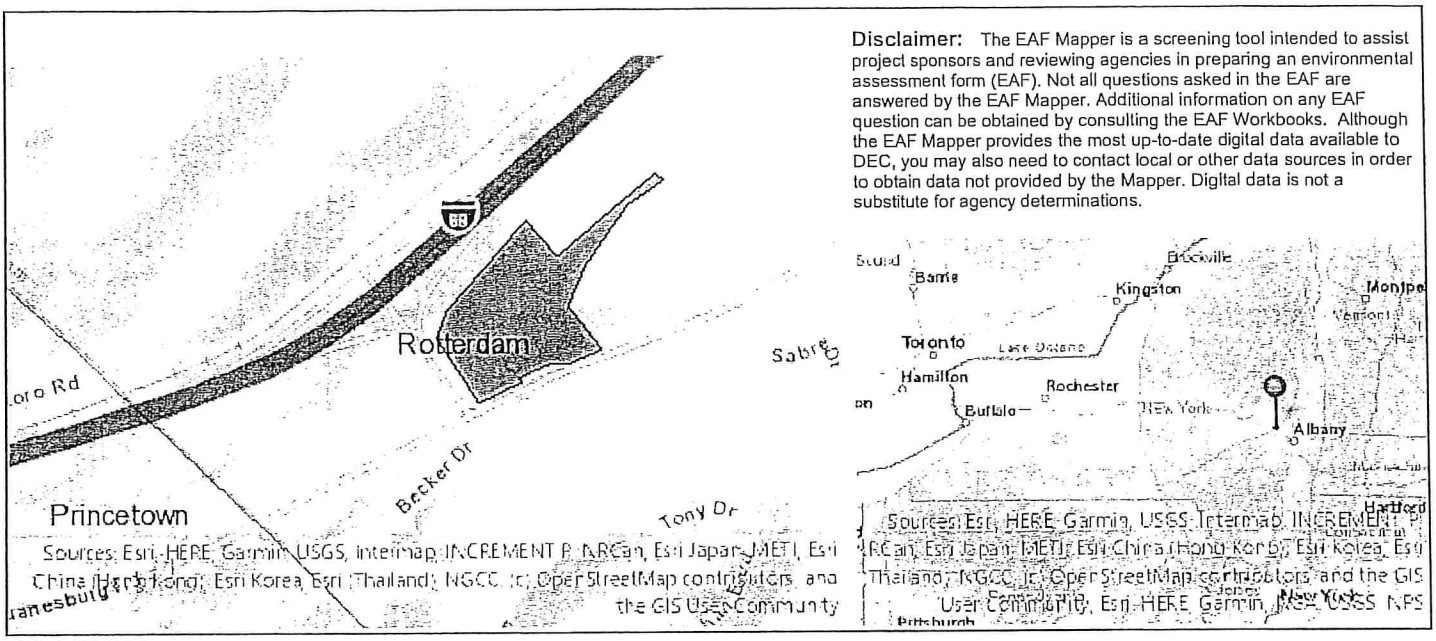
Applicant/Sponsor Name Luigi A. Palleschi, P.E., ABD Engineers & Surve Date July 25, 2023

Signature _____ Title Professional Engineer

PRINT FORM

EAF Mapper Summary Report

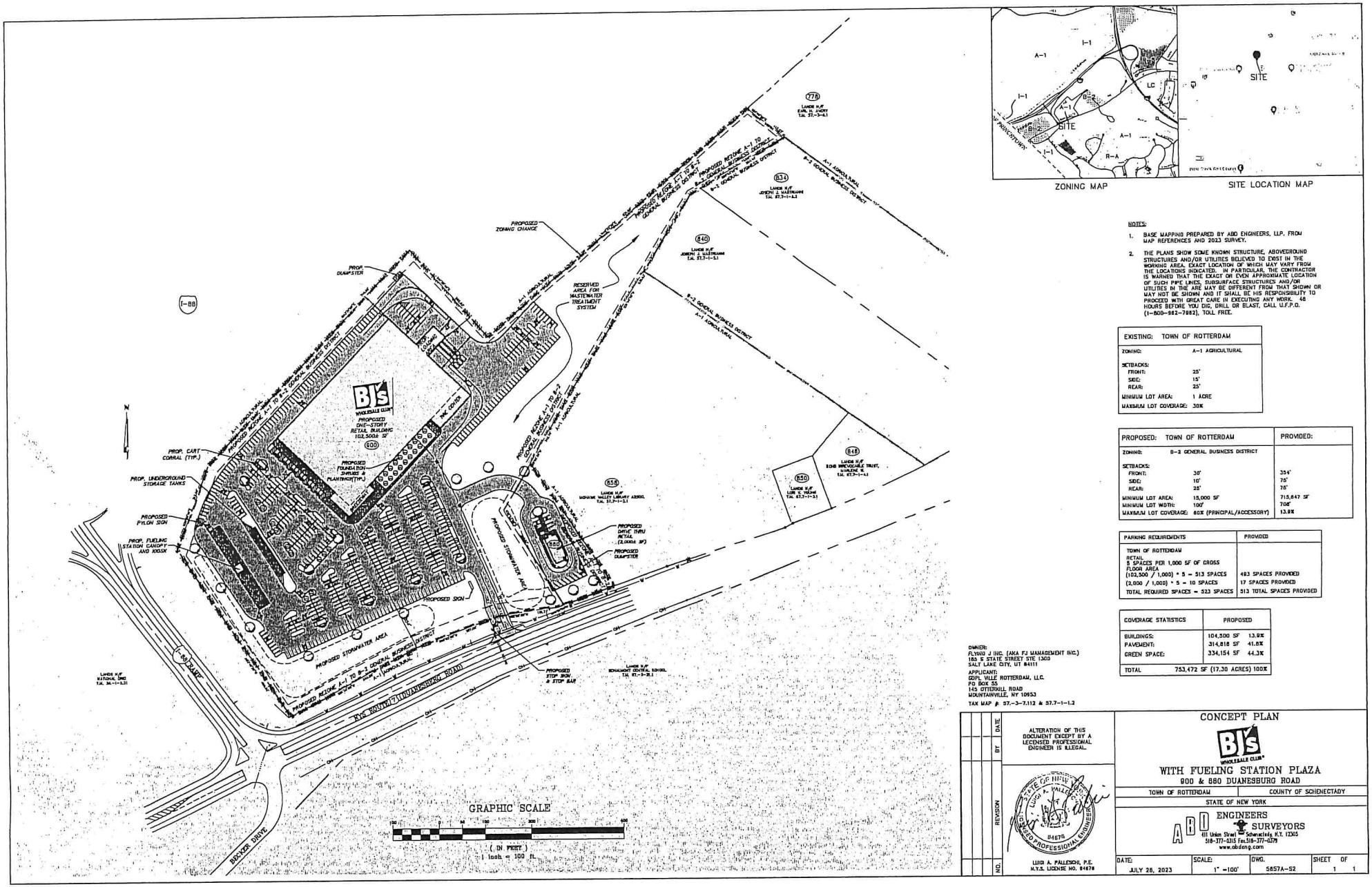
Monday, July 24, 2023 5:01 PM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas:Mohawk Valley Heritage Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No

E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No



ZONING MAP

SITE LOCATION MAP

NOTES:

1. BASE MAPPING PREPARED BY ABD ENGINEERS, LLP, FROM MAP REFERENCES AND 2023 SURVEY.
2. THE PLANS SHOW SOME KNOWN STRUCTURE, ABOVEGROUND STRUCTURES AND/OR UTILITIES BELIEVED TO EXIST IN THE WORKING AREA. EXACT LOCATION OF WHICH MAY VARY FROM THE LOCATIONS INDICATED. IN PARTICULAR, THE CONTRACTOR IS WARNED THAT THE EXACT OR EVEN APPROXIMATE LOCATION OF SUCH PIPE LINES, SUBSURFACE STRUCTURES AND/OR UTILITIES IN THE ARE MAY BE DIFFERENT FROM THAT SHOWN OR MAY NOT BE SHOWN AND IT SHALL BE HIS RESPONSIBILITY TO PROCEED WITH GREAT CARE IN EXECUTING ANY WORK. 48 HOURS BEFORE YOU DIG, DRILL OR BLAST, CALL U.F.P.O. (1-800-962-7962), TOLL FREE.

EXISTING: TOWN OF ROTTERDAM	
ZONING:	A-1 AGRICULTURAL
SETBACKS:	
FRONT:	25'
SIDE:	15'
REAR:	25'
MINIMUM LOT AREA:	1 ACRE
MAXIMUM LOT COVERAGE:	30%

PROPOSED: TOWN OF ROTTERDAM		PROVIDED:
ZONING:	B-2 GENERAL BUSINESS DISTRICT	
SETBACKS:		
FRONT:	30'	354'
SIDE:	10'	76'
REAR:	25'	76'
MINIMUM LOT AREA:	15,000 SF	715,647 SF
MINIMUM LOT WIDTH:	100'	708'
MAXIMUM LOT COVERAGE:	80% (PRINCIPAL/ACCESSORY)	13.9%

PARKING REQUIREMENTS	PROVIDED
TOWN OF ROTTERDAM RETAIL 5 SPACES PER 1,000 SF OF GROSS FLOOR AREA	
(102,500 / 1,000) * 5 = 513 SPACES	483 SPACES PROVIDED
(2,000 / 1,000) * 5 = 10 SPACES	17 SPACES PROVIDED
TOTAL REQUIRED SPACES = 523 SPACES	513 TOTAL SPACES PROVIDED

COVERAGE STATISTICS	PROPOSED	
BUILDINGS:	104,500 SF	13.9%
PAVEMENT:	314,818 SF	41.8%
GREEN SPACE:	334,154 SF	44.3%
TOTAL	753,472 SF (17.30 ACRES)	100%

OWNER:
FLYING J INC. (AKA FJ MANAGEMENT INC.)
185 S STATE STREET STE 1300
SALT LAKE CITY, UT 84111

APPLICANT:
GDFL VILLE ROTTERDAM, LLC.
PO BOX 55
145 OTTERKILL ROAD
MOUNTAINVILLE, NY 10953

TAX MAP #: 57.-3-7.112 & 57.7-1-1.2

NO.	REVISION	BY	DATE

ALTERATION OF THIS DOCUMENT EXCEPT BY A LICENSED PROFESSIONAL ENGINEER IS ILLEGAL.

LUIGI A. PALLESCHI, P.E.
N.Y.S. LICENSE NO. 84676

CONCEPT PLAN

BJ's WHOLESALE CLUB

WITH FUELING STATION PLAZA

900 & 880 DUANESBURG ROAD

TOWN OF ROTTERDAM | COUNTY OF SCHENECTADY

STATE OF NEW YORK

ABD ENGINEERS & SURVEYORS
111 Union Street Schenectady, N.Y. 12305
518-377-6315 Fax 518-377-0579
www.abdeng.com

DATE:	SCALE:	DWG.	SHEET OF
JULY 28, 2023	1" =100'	5657A-S2	1 1

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, September 27, 2023, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 297.23

TO DECLARE LEAD AGENCY FOR SEQR REVIEW FOR THE CHANGE OF ZONE FROM AGRICULTURAL (A-1) TO GENERAL BUSINESS (B-2) ON TAX PARCEL #57-3-7.112 AND 57.7-1-1.2 KNOWN AS 900 AND 880 DUANESBURG ROAD

THEREFORE, UPON MOTION OF Councilmember **DODSON**, seconded by Councilmember **MASTROIANNI**,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby declares the Town Board as Lead Agency under 6NYCRR Part 617 SEQR (State Environmental Quality Review) in connection to the proposed change of zone from Agricultural (A-1) to General Business (B-2), on ± 17.3 acres, to construct a 102,500 square foot BJ's Wholesale Club with associated 8 island fueling station at 900 Duanesburg Road (Tax Map No. 57-3-7.112), and 2,000 square foot retail building with associated drive thru at 880 Duanesburg Road (Tax Map No. 57.7-1-1.2).

SECTION 2. The Town Board of the Town of Rotterdam hereby authorizes the Town Planner to prepare, file, publish, and distribute all documents as necessary to comply with 6NYCRR Part 617 SEQR.

SECTION 3. This resolution shall become effective September 27, 2023.

DATED: September 27, 2023

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on September 27, 2023, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this September 29, 2023.

Diane M. Marco

Diane M. Marco, Town Clerk



TOWN OF ROTTERDAM

John F. Kirvin Government Center • 1100 Sunrise Boulevard • Rotterdam, NY 12306
Telephone: 518-355-7575 • Fax: 518-355-7976 • Website: www.rotterdamny.org

LEGISLATIVE REQUEST FORM

DATE: September 20, 2023

TO: Mollie Collins, Town Supervisor

FROM: Peter Comenzo – Senior Planner

TITLE OF REQUEST: Declare lead agency for Change of Zone from Agricultural (A-1) to General Business (B-2).

TOWN BOARD MEETING: September 27, 2023

Background Information:

Owner: Flying J, Inc.
185 S. State Street, Suite 1300
Salt Lake City, Utah 84111

Applicant: GDPL Ville Rotterdam, LLC
145 Otterkill Road
Mountainville, NY 10953

Change of Zone request on ±17.3 acres from Agricultural (A-1) to General Business (B-2). The applicant would like to construct a 102,500 square foot BJ's Wholesale Club with associated 8 island fueling station at 900 Duanesburg Road (Tax Map No. 57-3-7.112), and 2,000 square foot retail building with associated drive thru at 880 Duanesburg Road (Tax Map No. 57.7-1-1.2).

Evaluation/Analysis: The proposal is a State Environmental Quality Review (SEQR) Type 1 Action and will require environmental review prior to the Town Board making a decision on the request. Call for a public hearing at a later date.

