

**Town of Rotterdam
Planning Commission
March 19, 2024**

Workshop *(Rotterdam Senior Center – 2639 Hamburg Street) – 7:00pm*
Agenda *(Rotterdam Senior Center – 2639 Hamburg Street) – 7:30pm*

Approval of the Summary of Minutes March 5, 2024

1. **496 Rotterdam LLC - 496 Duanesburg Road.** Final Site Plan/Special Use Permit approval to convert an existing ±2,078 square foot tenant space in a three (3) tenant ±7,328 square foot building from a garage to a motor vehicle repair facility on ±1.15 acres. Engineer: Advanced Engineering & Surveying, PLLC.
2. **RPK Real Estate, LLC – 330 Becker Drive.** Sketch Site Plan/Special Use Permit Review to construct an additional ±4,320 square foot retail building with two (2) tenant spaces within the existing travel plaza located on a ±3.37-acre lot. Engineer: Doak Engineering Design, PC.

DPW Comments
March 19, 2024

1. **496 Rotterdam LLC - 496 Duaneburg Road.** Final Site Plan/Special Use Permit approval to convert an existing $\pm 2,078$ square foot tenant space in a three (3) tenant $\pm 7,328$ square foot building from a garage to a motor vehicle repair facility on ± 1.15 acres. Engineer: Advanced Engineering & Surveying, PLLC.

1. Final fees due:	Waiver of Site Plan:	\$100.00
	<u>Advertising</u>	<u>\$94.60</u>
	Total	\$194.60

2. Prior to the issuance of a Certificate of Compliance, the Building Department shall inspect the facility to confirm that no floor drains exist in the garage as they are not permitted pursuant to DEC regulations.
3. The existing buffer on the eastern portion of the property abutting the residents on Frank Street shall be maintained and kept in an orderly fashion.
4. No more than ten (10) vehicles shall be stored outside at any time. All vehicles on-site must be in the process of being repaired for customers only. Long term storage of vehicles (more than 2 weeks) is prohibited. Failure to adhere to this condition may result in revocation of the Special Use Permit.
5. All repairs shall be performed within the principal building on the premises.
6. No body work or auto painting shall be performed on-site.
7. No vehicles shall be parked less than 10 feet from any property line.
The sale of motor vehicles is strictly prohibited.

DPW Comments from February 20, 2024

1. Site plan was approved and a SEQR Negative Declaration was issued on September 15, 2020. Applicant is requesting to occupy Tenant Space #3 with a motor vehicle repair shop which would require a Special Use Permit.
2. No more than ten (10) vehicles shall be stored outside at any time. All vehicles on-site must be in the process of being repaired for customers only. Long term storage of vehicles (more than 2 weeks) is prohibited. Failure to adhere to this condition may result in revocation of the Special Use Permit.
3. All storage of materials and equipment shall be within the principal building, with the exception of refuse and trash, which shall be stored in closed containers and in an area screened from view at all points on any public or private property or street when viewed from the ground level.
4. Add note to plan: All repairs shall be performed within the principal building on the premises.
5. Add note to plan: No body work or auto painting shall be performed on-site.
6. Add note to plan: Dumpster shall be in a screened enclosure.
7. Add note to plan: No vehicles shall be parked less than 10 feet from any property line.
8. Add note to plan: The sale of motor vehicles is strictly prohibited.

DPW Comments
496 Rotterdam LLC
March 19, 2024
Page 2

SEQR Requirement: 6 NYCRR 617 Unlisted Action. Rotterdam Planning Commission declared lead agency on February 20, 2024. A Draft Negative Declaration is attached.

Involved/Interested Agencies

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

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

PART III

SPECIAL USE PERMIT/SITE PLAN APPLICATION General Information

Legal Owner's Name: 496 Rotterdam LLC

Mailing Address: 600 Consalus Ave

City: Schenectady State: NY Zip: 12306

Daytime Phone: 518-857-6344 E-mail: jcstnc@gmail.com

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

Owner's Designated Contact: Joseph Cilierto JR

Mailing Address: 600 Consalus Ave

City: Sch'dy State: NY Zip: 12306

Daytime Phone: 518-857-6344 E-mail: jcstnc@gmail.com

Project/Proposal Site Area (Acres or sq. ft.): 50,280 SF

Assessor Tax Parcel No.(s) of Proposal Site: 48.18-7-2

Adjacent Area Owned or Controlled (Acres or sq. ft.): 0

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

Street Address of Proposed Site (if any): 496 Duaneburg Rd NY.

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

Existing Zoning Classification: I-1 Light industrial

School District: Schalmont

Fire District: South Sch'dy

Water Supply: Town of Rotterdam

LEGAL INFORMATION

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

Name of public road (s) providing access: Duaneburg Rd

Width of property fronting on public road: 200 Lm

Attach deed or legal description.

Attach a lease agreement of the proposed site (if applicable).

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

Auto motive repair

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

Permanent

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 ☒. If yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

FILL OUT FOR SPECIAL USE PERMIT APPROVAL ONLY (§ 270-167)

(Failure to answer all of these questions completely may result in denial of the special use permit)

- (1) Is the establishment, maintenance or operation of the special use detrimental to or an endangerment to the public health, safety, morals, convenience or general welfare? If not, please explain:

not, small auto repairs which will not impact area

- (2) Is the special use injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, and does it substantially diminish and impair property values within the neighborhood? If not, please explain:

no, actually adds value

- (3) Does the establishment of the special use impede the normal and orderly development and improvement of the surrounding property? If not, please explain:

not, currently it is in area where other similar business is conducted.

- (4) Have adequate utilities, access roads, drainage and/or necessary facilities been or are being provided? If yes, please explain:

yes, building was existing and used for the same type of operation.

- (5) Have adequate measures been or will be taken to provide ingress or egress as to minimize traffic congestion in the public street? If yes, please explain:

yes, full easement to the property is part of the deed

If you have any additional comments, please attach them on a separate sheet of paper.

PART IV

LEGAL OWNER SIGNATURE

(Signature of legal owner(s))

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

I further swear or affirm that I (we) (am)(are) the owner(s) of record of the area proposed for the previously identified land use action

Name: Joseph Cilitento Date: 2/6/2024

Address: 601 Condos Ave Phone: 518-857-6394

Schuyler NY 12306 Zip: 12306

[Signature] Date: 2/6/2024

*#1 Signature of Owner #1

Date

Notary
(For Signature #1 Above)

STATE OF NEW YORK) ss:
COUNTY OF SCHENECTADY)

SUBSCRIBED AND SWORN to me this 7th day of February, 2024.

NOTARY SEAL

ANGELA MASCITELLI
Notary Public, State of New York
Qualified In Schenectady County
Reg. #01MA6040739
My Comm. Exp April 24, 2026

[Signature]
Notary Signature

Notary Public in and for the State of New York
My appointment expires: 4/26

Name: _____ Date: _____

Address: _____ Phone: _____

_____ Zip: _____

*#2 Signature of Owner #2

Date

Notary
*(For Signature #2 Above)