Recommendation(s): Town Board should Declare Lead Agency, conduct a coordinated SEQR review and authorize Town Planner or Zoning Officer to distribute all documents in accordance with SEQR.

Attachment/Document(s): Long Environmental Assessment Form (LEAF).
Planning Board Report and Recommendation #PC28-2023

Compliance with Purchasing Policy: N/A

Effect(s) on Existing Law(s): 6NYCRR Part 617
State Environmental Quality Review

LEGISLATION WILL BE PREPARED BY: Supervisors Office

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Change of Zone		
Project Location (describe, and attach a general location map): 900 Duanesburg Road and 880 Duanesburg Road		
Brief Description of Proposed Action (include purpose or need): Rezoning of 17.3± acres from A-1 Agricultural to B-2 General Business to construct a retail building, gas station, and drive thru building.		
Name of Applicant/Sponsor: GDP Lville Rotterdam, LLC	Telephone: 845-534-0100 E-Mail:	
Address: 145 Otterkill Road, PO Box 55		
City/PO: Mountainville	State: NY	Zip Code: 10953
Project Contact (if not same as sponsor; give name and title/role): Luigi A. Palleschi, P.E., ABD Engineers & Surveyors, LLP	Telephone: 518-377-0315 E-Mail: luigi@abdeng.com	
Address: 411 Union Street		
City/PO: Schenectady	State: NY	Zip Code: 12306
Property Owner (if not same as sponsor): Flying J, Inc	Telephone: E-Mail:	
Address: 185 S State Street, Suite 1300		
City/PO: Salt Lake City	State: UT	Zip Code: 84111

RECEIVED
JUL 28 2023
TOWN OF ROTTERDAM
PUBLIC WORKS

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	**If Yes: Identify Agency and Approval(s) Required**	**Application Date (Actual or projected)**
a. City Counsel, Town Board, or Village Board of Trustees ☑Yes☐No	Rotterdam Town Board	July 28, 2023
b. City, Town or Village Planning Board or Commission ☑Yes☐No	Rotterdam Planning Commission	July 28, 2023
c. City, Town or Village Zoning Board of Appeals ☐Yes☑No		
d. Other local agencies ☐Yes☑No		
e. County agencies ☑Yes☐No	Schenectady County Planning	TBS
f. Regional agencies ☐Yes☑No		
g. State agencies ☐Yes☑No		
h. Federal agencies ☐Yes☑No		
i. Coastal Resources. *i.* Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes☑No *ii.* Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes☑No *iii.* Is the project site within a Coastal Erosion Hazard Area? ☐Yes☑No		

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☑Yes☐No • **If Yes,** complete sections C, F and G. • **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes☐No If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☑Yes☐No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☑Yes☐No If Yes, identify the plan(s): NYS Heritage Areas:Mohawk Valley Heritage Corridor	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes☑No If Yes, identify the plan(s):	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☑ No

c. Is a zoning change requested as part of the proposed action? ☑ Yes ☐ No
If Yes,
i. What is the proposed new zoning for the site? Rezone from A-1 Agricultural to B-2 General Business

C.4. Existing community services.

a. In what school district is the project site located? Schalmont

b. What police or other public protection forces serve the project site?
NYS Police, Schenectady County Sheriff, Rotterdam Police Department

c. Which fire protection and emergency medical services serve the project site?
District 6

d. What parks serve the project site?
Featherstonhaugh State Forest, Plotter Kill Preserve, DiCaprio Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Commercial

b. a. Total acreage of the site of the proposed action? 17.3± acres
b. Total acreage to be physically disturbed? 0 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 17.3± acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☑ No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐Yes ☑No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☑Yes ☐No

If Yes,

i. Total number of structures 1

ii. Dimensions (in feet) of largest proposed structure: 28' height; 270' width; and 390' length

iii. Approximate extent of building space to be heated or cooled: 104,500± square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐Yes ☑No

If Yes,

i. Purpose of the impoundment:

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify:

iii. If other than water, identify the type of impounded/contained liquids and their source.

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐Yes ☑No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i. What is the purpose of the excavation or dredging?

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards):
- Over what duration of time?

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

iv. Will there be onsite dewatering or processing of excavated materials? ☐Yes ☐No
If yes, describe.

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? ☐Yes ☐No

ix. Summarize site reclamation goals and plan:

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐Yes ☑No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description):

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐Yes ☐No

If Yes, describe:

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐Yes ☐No

If Yes:

- acres of aquatic vegetation proposed to be removed:
- expected acreage of aquatic vegetation remaining after project completion:
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access):
- proposed method of plant removal:
- if chemical/herbicide treatment will be used, specify product(s):

v. Describe any proposed reclamation/mitigation following disturbance:

c. Will the proposed action use, or create a new demand for water? ☑Yes ☐No

If Yes:

i. Total anticipated water usage/demand per day: 10,500± gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☑Yes ☐No

If Yes:

- Name of district or service area: Rotterdam
- Does the existing public water supply have capacity to serve the proposal? ☑Yes ☐No
- Is the project site in the existing district? ☐Yes ☑No
- Is expansion of the district needed? ☑Yes ☐No
- Do existing lines serve the project site? ☑Yes ☐No

iii. Will line extension within an existing district be necessary to supply the project? ☐Yes ☑No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project:
- Source(s) of supply for the district:

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐Yes ☑No

If, Yes:

- Applicant/sponsor for new district:
- Date application submitted or anticipated:
- Proposed source(s) of supply for new district:

v. If a public water supply will not be used, describe plans to provide water supply for the project:

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☑Yes ☐No

If Yes:

i. Total anticipated liquid waste generation per day: 9,500± gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each):

Sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐Yes ☑No

If Yes:

- Name of wastewater treatment plant to be used:
- Name of district:
- Does the existing wastewater treatment plant have capacity to serve the project? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No

- Do existing sewer lines serve the project? ☐Yes ☐No
- Will a line extension within an existing district be necessary to serve the project? ☐Yes ☐No

  If Yes:
  - Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes ☑No

If Yes:
- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☑Yes ☐No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or 9± acres (impervious surface)

_____ Square feet or 17.3 acres (parcel size)

ii. Describe types of new point sources. On-site stormwater system

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

Stormwater will be handled on-site in stormwater management areas.

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐Yes ☑No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☑Yes ☐No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐Yes ☑No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes ☑No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes ☐No

ii. In addition to emissions as calculated in the application, the project will generate:
- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☑No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

_____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☑No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐Weekend ☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

_____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☑No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

_____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 7 am - 7 pm
- Saturday: 8 am - 3 pm
- Sunday: 8 am - 3 pm
- Holidays: N/A

ii. During Operations:

- Monday - Friday: 8 am - 9 pm
- Saturday: 8 am - 9 pm
- Sunday: 8 am - 9 pm
- Holidays: varies

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☑ No

If yes:

i. Provide details including sources, time of day and duration:

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No

Describe:

n. Will the proposed action have outdoor lighting? ☑ Yes ☐ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

Pole and building mounted, LED down type lighting

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☑ No

Describe:

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☑ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☑ Yes ☐ No

If Yes:

i. Product(s) to be stored Gasoline and diesel

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities:

Underground tanks

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☑ No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☑ Yes ☐ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: TBD tons per _____ (unit of time)
- Operation : TBD tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction:
- Operation:

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: Construction waste to be managed by licensed hauler.
- Operation: Solid waste generated by normal site operations will be handled by licensed hauler.

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☑ Commercial ☑ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	9±	+9±
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	17.3	8.3±	8.3±
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____	0	0	0

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☑ No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☑ Yes ☐ No

If Yes,

i. Identify Facilities:

Schalmont schools

e. Does the project site contain an existing dam? ☐ Yes ☑ No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Has the facility been formally closed? ☐ Yes ☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☑ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No

☐ Yes – Spills Incidents database — Provide DEC ID number(s): _____

☐ Yes – Environmental Site Remediation database — Provide DEC ID number(s): _____

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☑ No

If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

v. Is the project site subject to an institutional control limiting property uses? ☐Yes ☑No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐Yes ☐No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? 10+ feet

b. Are there bedrock outcroppings on the project site? ☐Yes ☑No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site:

Silt loam	90 %
Silt Clay	10 %
	%

d. What is the average depth to the water table on the project site? Average: 0-10+ feet

e. Drainage status of project site soils:

☐ Well Drained:	% of site
☑ Moderately Well Drained:	40 % of site
☑ Poorly Drained	60 % of site

f. Approximate proportion of proposed action site with slopes:

☑ 0-10%:	90 % of site
☑ 10-15%:	10 % of site
☐ 15% or greater:	% of site

g. Are there any unique geologic features on the project site? ☐Yes ☑No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐Yes ☑No

ii. Do any wetlands or other waterbodies adjoin the project site? ☐Yes ☑No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐Yes ☑No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐Yes ☑No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐Yes ☑No

j. Is the project site in the 100-year Floodplain? ☐Yes ☑No

k. Is the project site in the 500-year Floodplain? ☐Yes ☑No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☑Yes ☐No
If Yes:

i. Name of aquifer: Principal Aquifer

m. Identify the predominant wildlife species that occupy or use the project site:
Typical Suburban wildlife

n. Does the project site contain a designated significant natural community? ☐Yes ☑No
If Yes:
i. Describe the habitat/community (composition, function, and basis for designation):
ii. Source(s) of description or evaluation:
iii. Extent of community/habitat:
- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐Yes ☑No
If Yes:
i. Species and listing (endangered or threatened):

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐Yes ☑No
If Yes:
i. Species and listing:

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐Yes ☑No
If yes, give a brief description of how the proposed action may affect that use:

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐Yes ☑No
If Yes, provide county plus district name/number:

b. Are agricultural lands consisting of highly productive soils present? ☐Yes ☑No
i. If Yes: acreage(s) on project site?
ii. Source(s) of soil rating(s):

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐Yes ☑No
If Yes:
i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent:

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐Yes ☑No
If Yes:
i. CEA name:
ii. Basis for designation:
iii. Designating agency and date:

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☑ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based:

_____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☑ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☑ No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

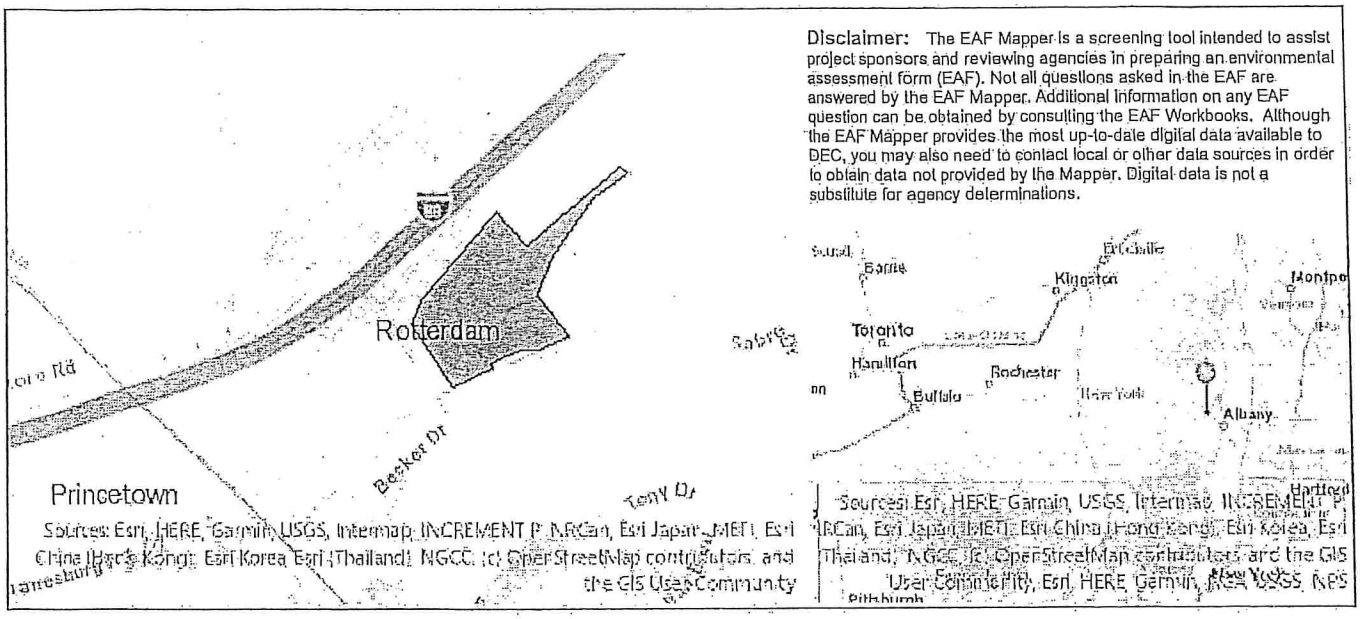
Applicant/Sponsor Name Luigi A. Palleschi, P.E., ABD Engineers & Surve Date July 25, 2023

Signature _____ Title Professional Engineer

PRINT FORM

EAF Mapper Summary Report

Monday, July 24, 2023 5:01 PM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas:Mohawk Valley Heritage Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No

E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

DESCRIPTION OF LAND

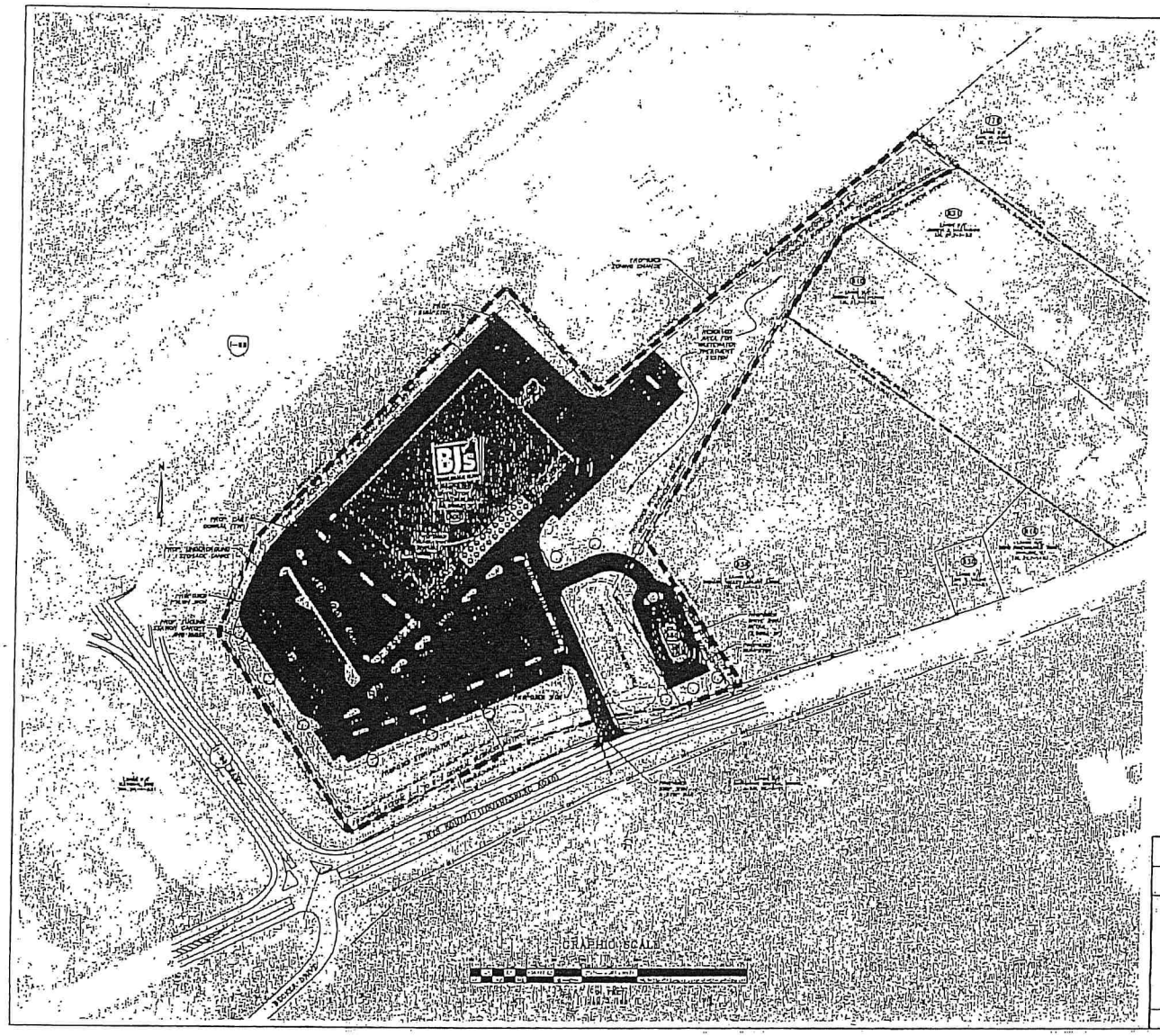
PROPOSED ZONE CHANGE

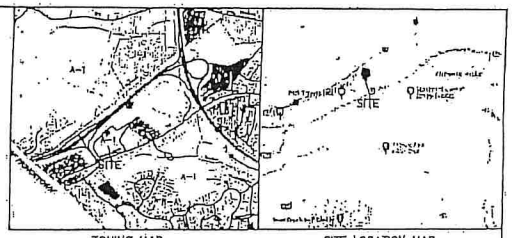
BEGINNING at a point in the northerly highway boundary of the Schenectady/Duanesburg state highway at its intersection with the division line between Lands Now or Formerly of Collier as described in Liber 1068 of Deeds at Page 832 on the east and Lands herein described on the west; thence running westerly along said northerly highway boundary of the Schenectady/Duanesburg state highway 716 Feet more or less to a point in the southeasterly highway boundary of Route 7 to Route 7 connector; thence northerly, easterly, southerly and easterly 2,527 Feet more or less to a point in the division line between the Lands Now or Formerly of Avery as described in Liber 1506 of Deeds at Page 256 on the east and the herein described parcel on the west; thence along said division line 113 Feet more or less to a point at the northeasterly corner of Lands Now or Formerly of Mastrianni as described in Liber 608 of Deeds at Page 478; thence westerly and southwesterly 1,022 Feet more or less to a point; thence southerly 349 Feet more or less to a point in the aforementioned northerly highway boundary of the Schenectady/Duanesburg state highway; thence along said northerly highway boundary of the Schenectady/Duanesburg state highway 124 Feet more or less to the point and place of beginning and containing 17.3 acres of land more or less.

RECEIVED

JUL 2 8 2023

TOWN OF ROTTERDAM
PUBLIC WORKS





ZONING MAP

SITE LOCATION MAP

NOTES:

1. BASIC MAPPING PREPARED BY ADD ENGINEERS, LLP, FROM MAP REFERENCES AND FIELD SURVEY.
2. THE PLANS SHOW SOME KNOWN STRUCTURE, ABOVEGROUND STRUCTURES AND/OR UTILITIES BELIEVED TO EXIST IN THE WORKING AREA. EXACT LOCATION OF EACH MAY VARY FROM THE LOCATIONS INDICATED. IN PARTICULAR, THE CONTRACTOR IS HEREBY TOLD THAT THE EXACT OR EVEN APPROXIMATE LOCATION OF SUCH TYPE LINES, ABOVEGROUND STRUCTURES AND/OR UTILITIES IN THE ARE MAY BE DIFFERENT FROM THAT SHOWN OR MAY NOT BE SHOWN AND IT SHALL BE HIS RESPONSIBILITY TO PROCEED WITH GREAT CARE IN EXCAVATING ANY WORK. 48 HOURS BEFORE YOU DIG, DRILL OR BLAST, CALL U.F.P.O. (1-800-962-7962), TOLL FREE.

EXISTING: TOWN OF ROTTERDAM	
ZONING	A-1 AGRICULTURAL
SETBACKS:	
FRONT:	25'
SIDE:	15'
REAR:	25'
MINIMUM LOT AREA:	1 ACRE
MAXIMUM LOT COVERAGE:	30%

PROPOSED: TOWN OF ROTTERDAM		PROVIDED:
ZONING:	B-1 GENERAL INTENSE DISTRICT	
SETBACKS:		
FRONT:	25'	231'
SIDE:	10'	75'
REAR:	25'	75'
MINIMUM LOT AREA:	15,000 SF	758,472 SF
MINIMUM LOT WIDTH:	100'	729'
MAXIMUM LOT COVERAGE:	85% (PRINCIPAL/ACCESSORY)	43.2%

PARKING REQUIREMENTS:	PROVIDED
TOWN OF ROTTERDAM RETAIL 1 SPACES FOR 1,000 SF OF GROSS FLOOR AREA (183,366 / 1,000) * 1 = 313 SPACES (3,000 / 1,000) * 3 = 10 SPACES	413 SPACES PROVIDED 17 SPACES PROVIDED
TOTAL REQUIRED SPACES = 323 SPACES	313 TOTAL SPACES PROVIDED

GROSS/AC STATISTICS	PROPOSED	
BUILDING:	183,366 SF	13.3%
PAVEMENT:	314,918 SF	41.5%
GREEN SPACE:	334,154 SF	44.2%
TOTAL	733,473 SF (17.38 ACRES)	100%

OWNER:
FLOWER 2 SITE (AKA FZ LIMA DEPOT #16)
102 N. STATE STREET STE 1300
SALT LAKE CITY, UT 84111

APPLICANT:
BJ'S WHOLESALE NATIONAL, LLC
PO BOX 25
310 SITCOMB ROAD
NORTHBOROUGH, MA 01532

TAX MAP #: 87.-3-7.112 & 87.2-1-13.

ALTERATION OF THIS DOCUMENT EXCEPT BY A LICENSED PROFESSIONAL ENGINEER IS ILLEGAL.

STATE OF NEW YORK
JOHN A. FALCONE
No. 075774
LICENSED PROFESSIONAL ENGINEER

NO.	REVISION	BY	DATE

CONCEPT PLAN

BJ's WHOLESALE CLUB

WITH FUELING STATION PLAZA

900 & 880 DUANESBURG ROAD

TOWN OF ROTTERDAM | COUNTY OF SCHENECTADY

STATE OF NEW YORK

ADD ENGINEERS
SURVEYORS
911 Western Avenue, Albany, N.Y. 12203
518-377-8415 Fax: 518-377-6819
www.addengineers.com

DATE:	SCALE:	DWG.	SHEET OF
JULY 28, 2023	1" = 100'	5157A-SP	1 1

Town of Rotterdam
Office of the Planning Commission

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

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

Resolution Number PC28-2023
Moved by Mr. Miglucci seconded by Mr. Collins
Applicant: GDP Lville Rotterdam, LLC

Resolution Adopting a Report and Recommendation on the Change of Zone Request by GDP Lville Rotterdam, LLC

WHEREAS, the Town Board of the Town of Rotterdam ("Town Board") has received an application from GDP Lville Rotterdam, LLC ("Contract Vendee") for a Change of Zone from Agricultural (A-1) to General Business (B-2) on ±17.30 acres comprising two parcels of land known as 880 and 900 Duanesburg Road (Tax Parcel #57-3-7.112 and 57.7-1-1.2); and

WHEREAS, the Town Board referred the Change of Zone application to the Planning Commission on August 9, 2023 for a report and recommendation thereon; and

WHEREAS, the Applicant, through its representative, Luigi Palleshi with ABD Engineers and Surveyors, presented the Change of Zone application to the Planning Commission at its regularly scheduled meeting held on September 5, 2023; and

WHEREAS, the Planning Commission reviewed the proposed Change of Zone at its regularly scheduled meetings held on September 5, 2023 and September 19, 2023; and

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

NOW, THEREFORE, upon motion of Member Miglucci, seconded by Member Collins,

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:

   The Change of Zone request concerns a total of ±17.30 acres consisting of two separate parcels located on the north side of Duanesburg Road immediately east of the entrance ramps to Interstate 88. The properties known as 880 and 900 Duanesburg Road are currently vacant and previously contained a single-family residential structure at 880 Duanesburg Road and a single-family residential home with a barn and associated outbuildings on 900 Duanesburg Road. These structures were demolished approximately 11 years ago. The Applicant seeks the change of zone to facilitate the construction of a new ±102,500 square foot BJs Wholesale Club with fuel pumps and a proposed ±2,000 square foot fast food restaurant. In addition to the proposed fueling facility proposed for this site, there are other fuel and convenience type facilities in the immediate vicinity. There is a recently constructed gas station/convenience store, liquor store, and a fast-food establishment (Wendys) located immediately to the west of the I-88 entrance and a truck stop fueling center with fast food (Pilot/Dunkin

Donuts/Subway) also located immediately to the west. There is an existing regional library facility located to the east. And additional properties to the east of these parcels in the vicinity of the site are currently zoned B-2 and contain retail businesses and a wellness center. Lands of the Schalmont Central School District are located to the south are primarily wetlands and the entrance to the school campus is located approximately 1000 feet east of the proposed entrance to the property to be rezoned.

Rezoning the parcel would expand the allowable uses to include, in addition to uses allowed in the B-1 zoning district, the following:

- Establishments for making, assembling or repairing articles, with all such activities and Storage located entirely within an enclosed building;
- Commercial health and recreation establishments;
- Wholesale business and storage conducted entirely within an enclosed building;
- Data processing and computer services;
- Motor vehicle repair shops (special use permit);
- Propane gas filling stations (special use permit);
- Car washes (special use permit);
- Dry-cleaning laundry facilities (special use permit);
- Mass transportation facilities (special use permit);
- Drive-in establishments (special use permit);
- Public utility or communications installations (special use permit);
- Hotels and motels (special use permit);
- Contractor's shops and equipment storage yards (special use permit);
- Veterinary hospitals (special use permit);
- Motor vehicle sales and rental establishments (special use permit);
- Motor vehicle fuel filling stations (special use permit); and
- Convenience stores (special use permit).

There would be a change in the required lot area and lot frontage; the current zoning requires a 1-acre minimum lot area with 150 feet of lot width. The proposed B-2 zoning district would require a minimum lot area of 15,000 square feet, with a minimum lot width of 100 feet.

2. Subject to the considerations set forth below in Paragraph 3, the Planning Commission hereby adopts a **positive recommendation** on the GDP Lville Rotterdam, LLC Change of Zone request for the following reasons: The proposed Change of Zone would permit the construction of the proposed ±102,500 square foot BJs Wholesale Club with fuel pumps and a proposed ±2,000 square foot fast food restaurant. In large part, the surrounding neighborhood is zoned General Business (B-2), and for the most part the area is developed commercially. Permitting a commercial development at this site meets the objectives of the Comprehensive Plan. This property has been identified as a key property for development in the western portion of town given its location immediately adjacent to the interstate entrance/exit. It was identified in the 2001 Comprehensive Plan and in various subsequent planning studies as being a commercial parcel that if designed correctly, could be of a benefit to the community.

The proposed Change of Zone would be consistent with the neighborhood and existing land use development in the area.