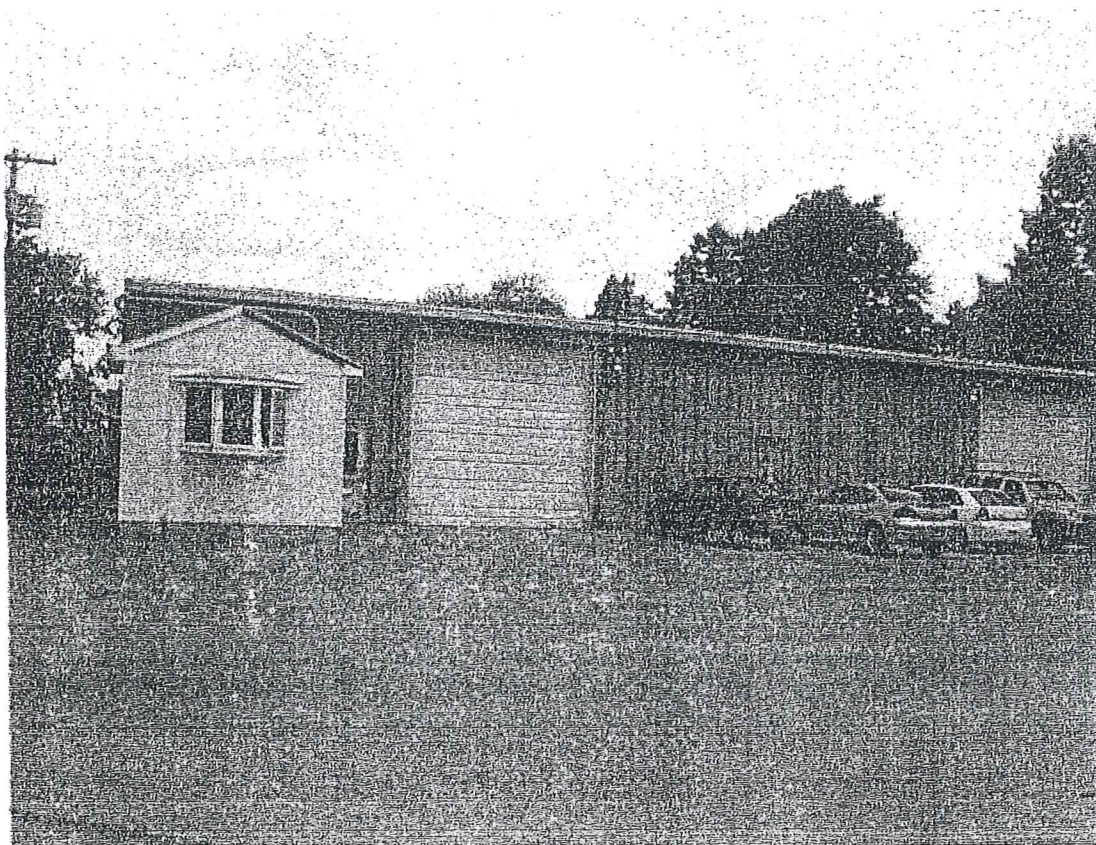
STATE OF NEW YORK) ss:
COUNTY OF SCHENECTADY)

SUBSCRIBED AND SWORN to me this _____ day of _____, 20____.

NOTARY SEAL

Notary Signature

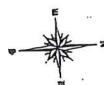
Notary Public in and for the State of New York
My appointment expires: _____



GIS information unavailable for current parcel.

Structure

Structure	
Number of Identical Buildings	1
Actual Year Built	1970
Effective Year Built	1970
Construction Quality	2.0
Condition	3 - Normal
Building Perimeter	400
Gross Floor Area	7300
Number of Stories	1.0
Story Height	16
Air Conditioning %	0%
Sprinkler %	0%
Number of Elevators	
Basement Perimeter	
Basement Sq. Ft	



PROPOSED PLAN
SCALE: 1" = 1'-0"

FRONT ELEVATION
SCALE 1" = 1'-0"

- [illegible]

- [illegible]

10/3 2000-10-06 SHEET NO. PLAN	PROPOSED PLAN AND ELEVATION BUILDING ALTERATIONS ST. NO. 496 DUANESEBURG ROAD		Design of ADVANCE ENGINEERING & SURVEYING, PLLC CONSULTING IN - CIVIL & ENVIRONMENTAL ENGINEERING LAND SURVEYING & DEVELOPMENT COMMERCIAL AND RESIDENTIAL 11 HERBERT DRIVE, LATHAM, NY 12110 PHONE: (518) 819-3772 E-MAIL: HCOSTA@aeand.com	 10-01-23 NICHOLAS COSTA, P.E.	I, NICHOLAS COSTA , a duly Licensed Professional Engineer, State of New York, License No. 10000, do hereby certify that I am the Designer of the above described project, and that I am a duly Licensed Professional Engineer, State of New York, License No. 10000, and that I am duly qualified to perform the services required by this contract.	NO. 1 2 3	REVISION FOR REVISION FOR REVISION	BY M M	APPRO. DATE 10/3/2006 10/3/2006
	TOWN OF ROTTERDAM COUNTY OF SCHENECTADY NEW YORK DATE: AUGUST 5, 2020 SCALE: AS SHOWN		I am a duly Licensed Professional Engineer, State of New York, License No. 10000, and I am duly qualified to perform the services required by this contract. I am not a duly Licensed Professional Engineer, State of New York, License No. 10000, and I am not duly qualified to perform the services required by this contract.		NO. 1 2 3	REVISION FOR REVISION FOR REVISION	BY M M	APPRO. DATE 10/3/2006 10/3/2006	