The property has retained its agricultural zoning as this property previously contained a large farmhouse and associated structures. The farm was bisected by the construction on Interstate 88 over fifty years ago. While the property remains zoned Agricultural, it is no longer a suitable zoning for the site as it is surrounded by other Commercial uses and is located at the major intersection of Duanesburg Road (NYS Route 7) and NYS Interstate-88.

3. This recommendation is subject to the following considerations:

   a. The applicant should prepare a traffic study and work in coordination with NYSDOT to address traffic impacts due to the location and high volume of traffic in the area of this highway interchange.
   b. 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 and, as necessary, by the Zoning Board of Appeals.

Member	Aye	Nay	Absent
Thomas Yuille	X		
Mark DAlessandro	X		
Wayne Calder			X
Clark Collins	X		
Joseph Miglucci	X		
Lynn Flansburg	X		
Joseph Signore	X		

Peter J. Comenzo
Senior Planner

Thomas P. Yuille
Planning Commission Chairman

GDP Lville Rotterdam, LLC (Contract Vendee) – 880 & 900 Duanesburg Road. Discussion on Report and Recommendation to the Town Board on a Change of Zone on ±17.30 acres from Agricultural (A-1) to General Business (B-2). Applicant is proposing construction of a ±102,500 square foot BJ's Wholesale Club with associated eight (8) island fueling station and a ±2,000 square foot retail building with drive thru. Engineer: ABD Engineers, LLP

Chairman Yuille: Mr. Palleschi, can you give us an update on the project.

Mr. Palleschi: Good evening, Luigi Palleschi with ABD Engineers & Surveyors, here representing GDP Lville. They are here tonight. We were here before the Planning Commission back on September 5th and we presented this project in full detail. We listened to some of your comments in regard to possibly shifting that driveway connection off of Route 7 further east which we are working on the plan, I do have that shown up here, if anyone needs to see it a little closer. We can shift it. We shifted it about 100' further to the east which gets it out of that right turn lane. We are aware, obviously, that we have to work with DOT with that curb cut connection.

Now that school is in session, VHB, as I told you, is the traffic consultant for this project. They, I believe, are out there taking some data and they will producing a traffic study report when we get back, hopefully, to the Town Board.

Other thoughts from the last meeting was the amount of parking. I think we had over 500 parking spaces dedicated for BJ's. After speaking with BJ's, they gave us a comfortable number where they felt with their numbers 4.5 parking spaces per 1,000 square foot of gross so, that takes us just under 500 parking spaces so, what you see up here is less parking spaces. We do not have any banked right now. We are just proposing less parking spaces than what the Town Code requires but you can see what that did was increase the green space along the front and along the intersection right in front of BJ's in itself so, that's sort of helpful and I think this Planning Commission had recommended we look at how many parking spaces do we really need. None of us want to see a sea of asphalt and that also helps with the stormwater.

We are still massaging the in and out of the fueling facility. I know some of the members wanted to make sure that we can get certain fifth wheel vehicles in and out of there which we are working with BJ's fueling facility team as we speak. I know these are a lot of details that we don't really need to get into at this stage. We are simply here tonight to answer any more questions that you might have and hopefully this Planning Commission can grant a positive recommendation back to the Town Board for a change of zone from the agricultural district to B-2.

If there is anything else that I didn't cover from last meeting or if you thought anything more, we would be happy to answer them.

Chairman Yuille: Let me see if the members have anything. Mr. D'Alessandro, any questions?

Mr. D'Alessandro: I think that is a good fit for that area. I like it there. I think it's a bonus because you are going to put less traffic on the road with tractor trailers, getting off the Thruway and I-88, the deliveries will be a lot easier. You're not going through the Town. The only thing that I was looking at is maybe, in the future, I saw like a house there that had some wood, some foliage and everything the blocking the view. I'm just wondering if maybe, eventually, when you do it, I think it was like 848 Duanesburg Road that would maybe put a berm in there with some arborvitaes so they don't have to look at it. That is the only thing I would suggest. Other than that, I like the project.

Mr. Palleschi: It is hard to see on this. This is fairly wooded.

Mr. D'Alessandro: Are you going to leave that?

Mr. Palleschi: Yes. So, the Mohawk Library actually owns this parcel and that is fairly wooded and that will provide the buffer.

Mr. D'Alessandro: So, you are not going to clear cut it, then?

Mr. Palleschi: That's correct.

Mr. D'Alessandro: Thank you, Mr. Chairman.

Chairman Yuille: Mr. Collins?

Mr. Collins: I think it's a good project and I think it's really good for the residents of the Town. If we lose BJ's down there, it's a good place to shop and you need businesses like this that help curb costs. I think it's a great location and I'm looking forward to having it go there. That is all that I have, Mr. Chairman.

Chairman Yuille: Mrs. Flansburg?

Mrs. Flansburg: Just one question that I think that I had last time and I think it was the other person that was with you though, the size of the current one in relation to...

Mr. Palleschi: The current BJ's store that is on Campbell Avenue is 115,000 square feet so, this will actually be slightly smaller at 102,750 square feet. It is slightly smaller. Every one of them, they are a little bit different in size. They actually have a smaller one but this is not the smallest.

Mrs. Flansburg: I think it's a good project and great area. I was a little hesitant as far as where the original entrance was going to be in relation to the entrance to I-88 and I-90, but I look forward to working with you guys through the rest of the project.

Chairman Yuille: Mr. Signore?

Mr. Signore: No comments. I'm good. I know you said there would be fewer parking spots, but in reality, let's just say you had 400, that would be 400 to 600 people at one time in BJ's. I go there a lot and I've never seen that many people and that parking lot is huge. You are not going to see 500 people in BJ's at any one time.

Mr. Palleschi: I would agree.

Chairman Yuille: Mr. Miglucci?

Mr. Miglucci: The BJ's presently now over by the mall, I believe she said there was approximately 150 employees. Is this going to create any new jobs.

Mr. Palleschi: I think those people will move over to here.

Mr. Miglucci: But will it create any additional jobs, do you know off hand?

Unidentified Male: In retail jobs it will probably be relatively close to a wash. There will be temporary construction jobs that we can get you the exact numbers and this will have something that come out for a lot of retailers in Covid where you order online and then go pick up so that is more of a warehouse type job and they are a little bit better paying jobs than someone who is retail use on the floor, the warehouse is a little bit of a better paying job.

Mr. Miglucci: If it creates one more job, I like it. That is all that I have, Mr. Chairman.

Chairman Yuille: I agree with the Board Members. It fits the comp plan that was there and it is in line with all of the other commercial properties that are out there. Pilot and the one across the street from Pilot and I don't have a problem with it. It's a good use for the site. If that land was available, it probably should have gone there originally because we went through all kinds of problems trying to justify how they could put gas down there over the Aquifer and it was not allowed. I have no problems with it and I think it would be a good thing. There's going to be traffic but it's not like church when everyone comes out at once, you are going to get cars coming out little by little and cars going in one at a time. It's like Aldi's over here at the five corners. You see a few cars come out and you see a few cars go in. It's not a steady flow of traffic and I agree with Joe what he said about the parking. I don't think you need that number of parking and if you could adjust it so you could get a route into the gas station and get the cars away from where the pedestrians are walking would be probably be a good thing to look at.

Mr. Palleschi: We are working on that as we speak. We are working with the BJ's team as well. You could come in the main entrance, turn quickly left and then get all the way to gas and then they would exit the same way and of course, there would be signage and then right in front of the breezeway, BJ's has a protection zone where it would be striped and signage just for that reason.

Chairman Yuille: Mr. Comenzo, do you have anything to add?

Mr. Comenzo: We had a lengthy discussion at the last meeting looking at this project. I did circulate a draft resolution on Thursday to the Board members and I don't know if everyone looked at that. I did also send out the TDE contract. We are looking to hire Greenman Pedersen as the TDE. They have a few traffic engineers on staff and are familiar traffic design at that firm. I am still waiting to hear back from the developer in terns of getting that agreement signed.

Mr. Palleschi: I will follow up with them.

Mr. Comenzo: We do want to get them on Board before VHB goes out there and actually does set up their parameters of what we are going to want in terms of counts because we don't want to say you forgot and you should have done this and have to send them back out there. That is all I have. I have the draft resolution here.

Chairman Yuille: Ms. Heinel, do you have anything.

Ms. Heinel: Just one question and maybe it was covered in the last meeting and I was unfortunately sick the last meeting so I couldn't be here. What is going to happen with the old BJ's site?

Mr. Palleschi: We don't know. BJ's does not own the property. They lease so when this is built, they will simply move from here to there. The developer GDP is who will own the property here as well so, BJ's will lease it from that entity. So, we are not sure what will happen with the current BJ's site.

Ms. Heinel: Okay, that is all that I have.

Chairman Yuille: Anybody in the audience have a comment or question about the project? I will give you the opportunity to speak even though it is not a public hearing. At this point, I would entertain a motion for a positive recommendation to the Town Board.

Mr. Miglucci: I will make the motion.

Chairman Yuille: Mr. Miglucci made the motion. Do I have a second?

Mr. Collins: I'll second.

GDP Lville Rotterdam, LLC (Contract Vendee)
880 & 900 Duanesburg Road

Chairman Yuille: Mr. Collins seconds the motion. Are there any questions? Please call the vote.

Marlo Carter: Mr. Collins?

Mr. Collins: Yes.

Marlo Carter: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Marlo Carter: Mr. D'Alessandro?

Mr. D'Alessandro: Yes.

Marlo Carter: Mr. Signore?

Mr. Signore: Yes.

Marlo Carter: Mr. Miglucci?

Mr. Miglucci: Yes.

Marlo Carter: Chairman Yuille?

Chairman Yuille: Yes.

Motion carried.

Chairman Yuille: If you could get us some information about the waste treatment. Either give me an address or email or website that I can go to. It caught my interest in that.

Mr. Collins: Is that like a package where they build them offsite and then just drop them in?

Mr. Palleschi: Yes, they are underground manholes and they have aerators in there and blowers. It is a sophisticated system but you only see a couple components sticking out of the ground.

Mr. Collins: Thanks.

1. **GDP Lville Rotterdam, LLC (Contract Vendee) – 880 & 900 Duanesburg Road. Discussion on Report and Recommendation to the Town Board on a Change of Zone on ±17.30 acres from Agricultural (A-1) to General Business (B-2). Applicant is proposing construction of a ±102,500 square foot BJ's Wholesale Club with associated eight (8) island fueling station and a ±2,000 square foot retail building with drive thru. Engineer: ABD Engineers, LLP**

Mr. Palleschi: Good evening, Luigi Palleschi with ABD Engineers and Surveyors. Also with me tonight is the applicant with GDP and representative of the applicant as well.

We are here tonight to discuss 900 Duanesburg Road as well as 880 Duanesburg Road. I think most of you are familiar with this site. It is right at the intersection of the I-88 on ramp. To the east you have the library, to the southeast you have Schalmont Schools, over to the west you have the Pilot Truck Stop and across from that is the 7-11 Truck Stop. It is a good commercial corridor here for this property and for BJ's. We all know BJ's is currently in the Town of Rotterdam on Campbell Avenue. That site is over an Aquifer and cannot have gas and that has always been BJ's goal is to also provide gas to its members. When this property came up, they were interested not only to stay in Rotterdam and see if this site could work so, when they brought it to us, we prepared a conceptual site plan as you can see. This will allow them to not only to have gas but build a newer, bigger building and be in this area where you still have visibility being that you are at an intersection with commercial corridor that this has become.

880 is another parcel that is under contract. Both of these parcels are owned by Flying J. So, 880 is the smaller parcel and that would be proposed drive-thru fast-food establishment there. That would be coming off of the main drive off of Route 7. So, what we are proposing here is 102,500 square foot building. It will have the tire center, it will have the gas as I mentioned and it will have propane filling, everything you could ever need or want and similar to what is at the Campbell Avenue site. We are proposing a full curb cut off of Route 7 and we have over 500 parking spaces as laid out with landscaped islands and trees. There is municipal water on Route 7, so we would come in with a new water lateral to serve this. Obviously, the building would be fire sprinklered and we would have access around the entire building for Fire Protection and emergency vehicles. There is no public sewers near this site, as we all know, so we do have areas where we are proposing a wastewater treatment facility. So, BJ's has several facilities like this in all parts of the country and in New York of course and last week I was on a call with their engineer who designs these wastewater treatment facilities and they are pretty sophisticated and they are underground for the most part, but they will have a building structure because of how they aerate under the ground and then they need these blower systems and that building will be sort of back in this location here closer to I-88. We can always provide you the details on that. The facility would probably be around 10,000 gallons per day is our proposed use based on the New York State DEC standards for this size facility.

Storm water, so if you know the lay of the land the site does sit up higher on the easterly side of the site and it all rolls to the West towards the ramp. It is our vision to keep the building up high. Our driveway coming in off of Route 7 and the parking as close to the main entrances the building. And then on the low side we are proposing the storm water management system. Knowing the soils out there we are anticipating a bioretention stormwater practice so, I don't know if most of you are familiar with them but that provides additional plantings within the stormwater area which will obviously meet the DEC stormwater regulations. We do have some street trees lining the I-88 ramp as well as Route 7 to try to beautify this site.

Signage we are proposing 2 signs. It is important to have one right at the ramp in the northwest corner of the site. That would be a pylon sign you know to what you have across the way at the other truck stop facilities. Obviously with gas it is important to display the prices and then there is another one right on Route 7 right next to the main entrance and that would be a smaller sign. We can certainly provide those details as we move forward.

In the back is the loading dock for deliveries. Again, Providing ample turning movement for the tractor trailers and emergency vehicles to get all the way around the building. This has plenty of parking spaces and circulation throughout the site. It was brought to my attention with the team that where we had originally picked and proposed the main entrance, it was considered to possibly move that entrance further east as far away from the intersection as possible. So, late last

week I was able to do some sketches and I do think I can move that entrance as far east as possible. We know we have to work with DOT of course, because Route 7 is a state highway.

So, we can propose and show different sketches and work with DOT to get that driveway as far east as possible, however, what it will do is the drive-thru and restaurant would have to flip flop which isn't the end of the world. It does allow us to be more flexible with that tenant space because we really do not know what is going to go there yet but the vision is to have some sort of drive-thru establishment. So, looking at moving, that driveway east opens up a bigger pad for that out parcel as I call it and provide different connectivity between BJ's parking lot and that drive-thru facility.

Chairman Yuille: You would probably have to consolidate those two lots too.

Mr. Palleschi: either a consolidation or a lot line adjustment is what I was thinking. The first goal was can we fit it just on that parcel 880 and we did keeping it nice and narrow but with this consideration I think we can just flip flop and move the lines if that is what we want to do.

We are here tonight as you know we made application to the town board for a change of zone because this parcel is in an agricultural zone and like the other parcels for the truck stops that those were converted from this agricultural zone to a B-2 zone which allows the gas. We made the application to the town board so we are here to discuss this project with the Planning Commission And hope for that positive recommendation back to the town board but not only talking about the site plan stuff here, I think hopefully we all agree that it is very important to state that BJ's would love to stay in Rotterdam and only going from one location to the other for the gas and be part of this community still.

Just to kind of give you everything that I know, as far as traffic goes, we know that is going to be an item here to discuss VHB has been retained to do the traffic study. They have not done it yet because school is out. School starts this week so they are ready to go next week and get all the traffic data that they need with the school buses and we have copies of the traffic report that was done for the 7-11. So, they will be reviewing that and kind of coordinating it all together. It is a busy intersection but a lot of the residents that travel this would be happy that the BJ's is there and a lot of those trips would be pass by trips. Some would be new trips but a lot of pass by as well because of what is there on Route 7 already.

Further to the east there are two properties that area already zoned B-2, I don't know if most of you are familiar with that, but the one building there is the AAC Chiropractor and For the Love of Bacon. So, that property does go all the way back and it is B-2 zone and it does touch this property. So, as far as you know, the zoning in this area as B-2, you can see the trend from Pilot to 7-11 and what was already done on the easterly side of the site.

That is, it for right now and I will turn it over to the Board, if you have any questions, we are here to answer them.

Chairman Yuille: Mrs. Flansburg?

Mrs. Flansburg: For point of reference, do you happen to know the size of the current BJ's to know the difference between the current one.

Ms. Marsh: I'm going to see if I can find it really quick.

Mr. Palleschi: It's very similar. She is going to look up the square footage.

Mrs. Flansburg: Just so it kind of gives us an idea.

Mr. Palleschi: It's not doubling in size.

Mrs. Flansburg: Would it be similar to the store that is in Colonie, it seems like it's bigger but maybe it's just laid out differently. 500 parking spaces makes me say wow. Can we talk about banking spots for later? Does BJ's need 500 or is it based on just the way our code is and the size of the building.

Mr. Palleschi: It is per code and I am always in favor of banking these parking spaces.

Mrs. Flansburg: If you need them, they can be made available but that is a whole lot of gray area that may not be necessary.

Mr. Palleschi: We would definitely love to consider that if we can save pavement now and bank them for later, if they ever need them.

Mrs. Flansburg: Especially because you are converting, when we make our recommendation to the town board should it move from agricultural to B-2. Fueling station will there be diesel? Is it just regular people coming through?

Mr. Palleschi: It is my understanding it is only geared through the members. I do think there will be diesel because pick up trucks today are diesel.

Mrs. Flansburg: Will tractor trailers…

Mr. Palleschi: No tractor trailers. We need to get tractor trailers through the site for deliveries and also delivery the fuel but right by the station you will see the underground tanks that are proposed.

Mrs. Flansburg: Also, where the fuel is, it seems odd that it is in the back corner but that is how the one is in Colonie too. You have to get all the way into the site and all the way into the back. If you are banking some spaces having it be less dense with parking where cars are going to be fueling and driving off. That is my two cents worth. I think this is a great project. I'm glad they want to stay in Rotterdam. I think they tried do a fueling station at the top of the hill where the car wash is now years ago and it didn't work out and I'm glad this is a solution that hopefully will.

Chairman Yuille: Mr. Signore?

Mr. Signore: I think it's great. This is the type of development that I like to see. It's big in square footage and less impact on the infrastructure. For instance, an area like that I would rather see something like this then 300 homes in addition to the impact on the school with children. This is ideal when you have a big building that come in with a lot of square footage and pays a lot of taxes.

Chairman Yuille: Mr. Miglucci?

Mr. Miglucci: The trucks coming off of I-88 there, they will not have far to travel and we are not taking delivery trucks through the streets of Rotterdam. How many more employees will be hired for this? It looks like it's going to be a bigger operation.

Ms. Marsh: Tiffany Marsh with GDP Lville. There are 75 part-time employees in the store this size and 75 full-time so it's 150 altogether.

Mr. Miglucci: The BJ's that is here now, you're adding on a gas station and a tire facility so it's going to be more people.

Ms. Marsh: There is tire existing now. So, we are adding the gas station. So, for this size it is 75 and I will confirm the square footage, I'm sorry I can't find it quick enough, but I will confirm the square footage of the current and the employee count on the current store for you tomorrow.

Mr. Miglucci: I'm all set.

Chairman Yuille: Mr. Collins?

Mr. Collins: The only question that I have is on the fueling station is there enough room if someone comes in with a big fifth wheel to get around to get gas. That would be my only concern if they could swing the trailer around to get gas and we don't want them to get there and not be able to get gas and get out.

Mr. Palleschi: We are providing like 50' as your approach coming in and this is all geared up, it's all one-way. So, you would come in and you would exit facing the ramp and then you would move around.

Mr. Collins: There is enough room to make the loop?

Mr. Palleschi: Yes, 50' in the front and it looks like 35' on the back side to make that swing out.

Mr. Collins: That was my concern because I have a big fifth wheel.

Mr. Palleschi: The intent would be to get those fifth wheels through here and then back out.

Mr. Collins: I think it's a great project. I'm excited about it. That was my only concern, Mr. Chairman.

Chairman Yuille: Mr. Calder?

Mr. Calder: I hope it works out. Not only does it give us some more tax base over there but it also adds tax base to the building that is being left vacant down there where the BJ's is now. I think that is a plus for the town. I know that that corridor was really busy for a while because they are trying to enforce to keep the tractor trailers off of Route 7 because they were parking out there for the longest time and I know that they are enforcing it and making them move on so it's getting less and less congested which is good. That will add more but there is always a cost when it comes to getting something changed and something new. I like the project and I hope it works out. I really do. That is all that I have.

Chairman Yuille: Mr. D'Alessandro?

Mr. D'Alessandro: You answered the question about the gas and diesel and the store. Are you going to be selling that store. There is a lot of blight down there with Office Max closed up, Average Joe's going, the rental store next door gone, the mall being dead, that is all we are going to need is another empty store down there. Are you selling that?

Mr. Palleschi: BJ's doesn't own that building. It's owned by, I don't know who owns it, it's not owned by BJ's. They are just leasing that building and that land and that would be the same here when they move here.

Mr. D'Alessandro: That is all that I have.

Chairman Yuille: Are you sure about that Luigi? I thought Iovinella sold building a few years ago.

Mr. Palleschi: You are right, Iovinella sold it, but it is my understanding that they sold it to another company.

Chairman Yuille: Okay because they are not going to own this building either, this is going to be owned by your company, right?

Mr. Palleschi: Correct.

Chairman Yuille: Do you have anything else, Mr. D'Alessandro?

Mr. D'Alessandro: That's all that I have.

Chairman Yuille: That was one of the questions that I had is what they were going to do with the building but another company that has it.

Looking at this site would have been a better location for BJ's from day one, if it was available. At that time, it wasn't available. It's much better location for you and I think you will draw more traffic in off of the Thruway and I-88 and people going out that way. The one down next to the mall is tough and we looked at that for years.

The other question that I had was if you flip flop that restaurant to the other side then you are going to have to move that proposed stormwater area, correct?

Mr. Palleschi: Yes, we would. What that will do, I still need a certain surface area for the stormwater bioretention and then the rest may have to go underground, under the parking lot. That is something that is a tradeoff.

Chairman Yuille: I saw this note on the plan that said reserve area for water treatment system. I didn't realize you were going to have a water treatment system.

Mr. Palleschi: I didn't either until last week. So, BJ's and GDL, they use a company called Stantec which manufactures these types of systems and when I was on a conference call with them, it was interesting, I have some documents that I can share with everyone and they will design up to 100,000 per day or 50,000 gallons and one that they shared with me was about 10,000 gallons a day which is about what this is going to use. So, some of these facilities that they have used they have put in the middle of golf courses that not only serve the golf course but a bunch of homes that are surrounding the golf course where odor is important and you don't want it to smell. They have this unit and those are the questions that I asked and when he shared the details with me over the phone, I was actually impressed. Obviously, they have to work with DEC and get it approved and I reserved that area in case they need to pump it to some sort of leach field system. It will get treated and then there are 2 options, if you have the soils to let it go back in the ground or you have to treat it further it would be discharge. So, you could literally discharge it because what he is saying is after it goes through this treatment it is river quality. So, it was interesting as to how they were describing it and the information he sent so far. I have to get some more info from them but they do this all over for a lot of facilities for BJ's.

Chairman Yuille: When you think about Mohonasen for years up until a few years ago, they were always on septic and I believe Schalmont is on septic. They may be coming over and looking at your sites.

Mr. Collins: Will they have a grinder pump in there and everything?

Mr. Palleschi: There will be pumps to pump it into the system and then there is aerators, again, they are underground.

Mr. Collins: It is like a little treatment plant basically.

Mr. Palleschi: It is and these systems need to be in a grassed area because they will sit above grade and it's like a metal lid that you will see and then all of those are interconnected and it goes through, like the only unit you will really see is it looks like a little shed. Just a standard shed and that is where the blowers are.

Mr. Collins: The town has a lot of sewer and they don't really smell. They are odor controlled and you don't really know they are there.

Chairman Yuille: That is like what the Orenco systems were supposed to be like that at one point. They used them at ski resorts and that type of place.

Steve, do you have any questions or comments?

Mr. Valiquette: No, I think I will wait for the review of the traffic study before to making comments and same for the review of the wastewater treatment. That is, it.

Chairman Yuille: Mr. Comenzo?

Mr. Comenzo: No questions and just some comments that need to be coordinated with the attorney to discuss SEQR and some of the issues regarding the timing. So, this Board is going to obviously be making a report and recommendation and we are getting a little bit into the site plan and it sounds like some redesign that is going to have to occur. I did speak with folks at DOT yesterday and sent them the conceptual plan and they said basically the current access would not fly because the proposed the entrance right now is really where the turn lane to get onto I-88 starts and then the further we get away from that intersection obviously, will be looking for a left turn lane and I believe there is one right now that is kind of useless since there are no curb cuts in that area. The fact that they have VHB doing the traffic analysis and they are waiting for school to start, those will get addressed. Lynn brought up the issue with the parking so, our code when it was originally adopted there was not a BJ's where you had these warehouse clubs so there are 500 parking spots proposed. I'm sure BJ's knows how many parking spots based on the current facilities they have in the northeast, how many spots they actually need. So, the Planning Commission has the ability to waive those requirements obviously if you can demonstrate that you only need 300 or whatever the number is, you could work that into the redesign with the building.

You are not constrained by lot lines obviously so if you wanted to flip flop the other commercial building or they wanted to put it on the corner or wherever that would work those design issues you can get to now because there is no engineering right now at this point. The other thing is and this is just from utilizing the BJ's in Colonie there are a lot of people that go just for gas. When you look at this you really want to separate the traffic of people walking in and out with their carts and going into BJ's or possibly this fast-food restaurant and folks that are just going in for gas. I don't think you would want that traffic crossing the pedestrians that are coming in and out of the facility. I know the one in Colonie they have it in the far end but there is no main entrance nearby. I'm looking at this now and wondering how you get back there without getting into the mix with the folks with the carts. So, when you go back in and redesign the site, you might want to look at separating the traffic for the fast-food restaurant and then the gas pumps and try to separate it from the folks that utilize BJ's warehouse. You might be able to do that a lot easier with landscaped islands or something.

Mr. Palleschi: I've already played with shifting that driveway to the east and flip flopping so, with that in mind I'm sure we can come up with something.

Mr. Comenzo: It's early at this point and you still have to go to the Town Board and public hearing and SEQR and there will be some changes between now and when this Board sees it again. But I'm assuming you are looking to come back fairly quickly for a report and recommendation to get the ball rolling.

Mr. Signore: When are you looking to put a shovel in the ground? Spring?

Mr. Palleschi: Probably spring.

Chairman Yuille: They need to get a recommendation first, Joe, they need a zone change.

Mr. Palleschi: We can't start now.

Chairman Yuille: One thing that I have seen that they do and its hard to tell on that but they take those gas pumps and angle them. Like Stewart's did on theirs. It makes it a little easier, especially if you are going in one way and coming out. It might make them easier to get into, but with 50' you might have plenty of room.

Mr. Palleschi: I think we can massage that a little bit.

Chairman Yuille: We will not be doing a motion on that tonight, but we will get some of the information that we need.

Mr. Palleschi: So, what are the next steps. Obviously, we'll keep going with some of these edits to shifting the driveway easterly, work with VHB on the traffic data and then resubmit. This Board would like to hear that before making that recommendation to the Town Board.

Chairman Yuille: Yeah, but you wouldn't have to go through the whole presentation but...