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

Date: March 19, 2024

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

SEQRA Status: Type I ☐
Type II ☐
Unlisted ☒

Conditioned Negative Declaration: Yes ☐
No ☒

Owner: 496 Rotterdam LLC
600 Consalus Avenue
Schenectady, NY 12306

Location: 496 Duanesburg Road
Schenectady, NY 12306

Tax Map Number(s): 48.18-7-2

Zoning: Light Industrial (I-1) Zoning District.

Action: Site Plan/Special Use Permit approval to convert an existing ±2,078 square foot tenant space in a three (3) tenant ±7,328 square foot building from a garage to a motor vehicle repair facility on ±1.15 acres.

Reasons Supporting This Determination:

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

This project was conducted as a SEQR coordinated review. The site plan was sent to all interested/involved agencies on February 21, 2024. The applicant has supplied an Environmental Assessment Form and the Planning Commission has or has caused to complete Part 2 of this checklist.

The applicants have requested Site Plan/Special Use Permit approval to convert an existing $\pm 2,078$ square foot tenant space in a three (3) tenant $\pm 7,328$ square foot building from a garage to a motor vehicle repair facility on ± 1.15 acres.

The existing industrial building currently exists on-site and is vacant and in poor shape. The applicant is proposing to rehabilitate and convert the building into 3 tenant spaces for commercial and/or industrial tenants will all activity to be conducted within in the existing building. The building is currently connected to municipal water and sanitary sewer. The existing parking area will be rehabilitated and new lighting installed which will be directed downward to reduce light impacts.

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

- (i) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;
- (iii) the impairment of the environmental characteristics of a Critical Environmental Area.
- (iv) the creation of a material conflict with a community's current plans or goals as officially approved or adopted;
- (v) the impairment of the character or quality of important historical, archaeological, architectural, or aesthetic resources or of existing community or neighborhood character;
- (vi) a major change in the use of either the quantity or type of energy;
- (vii) the creation of a hazard to human health;
- (viii) a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;
- (ix) the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;
- (x) the creation of a material demand for other actions that would result in one of the above consequences;

(xi) changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or

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

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

(i) included in any long-range plan of which the action under consideration is a part;

(ii) likely to be undertaken as a result thereof; or

(iii) dependent thereon.

(3) The significance of a likely consequence (i.e., whether it is material, substantial, large or important) has been assessed in connection with:

(i) its setting (e.g., urban or rural);

(ii) its probability of occurrence;

(iii) its duration;

(iv) its irreversibility;

(v) its geographic scope;

(vi) its magnitude; and

(vii) the number of people affected

The environmental effects of the above-described action were discussed at regularly scheduled Planning Commission Public meeting held on March 19, 2024 at the Rotterdam Town Hall, 1100 Sunrise Boulevard, Rotterdam, NY 12306. Adoption of this Negative Declaration was moved by XXXXXX, seconded by Mr. XXXXXX, and approved by the Rotterdam Planning Commission.

Kimberly Ricker Scannell
Planning Commission Chairman

DPW Comments
March 19, 2024

2. **RPK Real Estate, LLC – 330 Becker Drive.** Sketch Site Plan/Special Use Permit Review to construct an additional $\pm 4,320$ square foot retail building with two (2) tenant spaces within the existing travel plaza located on a ± 3.37 -acre lot. Engineer: Doak Engineering Design, PC.
1. A Special Use Permit will be required for the additional building with two (2) additional tenant spaces.
 2. Travel Plaza was recently constructed and all tenant spaces are occupied. See attached verbatim minutes and resolutions approving the project (see enclosed).
 3. Planning Commission should authorize the Chairman to enter into an agreement with the TDE to assist in the review of this project.
 4. Identify snow storage areas.
 5. Identify and detail proposed dumpster location(s).
 6. This site has applied for a Cannabis Dispensary license from the NYS Cannabis Control Board (see enclosed).
 7. A waiver to the parking requirements from the Planning Commission will be necessary prior to approvals. Applicant should identify proposed tenants.
 8. An ADA Compliant sidewalk, curbing, crosswalk, and signage will need to be established to create a pedestrian connection with the existing travel plaza. The existing drive-thru for Wendy's is very active and additional traffic control is warranted.
 9. Applicant will need to demonstrate that the existing utilities (potable water and wastewater) is adequate to support the additional building.
 10. Existing dead/dying plantings need to be replaced along Becker Drive.
 11. Routine maintenance of the existing facility should be addressed.

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

Involved/Interested Agencies

Schenectady County Economic Development and Planning
Schenectady County Department of Health
New York State Department of Environmental Conservation – Region #4
New York State Department of Transportation
Rotterdam Police Department
Fire District #6
Schalmont School District
Princetown Town Clerk

RECEIVED

MAR 13 2024

TOWN OF ROTTERDAM
PUBLIC WORKS

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

PART III

SPECIAL USE PERMIT/SITE PLAN APPLICATION General Information

Legal Owner's Name: RPK Real Estate, LLC

Mailing Address: 414 River Road

City: Newburgh State: NY Zip: 12550

Daytime Phone: 727-267-0262 E-mail: Bella.Farquhar@gmail.com

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

Owner's Designated Contact: Doak Engineering Design, PC, Brian R. Doak, PE

Mailing Address: 185 Main Street

City: Owego State: NY Zip: 13827

Daytime Phone: 607-759-5792 E-mail: bdoak@dedpc.com

Project/Proposal Site Area (Acres or sq. ft.): 3.31 Acres
Assessor Tax Parcel No.(s) of Proposal Site: 57.-3-25.1

Adjacent Area Owned or Controlled (Acres or sq. ft.): 1.01 Acres
Assessor Tax Parcel No.(s) of Adjacent Land Owned or Controlled: T/M: 57.-3-23, Town of Rotterdam

Street Address of Proposed Site (if any): 330 Becker Drive

Describe Existing Use(s) on Proposed Site (Such as buildings, well, sewer drainfield and others): Gas Station, Fast Food, Convenience store and Liquor store.

Existing Zoning Classification: B2 General Business

School District: SCHALMONT Fire District: FD600

Water Supply CW500

LEGAL INFORMATION

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

The new building will be located west of the existing building and approximately the same setback.

Name of public road (s) providing access: NYS 7 (Duandsburg Road)

Width of property fronting on public road: ~670'

Attach deed or legal description.

Attach a lease agreement of the proposed site (if applicable).

Purpose for the requested site plan approval (and special use permit if applicable):
Construction of new retail structure on the existing lot.

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

Permenant

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 ☒. If yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

FILL OUT FOR SPECIAL USE PERMIT APPROVAL ONLY (§ 270-167)

(Failure to answer all of these questions completely may result in denial of the special use permit)

- (1) Is the establishment, maintenance or operation of the special use detrimental to or an endangerment to the public health, safety, morals, convenience or general welfare? If not, please explain:

The addition of a second building on this site will not endanger the health, safety, morals or general welfare of the public.

- (2) Is the special use injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, and does it substantially diminish and impair property values within the neighborhood? If not, please explain:

The addition of a second building is not injurious to the use and enjoyment of other properties in the immediate vicinity and will not substantially diminish property values within the neighborhood. This building is to be additional retail space as is the existing building.

- (3) Does the establishment of the special use impede the normal and orderly development and improvement of the surrounding property? If not, please explain:

The addition of a second building on the site does not impede the normal and orderly development of the surrounding properties

- (4) Have adequate utilities, access roads, drainage and/or necessary facilities been or are being provided? If yes, please explain:

The location of this second building has been selected to connect to existing utilities, access roads, and drainage. The on-site septic system has been evaluated and is of sufficient capacity for the additional septic requirements. The public water supply and electrical supply are judged to be well within the capacity of the existing supply.