Mr. Comenzo: I guess the question is how comfortable are you moving forward with a report and recommendation. You are not going to be the lead agency. That is going to be the Town Board. You will be an involved agency for SEQR but as far as what is required for traffic study and for all the other studies that will have to be done in terms of the SEQR review, it will not come back to you for a while. I think they are looking for a report and recommendation so that we can get that ball rolling.

Chairman Yuille: So are you suggesting we do that...

Mr. Comenzo: I don't know how long you want to wait. You'll get the traffic and study eventually and if you are not comfortable in making a report and recommendation until the board sees traffic data or if your comfortable deferring and then commenting on the SEQR process and getting the Town Board to do that work. Typically, the Planning Commission is the lead agency but, in this case, there is a change of zone involved and the Town Board needs to look at all those things. The one thing that I do want to mention and it's probably on your list is you probably want to get a TDE on board sooner rather than later because with SEQR component.

Ms. Slevin: Mary Beth Slevin here again, counsel for the applicant. What we would hope to be able to do is to focus on the issue before the Board right now which is the recommendation for the zoning change and that really focuses on the comprehensive plan and how the comprehensive plan contemplates what's being requested by the applicant. With respect to SEQR what we would hope to do is really separate that issue and make sure that the Board has the information that it needs to remain involved as an involved agency while we go through that process with the Town Board. To move forward with the recommendation on the zone change when the Board is comfortable and then to continue on with the work that needs to be done for SEQR to make sure that gets submitted to the Planning Commission, the Town Board and all other involved agencies and make sure we solicit everyone's comments on the data that is developed so it's a comprehensive review and that all comments are considered in the context of a final SEQR review. Just to give it some context.

Chairman Yuille: Let me see how the Board feels about voting on that tonight. Mark?

Mr. D'Alessandro: I'm fine.

Chairman Yuille: Mr. Calder?

Mr. Calder: Yes.

Mr. Comenzo: Tom, I don't think we are at that point yet. We don't have anything prepared.

Chairman Yuille: I thought that is what you just said.

Mr. Comenzo: What I am saying is do you want to see them in 2 weeks or in 2 months.

Chairman Yuille: "Inaudible..."

Mr. Collins: I thought you wanted to know if we were comfortable making the recommendation, Peter.

Mr. Comenzo: Would you be comfortable making a recommendation without them completing a traffic study that has been reviewed by DOT?

Mrs. Flansburg: Yes, but it sounds like there is going to be significant changes.

Mr. Palleschi: We are not here for site plan approval tonight. We understand that we have to make some modifications and we have to address DOT with whatever traffic comments that might come before this but I think the goal tonight would be to get back to the Town Board for the recommendation and if the Board feels comfortable with saying, from my understanding from every Board Member tonight is that you are in favor of this project which requires the change of zone, so, if you are would you feel comfortable to making that recommendation tonight and then we will go to the Town Board. Obviously, with the Town Board...

Chairman Yuille: We do not have the resolution to vote on it tonight. We can hold it for the next meeting.

Mr. Comenzo: If you are comfortable moving forward without having a completed traffic study, which is the biggest issue that I'm looking at, and making a report and recommendation, we can prepare something in the next 2 weeks and have them back in 2 weeks to vote on the draft report and recommendation. I do not have anything drafted tonight and that is why I wrote it up as a discussion on the report and recommendation. I think we wanted to figure out where the Board was on this and it sounds like the Board is favorable with the recommendation so we can work with the attorney and draft some custom language for you to look at prior to the next meeting.

Mr. Palleschi: The sooner the better. 2 weeks would be great.

Chairman Yuille: 2 weeks would be the 19th is our next meeting.

Mrs. Flansburg: Would you like a motion for the TDE.

Chairman Yuille: Yes. At this point, I would entertain a motion to allow the Chairman enter into an agreement for a TDE for this project.

Mrs. Flansburg: I will make that motion.

Chairman Yuille: Mrs. Flansburg made the motion. Do I have a second?

Mr. Signore: I'll second.

Chairman Yuille: Mr. Signore seconds the motion. Are there any questions? Please call the vote.

Marlo Carter: Mr. Collins?

Mr. Collins: Yes.

Marlo Carter: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Marlo Carter: Mr. D'Alessandro?

Mr. D'Alessandro: Yes.

Marlo Carter: Mr. Calder?

Mr. Calder: Yes.

Marlo Carter: Mr. Signore?

Mr. Signore: Yes.

Marlo Carter: Mr. Miglucci?

Mr. Miglucci: Yes.

Marlo Carter: Chairman Yuille?

Chairman Yuille: Yes.

Motion carried.

Meeting adjourned at 9:06 p.m.

Motion to adjourn the meeting was made by Mr. Collins and Mr. Signore seconded the motion.

Next meeting scheduled for September 19, 2023

Respectfully Submitted,

Marlo L. Carter
Planning Commission Secretary

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, November 8, 2023, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 339.23

TO CALL FOR A PUBLIC HEARING ON THE PROPOSED INTRODUCTORY LOCAL LAW __ OF 2023; TO AMEND CHAPTER 270, ZONING, OF THE TOWN CODE, RELATING TO A CHANGE OF ZONE FROM AGRICULTURAL (A-1) TO GENERAL BUSINESS (B-2) AT 880 AND 900 DUANESBURG ROAD

WHEREAS, the Town Board passed Resolution No. 262.23 to recognize the introduction of Introductory Local Law __ of 2023; To amend Chapter 270, Zoning, of the town code, relating to a change of zone from Agricultural (A-1) to General Business (B-2) and referred to the Planning Commission for report and recommendation; and

WHEREAS, the Planning Commission, on September 19, 2023 issued a positive recommendation on the change of zone requested by GDPL Ville Rotterdam, LLC; and

WHEREAS, the Town Board Declared Lead Agency on the Change of Zone application under 6NYCRR Part 617 State Environmental Quality Review (SEQR) on September 27, 2023; NOW

THEREFORE, UPON MOTION OF Councilmember **CHRISTOU**, seconded by Councilmember **DODSON**,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Town Clerk to publish in the official newspaper of the Town of Rotterdam not less than ten (10) days prior to the date designated for the public hearing provided for hereby the following notice:

TOWN OF ROTTERDAM
NOTICE OF HEARING

PLEASE TAKE NOTICE: That the Town Board of the Town of Rotterdam will hold a public hearing at the John F. Kirvin Government Center, Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York 12306, at 7:00 p.m. on the 13th day of December 2023 for the following purpose:

For receipt of comment on the proposed Introductory Local Law No. __ of 2023; To amend Chapter 270, Zoning, of the town code, relating to a change of zone from Agricultural (A-1) to General Business (B-2). Applicant is requesting a Change of Zone to facilitate the construction of a 102,500 square foot BJ's Wholesale Club with associated 8 island fueling station at 900 Duanesburg Road (Tax Map No. 57-3-7.112), and 2,000 square foot retail building with associated drive thru at 880 Duanesburg Road (Tax Map No. 57.7-1-1.2).

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

DATED: November 8, 2023
Daily Gazette: Please publish once on November 25, 2023
Town Clerk
Post

SECTION 2. This resolution shall become effective November 8, 2023.

DATED: November 8, 2023

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on November 8, 2023, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this November 9, 2023.

Diane M. Marco

Diane M. Marco, Town Clerk

TOWN OF ROTTERDAM
Office of the Town Clerk
Schenectady, County, NY

TOWN OF ROTTERDAM

John F. Kirvin Government Center • 1100 Sunrise Boulevard • Rotterdam, NY 12306
Telephone: 518-355-7575 • Fax: 518-355-7976 • Website: www.rotterdamny.org

LEGISLATIVE REQUEST FORM

DATE: November 3, 2023

TO: Mollie Collins, Town Supervisor

FROM: Joanne Schillaci, Zoning Officer

TITLE OF REQUEST: Call for a Public Hearing on Change of Zone from Agricultural (A-1) to General Business (B-2)

TOWN BOARD MEETING: November 8, 2023

Background Information:

Owner: Flying J, Inc.
185 S. State Street, Suite 1300
Salt Lake City, Utah 84111

Applicant: GDPL Ville Rotterdam, LLC
145 Otterkill Road
Mountainville, NY 10953

Change of Zone request on± 17.3 acres from Agricultural (A-1) to General Business (B-2). The applicant would like to construct a 102,500 square foot BJ's Wholesale Club with associated 8 island fueling station at 900 Duanesburg Road (Tax Map No. 57-3-7.112), and 2,000 square foot retail building with associated drive thru at 880 Duanesburg Road (Tax Map No. 57.7-1-1.2).

Evaluation/Analysis: Planning Commission issued a positive recommendation on September 19, 2023 on the Change of Zone request.

Town Board Declared Lead Agency under 6NYCRR Part 617 SEQR on September 27, 2023.

Recommendation(s): Town Board should call for a Public Hearing to be held December 13, 2023.

Attachment/Document(s): Application Materials
Planning Commission Report and Recommendation
Town Board Resolution No. 297.23

Compliance with Purchasing Policy: N/A

Effect(s) on Existing Law(s): NYS Town Law Article 16
Proposed Local Law of the Year 2023

LEGISLATION WILL BE PREPARED BY: Supervisors Office

****

TOWN OF ROTTERDAM CHANGE OF ZONE APPLICATION

Application Fee $1,000

Existing Zone Classification: A-1 Agricultural

Proposed Zone Classification: B-2 General Business

PART II
GENERAL INFORMATION

Legal Owner's Name: Flying J, Inc. (AKA FJ Management, Inc.)
Mailing Address: 185 S State Street, Suite 1300
City: Salt Lake City State: Utah Zip: 84111
Daytime Phone: _____ E-mail: _____

If applicant is not the owner, include written owner authorization for the below-designated contact to serve as representative.

Owner's Designated Contact: Luigi A. Palleschi, P.E., ABD Engineers & Surveyors, LLP

Mailing Address: 411 Union Street
City: Schenectady State: NY Zip: 12305
Daytime Phone: 518-377-0315 E-mail: luigi@abdeng.com
Project/Proposal Site Area: (Acres or sq. ft.) 17.3± Acres
Assessor Tax Parcel No.(s) of Site: 57-3-7.112 & 57.7-1-1.2
Adjacent Parcels Owned or Controlled and Tax Map Parcel No: (Acres or sq. ft.) N/A

Street Address of Proposed Site (if any): 900 and 880 Duanesburg Road (NYS Route 7)

RECEIVED
JUL 28 2023
TOWN OF ROTTERDAM
PUBLIC WORKS

Describe Existing Use(s) on Proposed Site: (commercial vacant, residential, buildings, well, sewer drainfield, etc.)
The land previously contained a barn structure. The remainder of the land (two parcels) is vacant.

School District: Schalmont Fire District: 6

Water Supply: Rotterdam

LEGAL INFORMATION

Location of Proposal Site: (General description by which direction and how far from roads and intersections and other community features)
On NYS Route 7 just east of I-88 on ramp.

Name of Public Road(s) Providing Access: NYS Route 7

Width of Property Fronting on the Existing Public Road in Linear Feet: 700±

Does the Proposal Have Access to an Arterial or Planned Arterial? (X) Yes ( ) No
Name(s) of Arterial Road(s): NYS Route 7 - Duanesburg Road

A legal description of the proposed site must be attached: (X) Yes ( ) No

A copy of the assessor's map of the proposed site must be attached: (X) Yes (X) No

A copy of the most current deed(s) of the proposed site must be attached: (X) Yes ( ) No

(All applications must contain a legal description that describes the exterior boundaries of the entire area to be rezoned. Please include the legal description for the entire area to be rezoned and also a copy of the assessor's map. A simple copy of the deed is not sufficient to process the change of zone request).

If you do not hold title to property, what is your interest in it? Contract Vendee

What factors support this rezone? (This may be provided on a separate sheet of paper if necessary)

The site fronts on NYS Route 7, which is a commercial corridor and is not suitable for agricultural use or those residential uses that are allowed. The site has access to water, gas, and other utilities. No public sewer available at this time so onsite septic system will be needed.

Does any City officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? YES ____ NO X. If yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

UTILITIES

Proposed Source of Water:
( ) Individual Wells (X) Public System ( ) Private Community System
( ) Other, please describe _____

Proposed Means of Sewage Disposal:
( ) Public Sewer ( ) Dry Sewer ( ) Community System (X)
Septic Tank & Leachfield ( ) Other, please describe _____

PART III

****
SURVEYOR/ARCHITECT/ENGINEER VERIFICATION
****

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

Signed: _____ Date: July 25, 2023
Address: 411 Union Street, Schenectady, NY Phone: 518-377-0315
Zip: 12305



PLEASE AFFIX SURVEYOR/ARCHITECT/ENGINEER SEAL HERE

****

LEGAL OWNER SIGNATURE

****

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

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

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

Name: Flying J, Inc.
Address: 185 S State Street, Suite 1300
Salt Lake City, UT

Date: _____
Phone: _____
Zip: 84111

Cheri Wood, CFO
Signature of applicant or representative

July 25, 2023
Date

NOTARY

STATE OF NEW YORK) ss:
COUNTY OF _____)

SUBSCRIBED AND SWORN to before me this 26 day of July, 2023

NOTARY SEAL

PAUL M JONES
Notary Public, State of Utah
Commission # 727187
My Commission Expires
October 11, 2026

Notary Signature

Notary Public in and for the State of ~~New York~~ Utah
Residing at: Cottonwood Heights, UT
My appointment expires: 10/11/2026

PLEASE AFFIX NOTARY SEAL HERE

TOWN OF ROTTERDAM

John F. Kirvin Government Center • 1100 Sunrise Boulevard • Rotterdam, NY 12306
Telephone: 518-355-7575 • Fax: 518-355-7976 • Website: www.rotterdamny.org

LETTER FROM PROPERTY OWNER GRANTING AUTHORIZATION TO ACT

A COPY OF THIS LETTER MUST BE SUBMITTED FOR EACH PROPERTY OWNER INVOLVED

I, Flying J, Inc., being duly sworn declare that I am the

(PROPERTY OWNER)

owner of the property involved in a proposed change of zone application request before the Town of Rotterdam for property known as parcel number (s):

Tax Parcel Number(s): 57-3-7.112 & 57.7-1-1.2

I hereby grant Luigi A. Palleschi, P.E., ABD Engineers & Surveyors, LLP and/or their agent(s) to act on my behalf.