- (5) Have adequate measures been or will be taken to provide ingress or egress as to minimize traffic congestion in the public street? If yes, please explain:

Ingress & egress are not impacted by the location of this second building. No substantial changes to traffic patterns or any congestion are anticipated.

If you have any additional comments, please attach them on a separate sheet of paper.

PART IV

LEGAL OWNER SIGNATURE
(Signature of legal owner(s))

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

I further swear or affirm that (I) (we) (am)(are) the owner(s) of record of the area proposed for the previously identified land use action

Name: Hinner Singh

Date: 3/7/2024

Address: 414 River Rd

Phone: 845-591-2544

Newburgh NY

Zip: 12550

*#1 Signature of Owner #1

Notary
(For Signature #1 Above)

STATE OF NEW YORK) ss:
COUNTY OF SCHENECTADY) ORANGE

SUBSCRIBED AND SWORN to me this 7th day of March, 2024

NOTARY SEAL
ANTOINETTE M ELLIS
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01EL6241419
Qualified in ORANGE County
Commission Expires May 23 2027

Notary Signature

Notary Public in and for the State of New York
My appointment expires: May 23, 2027

Name: _____

Date: _____

Address: _____

Phone: _____

Zip: _____

*#2 Signature of Owner #2

Date: _____

Notary
(For Signature #2 Above)

STATE OF NEW YORK) ss:
COUNTY OF SCHENECTADY)

SUBSCRIBED AND SWORN to me this _____ day of _____, 20____.

NOTARY SEAL

Notary Signature

Notary Public in and for the State of New York
My appointment expires: _____

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, Himender Singh, being duly sworn declare that I am the
(PROPERTY OWNER)

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

Tax Parcel Number(s): 53.-3-23

I hereby grant Doak Engineering Design, PC 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]

Date: 3/7/2024

NOTARY

STATE OF NEW YORK) ss:

COUNTY OF Orange)

SUBSCRIBED AND SWORN to before me this 7th day of March, 2024

NOTARY SEAL

Antoinette M Ellis
Notary Signature

ANTOINETTE M ELLIS
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01EL6241419
Qualified in ORANGE County
Commission Expires May 23 2027

Notary Public in and for the State of New York

Residing at: Newburgh NY 12550

My appointment expires: May 23, 2027

RECEIVED

MAR 13 2024

TOWN OF ROTTERDAM
PUBLIC WORKS

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

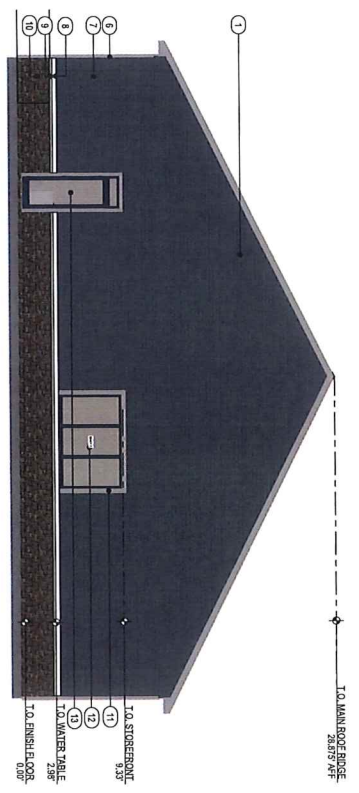
Part 1 – Project and Sponsor Information			
ROTTERDAM NEW STORE			
Name of Action or Project: NEW BUILDING CONSTRUCTION			
Project Location (describe, and attach a location map): 330 BECKER DRIVE			
Brief Description of Proposed Action: CONSTRUCT A NEW 72' X 60' (4320 SF) SINGLE-STORY RETAIL STORE ON THE EXISTING BUILDING.			
Name of Applicant or Sponsor: BRIAN R. DOAK, PE, DOAK ENGINEERING DESIGN, PC		Telephone: 607-759-5792 E-Mail: bdoak@dedpc.com	
Address: 185 MAIN STREET			
City/PO: OWEGO		State: NEW YORK	Zip Code: 13827
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO ☒
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: TOWN OF ROTTERDAM			YES ☒
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			3.37 acres 0.10 acres 3.37 acres
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☒ Other(Specify): TOWN WETLAND EAST OF SITE ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: <u>EXISTING WETLAND EAST OF SITE (NOT LISTED ON NYSDEC ENVIRONMENTAL RESOURCE MAPPER)</u>	☐	☒	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
b. Are public transportation services available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ <u>EXISTING ON-SITE SEPTIC SYSTEM</u>	☒	☐	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☐	☒	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