I further declare that all statements, answers, and information herein submitted is in all respects true and correct to the best of my knowledge and belief.

Signature (Authorized Representative): Amerit Kaur, CFO

Date: July 26, 2023

NOTARY

STATE OF NEW YORK) ss:
COUNTY OF _____)
SUBSCRIBED AND SWORN to before me this 26th day of July, 2023

NOTARY SEAL

Notary Signature

PAUL M JONES
Notary Public, State of Utah
Commission # 727167
My Commission Expires
October 11, 2026

Notary Public in and for the State of ~~New York~~ Utah
Residing at: Cottonwood Heights, UT
My appointment expires: 10/11/2026

Schenectady County Endorsement Page

JOHN J. WOODWARD
Schenectady County Clerk
620 State Street
Schenectady, NY 12305

COUNTY CLERK'S OFFICE
SCHENECTADY, NEW YORK

Document Type Deed

From Party Kenneth Earl Crounse
Anthony Facciuto personal rep of
[redacted] Mildred M Crounse

TO: Flying J Inc

RETURN TO Russell Workman
Flying J Inc
1104 Country Hills Drive
Ogden, Utah 84403

RECORDED
09/14/2007 3:20:41 PM
County Clerk
JOHN J. WOODWARD
SCHENECTADY COUNTY, NY

Book/Page: DEED/1787/034
Total Pages: 4

Receipt No:	462285
Doc No:	2007-4299
Inst Num:	200739861
NY REALTY TRANSFER TAX	$14,000.00
NY LAND SUR	$4.75
NY E & A FEES	$66.00
NY LAND COMP SUR	$14.25
CO GENERAL REVENUE	$29.00
CO LAND SUR	$0.25
CO E & A FEES	$9.00
CO LAND COMP SUR	$0.75
TOTAL PAID	$14,124.00

INV: 462285 USER: WLB

RECEIVED
$ 14,000.00
REAL ESTATE
SEP 14, 2007
SCHENECTADY COUNTY
614

Visit our Webpage:
Schenectadycountyclerk.com

NOTICE: This endorsement page constitutes the Clerk's endorsement in accordance with Local Law #7 of 1996–DO NOT DETACH–This page becomes part of the document. Upon recording, this document becomes a public record–Please refrain from using personal identifying information that should not be disclosed to the public.

RECEIVED
JUL 28 2023
TOWN OF ROTTERDAM
PUBLIC WORKS

DEED Book 1767 Page 635
Doc No 2007-4299

This Indenture

Made the 14th day of September, Two Thousand and Seven

Between

Kenneth Earl Crounse, residing at 900 Duanesburg Road, Schenectady, New York and Anthony Fazzone, Esq. as Personal Representative of the Estate of Mildred M. Crounse, having his principal offices at 1536 Union Street, Schenectady, New York, parties of the first part and

Flying J Inc. a Utah corporation, having its principal office at 1104 Country Hills Drive, Ogden, Utah, party of the second part

Witnesseth *that the parties of the first part, in consideration of* Three Million Five Hundred Thousand *dollars* ($3,500,000.00) *lawful money of the United States, paid by the party of the second part, do hereby grant and release unto the party of the second part, its heirs and assigns forever,*

ALL

See Schedule A attached and made a part hereof

Being the same premises conveyed to the parties of the first part herein by deed recorded on 2/17/2000 in Liber 1573 Page 62.

Together with the appurtenances and all the estate and rights of the parties of the first part in and to said premises,

To have and to hold the premises herein granted unto the party of the second part, their heirs and assigns forever.

And said parties of the first part covenant as follows:

First, That the party of the second part shall quietly enjoy the said premises;

Second, That said parties of the first part will forever Warrant the title to said premises.

Third, That in Compliance with Sec. 13 of the Lien Law, the grantors will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

R 57.00 3 P/O 7.1/2 #

SEC 37 I.S.A. MAP IDENT BLK LOT

In Witness Whereof, the parties of the first part have hereunto set their hands and seals the day and year first above written.

In Presence of

Kenneth Earl Crounse
By: Richard Besenval POA

By: John H. Dennis POA

STATE OF NEW YORK)
) ss.
COUNTY OF ALBANY)

On this 14th day of September, 2007, before me the undersigned, personally appeared **Earl Crounse, by Richard Besenval and John H. Dennis, Powers of Attorney** personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, that by their signatures on the instrument, the individuals or the person on behalf of which the individuals acted, executed the instrument.

Notary Public

LUCAS MIHUTA
Notary Public, State of New York
No. 02MI6122291
Qualified In Schenectady County
Commission Expires Feb. 7, 2009

STATE OF NEW YORK)
) ss.
COUNTY OF ALBANY)

On this 13th day of September, 2007, before me the undersigned, personally appeared **Anthony Fazzone, Esq. as Personal Representative of the Estate of Mildred M. Crounse**, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, that by their signatures on the instrument, the individuals or the person on behalf of which the individuals acted, executed the instrument.

Notary Public

LUCAS MIHUTA
Notary Public, State of New York
No. 02MI6122291
Qualified In Schenectady County
Commission Expires Feb. 7, 2009

DEED Book 1767 Page 637
Doc No 2007-4299

SCHEDULE A

All that tract, piece or parcel of land located in the Town of Rotterdam, County of Schenectady and State of New York, being more particularly described as follows:

Beginning at a Granite Monument in the northerly boundary of the Schenectady – Duanesburg State Highway where it is intersected by the division line between lands of Collier described in Book 1068 of Deeds at Page 832 on the east and lands herein described on the west; thence running along the northerly bounds of the said State Highway the following four courses:

1. South 66° 31' 50" West a distance of 12.46 feet;
2. South 82° 05' 00" West a distance of 151.74 feet;
3. South 69° 03' 55" West a distance of 207.06 feet to a Granite Monument;
4. South 61° 34' 50" West a distance of 344.80 feet to a point;

Thence running along the southeasterly boundary of the Interstate Route 508 (Route 7 to Route 7 Connector) the following five courses:

1. North 33° 45' 20" West a distance of 489.52 feet;
2. North 20° 39' 15" East a distance of 212.66 feet;
3. North 43° 31' 05" East a distance of 710.06 feet;
4. South 41° 25' 40" East a distance of 282.62 feet;
5. North 49° 22' 35" East a distance of 831.00 feet to a concrete monument in the division line between lands of Avery as described in Book 1506 of Deeds at Page 256 on the east and herein described on the west;

Thence running South 51° 49' 20" East along the lands of said Avery a distance of 113.23 feet to an iron pin at the northeasterly corner of lands of Mastrianni as described in Book 608 of Deeds at Page 478; thence South 59° 43' 10" West along the lands of Mastrianni a distance of 264.44 feet to a point ; thence South 31° 48' 15" West along the lands of Mastrianni and lands of the Mohawk Valley Library Association as described in Book 857 of Deeds at Page 429 a distance of 539.63 feet to an iron pipe; thence South 30° 06' 30" West along the lands of the Library and the lands of Collier a distance of 342.78 feet to an iron pipe; thence South 32° 23' 00" East a distance of 269.57 feet to the point or place of beginning. Containing 16.429± acres.

0.0185

DESCRIPTION OF LAND

PROPOSED ZONE CHANGE

BEGINNING at a point in the northerly highway boundary of the Schenectady/Duanesburg state highway at its intersection with the division line between Lands Now or Formerly of Collier as described in Liber 1068 of Deeds at Page 832 on the east and Lands herein described on the west; thence running westerly along said northerly highway boundary of the Schenectady/Duanesburg state highway 716 Feet more or less to a point in the southeasterly highway boundary of Route 7 to Route 7 connector; thence northerly, easterly, southerly and easterly 2,527 Feet more or less to a point in the division line between the Lands Now or Formerly of Avery as described in Liber 1506 of Deeds at Page 256 on the east and the herein described parcel on the west; thence along said division line 113 Feet more or less to a point at the northeasterly corner of Lands Now or Formerly of Mastrianni as described in Liber 608 of Deeds at Page 478; thence westerly and southwesterly 1,022 Feet more or less to a point; thence southerly 349 Feet more or less to a point in the aforementioned northerly highway boundary of the Schenectady/Duanesburg state highway; thence along said northerly highway boundary of the Schenectady/Duanesburg state highway 124 Feet more or less to the point and place of beginning and containing 17.3 acres of land more or less.

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TOWN OF ROTTERDAM
PUBLIC WORKS

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Change of Zone		
Project Location (describe, and attach a general location map): 900 Duanesburg Road and 880 Duanesburg Road		
Brief Description of Proposed Action (include purpose or need): Rezoning of 17.3± acres from A-1 Agricultural to B-2 General Business to construct a retail building, gas station, and drive thru building.		
Name of Applicant/Sponsor: GDP Lville Rotterdam, LLC	Telephone: 845-534-0100 E-Mail:	
Address: 145 Otterkill Road, PO Box 55		
City/PO: Mountainville	State: NY	Zip Code: 10953
Project Contact (if not same as sponsor; give name and title/role): Luigi A. Palleschi, P.E., ABD Engineers & Surveyors, LLP	Telephone: 518-377-0315 E-Mail: luigi@abdeng.com	
Address: 411 Union Street		
City/PO: Schenectady	State: NY	Zip Code: 12306
Property Owner (if not same as sponsor): Flying J, Inc	Telephone: E-Mail:	
Address: 185 S State Street, Suite 1300		
City/PO: Salt Lake City	State: UT	Zip Code: 84111

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TOWN OF ROTTERDAM
PUBLIC WORKS

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	**If Yes: Identify Agency and Approval(s) Required**	**Application Date (Actual or projected)**
a. City Counsel, Town Board, ☑Yes ☐No or Village Board of Trustees	Rotterdam Town Board	July 28, 2023
b. City, Town or Village ☑Yes ☐No Planning Board or Commission	Rotterdam Planning Commission	July 28, 2023
c. City, Town or ☐Yes ☑No Village Zoning Board of Appeals		
d. Other local agencies ☐Yes ☑No		
e. County agencies ☑Yes ☐No	Schenectady County Planning	TBS
f. Regional agencies ☐Yes ☑No		
g. State agencies ☐Yes ☑No		
h. Federal agencies ☐Yes ☑No		
i. Coastal Resources. *i.* Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes ☑No *ii.* Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes ☑No *iii.* Is the project site within a Coastal Erosion Hazard Area? ☐Yes ☑No		

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☑Yes ☐No • **If Yes,** complete sections C, F and G. • **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes ☐No If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☑Yes ☐No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☑Yes ☐No If Yes, identify the plan(s): NYS Heritage Areas:Mohawk Valley Heritage Corridor	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes ☑No If Yes, identify the plan(s):	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☑ No

c. Is a zoning change requested as part of the proposed action? ☑ Yes ☐ No
If Yes,
i. What is the proposed new zoning for the site? Rezone from A-1 Agricultural to B-2 General Business

C.4. Existing community services.

a. In what school district is the project site located? Schalmont

b. What police or other public protection forces serve the project site?
NYS Police, Schenectady County Sheriff, Rotterdam Police Department

c. Which fire protection and emergency medical services serve the project site?
District 6

d. What parks serve the project site?
Featherstonhaugh State Forest, Plotter Kill Preserve, DiCaprio Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Commercial

b. a. Total acreage of the site of the proposed action? 17.3± acres
b. Total acreage to be physically disturbed? 0 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 17.3± acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☑ No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐Yes ☑No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☑Yes ☐No

If Yes,

i. Total number of structures 1

ii. Dimensions (in feet) of largest proposed structure: 28' height; 270' width; and 390' length

iii. Approximate extent of building space to be heated or cooled: 104,500± square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐Yes ☑No

If Yes,

i. Purpose of the impoundment:

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify:

iii. If other than water, identify the type of impounded/contained liquids and their source.

iv. Approximate size of the proposed impoundment. Volume: million gallons; surface area: acres

v. Dimensions of the proposed dam or impounding structure: height; length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐Yes ☑No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i. What is the purpose of the excavation or dredging?

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards):
- Over what duration of time?

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

iv. Will there be onsite dewatering or processing of excavated materials? ☐Yes ☐No
If yes, describe.

v. What is the total area to be dredged or excavated? acres

vi. What is the maximum area to be worked at any one time? acres

vii. What would be the maximum depth of excavation or dredging? feet

viii. Will the excavation require blasting? ☐Yes ☐No

ix. Summarize site reclamation goals and plan:

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐Yes ☑No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description):

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐Yes ☐No

If Yes, describe:

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐Yes ☐No

If Yes:

- acres of aquatic vegetation proposed to be removed:
- expected acreage of aquatic vegetation remaining after project completion:
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access):
- proposed method of plant removal:
- if chemical/herbicide treatment will be used, specify product(s):

v. Describe any proposed reclamation/mitigation following disturbance:

c. Will the proposed action use, or create a new demand for water? ☑Yes ☐No

If Yes:

i. Total anticipated water usage/demand per day: 10,500± gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☑Yes ☐No

If Yes:

- Name of district or service area: Rotterdam
- Does the existing public water supply have capacity to serve the proposal? ☑Yes ☐No
- Is the project site in the existing district? ☐Yes ☑No
- Is expansion of the district needed? ☑Yes ☐No
- Do existing lines serve the project site? ☑Yes ☐No

iii. Will line extension within an existing district be necessary to supply the project? ☐Yes ☑No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project:
- Source(s) of supply for the district:

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☑No

If, Yes:

- Applicant/sponsor for new district:
- Date application submitted or anticipated:
- Proposed source(s) of supply for new district:

v. If a public water supply will not be used, describe plans to provide water supply for the project:

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☑Yes ☐No

If Yes:

i. Total anticipated liquid waste generation per day: 9,500± gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each):

Sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐Yes ☑No

If Yes:

- Name of wastewater treatment plant to be used:
- Name of district:
- Does the existing wastewater treatment plant have capacity to serve the project? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No

- Do existing sewer lines serve the project site? ☐Yes ☐No
- Will a line extension within an existing district be necessary to serve the project? ☐Yes ☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes ☑No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☑Yes ☐No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or 9± acres (impervious surface)

_____ Square feet or 17.3 acres (parcel size)

ii. Describe types of new point sources. On-site stormwater system

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

Stormwater will be handled on-site in stormwater management areas.

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐Yes ☑No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☑Yes ☐No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐Yes ☑No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes ☑No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes ☐No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☑No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☑No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend
☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☑No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 7 am - 7 pm
- Saturday: 8 am - 3 pm
- Sunday: 8 am - 3 pm
- Holidays: N/A

ii. During Operations:

- Monday - Friday: 8 am - 9 pm
- Saturday: 8 am - 9 pm
- Sunday: 8 am - 9 pm
- Holidays: varies

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☑ No

If yes:

i. Provide details including sources, time of day and duration:

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No

Describe:

n. Will the proposed action have outdoor lighting? ☑ Yes ☐ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

Pole and building mounted, LED down type lighting

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☑ No

Describe:

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☑ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☑ Yes ☐ No

If Yes:

i. Product(s) to be stored Gasoline and diesel

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities:

Underground tanks

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☑ No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☑ Yes ☐ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: TBD tons per _____ (unit of time)
- Operation: TBD tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction:
- Operation:

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: Construction waste to be managed by licensed hauler.
- Operation: Solid waste generated by normal site operations will be handled by licensed hauler.

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☑ Commercial ☑ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	9±	+9±
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	17.3	8.3±	8.3±
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____	0	0	0

c. Is the project site presently used by members of the community for public recreation? ☐Yes ☑No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☑Yes ☐No

If Yes,

i. Identify Facilities:

Schalmont schools

e. Does the project site contain an existing dam? ☐Yes ☑No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐Yes ☑No

If Yes:

i. Has the facility been formally closed? ☐Yes ☐No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐Yes ☑No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐Yes ☑ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐Yes ☐No

☐ Yes – Spills Incidents database — Provide DEC ID number(s): _____

☐ Yes – Environmental Site Remediation database — Provide DEC ID number(s): _____

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐Yes ☑No

If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☑ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? 10+ feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☑ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

Silt loam	90 %
Silt Clay	10 %
	%

d. What is the average depth to the water table on the project site? Average: 0-10+ feet

e. Drainage status of project site soils:

☐ Well Drained:	% of site
☑ Moderately Well Drained:	40 % of site
☑ Poorly Drained	60 % of site

f. Approximate proportion of proposed action site with slopes:

☑ 0-10%:	90 % of site
☑ 10-15%:	10 % of site
☐ 15% or greater:	% of site

g. Are there any unique geologic features on the project site? ☐ Yes ☑ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☑ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☐ Yes ☑ No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☑ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☑ No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐ Yes ☑ No

j. Is the project site in the 100-year Floodplain? ☐ Yes ☑ No

k. Is the project site in the 500-year Floodplain? ☐ Yes ☑ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☑ Yes ☐ No

If Yes:

i. Name of aquifer: Principal Aquifer

m. Identify the predominant wildlife species that occupy or use the project site:
Typical Suburban wildlife

n. Does the project site contain a designated significant natural community? ☐Yes ☑No
If Yes:
i. Describe the habitat/community (composition, function, and basis for designation):
ii. Source(s) of description or evaluation:
iii. Extent of community/habitat:
- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐Yes ☑No
If Yes:
i. Species and listing (endangered or threatened):

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐Yes ☑No
If Yes:
i. Species and listing:

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐Yes ☑No
If yes, give a brief description of how the proposed action may affect that use:

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐Yes ☑No
If Yes, provide county plus district name/number:

b. Are agricultural lands consisting of highly productive soils present? ☐Yes ☑No
i. If Yes: acreage(s) on project site?
ii. Source(s) of soil rating(s):

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐Yes ☑No
If Yes:
i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent:

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐Yes ☑No
If Yes:
i. CEA name:
ii. Basis for designation:
iii. Designating agency and date:

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☑ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based:

_____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☑ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☑ No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

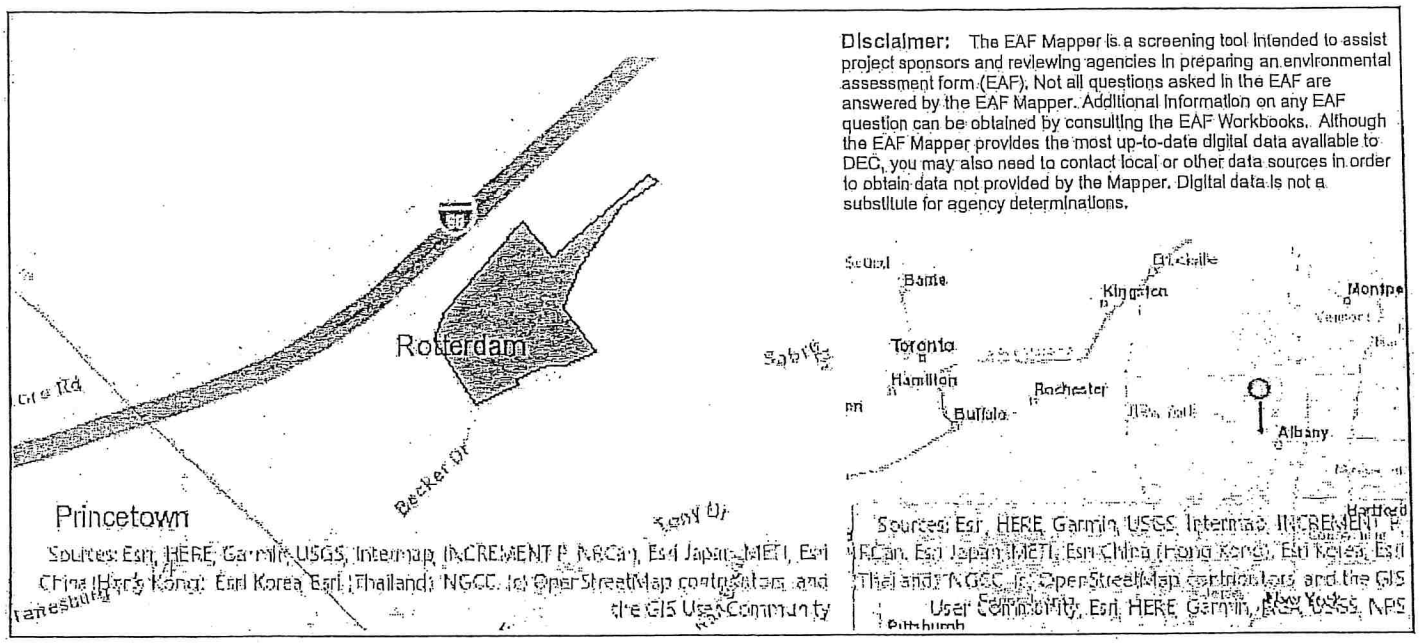
Applicant/Sponsor Name Luigi A. Palleschi, P.E., ABD Engineers & Surve Date July 25, 2023

Signature _____ Title Professional Engineer

PRINT FORM

EAF Mapper Summary Report

Monday, July 24, 2023 5:01 PM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas:Mohawk Valley Heritage Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No

E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Town of Rotterdam
Office of the Planning Commission

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

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

Resolution Number PC28-2023
Moved by Mr. Miglucci seconded by Mr. Collins
Applicant: GDP Lville Rotterdam, LLC

Resolution Adopting a Report and Recommendation on the Change of Zone Request by GDP Lville Rotterdam, LLC

WHEREAS, the Town Board of the Town of Rotterdam ("Town Board") has received an application from GDP Lville Rotterdam, LLC ("Contract Vendee") for a Change of Zone from Agricultural (A-1) to General Business (B-2) on ±17.30 acres comprising two parcels of land known as 880 and 900 Duanesburg Road (Tax Parcel #57-3-7.112 and 57.7-1-1.2); and

WHEREAS, the Town Board referred the Change of Zone application to the Planning Commission on August 9, 2023 for a report and recommendation thereon; and

WHEREAS, the Applicant, through its representative, Luigi Palleshi with ABD Engineers and Surveyors, presented the Change of Zone application to the Planning Commission at its regularly scheduled meeting held on September 5, 2023; and

WHEREAS, the Planning Commission reviewed the proposed Change of Zone at its regularly scheduled meetings held on September 5, 2023 and September 19, 2023; and

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

NOW, THEREFORE, upon motion of Member Miglucci, seconded by Member Collins,

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:

> The Change of Zone request concerns a total of ±17.30 acres consisting of two separate parcels located on the north side of Duanesburg Road immediately east of the entrance ramps to Interstate 88. The properties known as 880 and 900 Duanesburg Road are currently vacant and previously contained a single-family residential structure at 880 Duanesburg Road and a single-family residential home with a barn and associated outbuildings on 900 Duanesburg Road. These structures were demolished approximately 11 years ago. The Applicant seeks the change of zone to facilitate the construction of a new ±102,500 square foot BJs Wholesale Club with fuel pumps and a proposed ±2,000 square foot fast food restaurant. In addition to the proposed fueling facility proposed for this site, there are other fuel and convenience type facilities in the immediate vicinity. There is a recently constructed gas station/convenience store, liquor store, and a fast-food establishment (Wendys) located immediately to the west of the I-88 entrance and a truck stop fueling center with fast food (Pilot/Dunkin

Donuts/Subway) also located immediately to the west. There is an existing regional library facility located to the east. And additional properties to the east of these parcels in the vicinity of the site are currently zoned B-2 and contain retail businesses and a wellness center. Lands of the Schalmont Central School District are located to the south are primarily wetlands and the entrance to the school campus is located approximately 1000 feet east of the proposed entrance to the property to be rezoned.

Rezoning the parcel would expand the allowable uses to include, in addition to uses allowed in the B-1 zoning district, the following:

- Establishments for making, assembling or repairing articles, with all such activities and Storage located entirely within an enclosed building;
- Commercial health and recreation establishments;
- Wholesale business and storage conducted entirely within an enclosed building;
- Data processing and computer services;
- Motor vehicle repair shops (special use permit);
- Propane gas filling stations (special use permit);
- Car washes (special use permit);
- Dry-cleaning laundry facilities (special use permit);
- Mass transportation facilities (special use permit);
- Drive-in establishments (special use permit);
- Public utility or communications installations (special use permit);
- Hotels and motels (special use permit);
- Contractor's shops and equipment storage yards (special use permit);
- Veterinary hospitals (special use permit);
- Motor vehicle sales and rental establishments (special use permit);
- Motor vehicle fuel filling stations (special use permit); and
- Convenience stores (special use permit).

There would be a change in the required lot area and lot frontage; the current zoning requires a 1-acre minimum lot area with 150 feet of lot width. The proposed B-2 zoning district would require a minimum lot area of 15,000 square feet, with a minimum lot width of 100 feet.

2. Subject to the considerations set forth below in Paragraph 3, the Planning Commission hereby adopts a **positive recommendation** on the GDP Lville Rotterdam, LLC Change of Zone request for the following reasons: The proposed Change of Zone would permit the construction of the proposed ±102,500 square foot BJs Wholesale Club with fuel pumps and a proposed ±2,000 square foot fast food restaurant. In large part, the surrounding neighborhood is zoned General Business (B-2), and for the most part the area is developed commercially. Permitting a commercial development at this site meets the objectives of the Comprehensive Plan. This property has been identified as a key property for development in the western portion of town given its location immediately adjacent to the interstate entrance/exit. It was identified in the 2001 Comprehensive Plan and in various subsequent planning studies as being a commercial parcel that if designed correctly, could be of a benefit to the community.

The proposed Change of Zone would be consistent with the neighborhood and existing land use development in the area.

The property has retained its agricultural zoning as this property previously contained a large farmhouse and associated structures. The farm was bisected by the construction on Interstate 88 over fifty years ago. While the property remains zoned Agricultural, it is no longer a suitable zoning for the site as it is surrounded by other Commercial uses and is located at the major intersection of Duanesburg Road (NYS Route 7) and NYS Interstate-88.

3. This recommendation is subject to the following considerations:

   a. The applicant should prepare a traffic study and work in coordination with NYSDOT to address traffic impacts due to the location and high volume of traffic in the area of this highway interchange.
   b. 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 and, as necessary, by the Zoning Board of Appeals.

Member	Aye	Nay	Absent
Thomas Yuille	X		
Mark DAlessandro	X		
Wayne Calder			X
Clark Collins	X		
Joseph Miglucci	X		
Lynn Flansburg	X		
Joseph Signore	X		

Peter J. Comenzo
Senior Planner

Thomas P. Yuille
Planning Commission Chairman