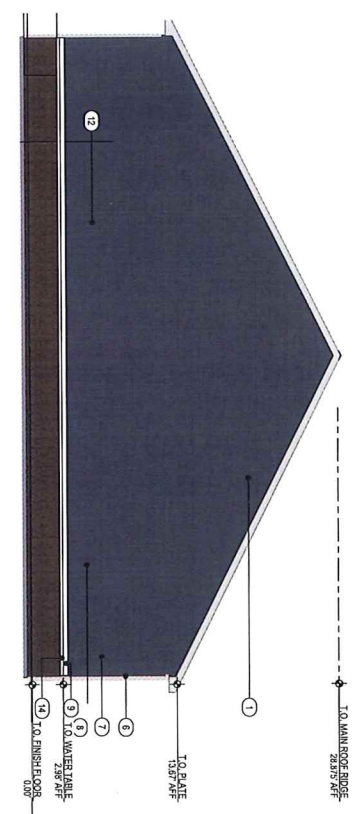
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☒ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO	YES
	☒	☐
	☒	☐
	☒	☐
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>BRIAN R. DOAK, PE</u> Date: <u>3/6/24</u> Signature: <u>Brian R. Doak</u> Title: <u>PROFESSIONAL ENGINEER</u>		



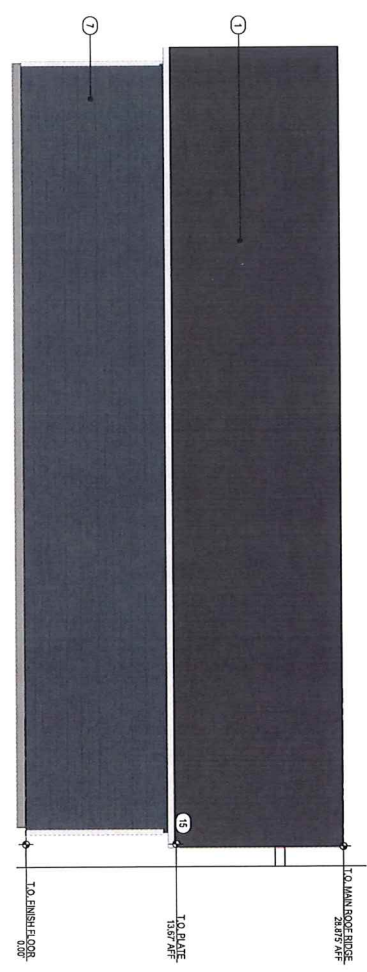
FRONT ELEVATION



LEFT ELEVATION



RIGHT ELEVATION



Left Elevation

RE: Notification of adult-use retail dispensary license application

License Type: New Establishment

Previous DBA:

License Number (if applicable):

Applicant Name: Karanjit Singh

Phone Number: (845)-282-0120

Email Address: Singh_Karanjit@outlook.com

Dear Municipal Clerk/NYC Community Board:

This serves as notification that I (name) Karanjit Singh

of (dba) Smokey Jungle LLC

intend to, or have, file(d) an application for licensure with the Office of Cannabis Management
to open a(n):

- ☒ retail dispensary premises (new or additional) ☐ registered organization with
dispensing (or ROD)
☐ microbusiness

in (county name) Schenectady County. This business, once the license is approved, shall be located
at:

Address Line 1: 330 Becker Dr

Address Line 2:

City: Schenectady

Zip code: 12306

The mailing address is (if different from business location):

Address Line 1: 223 N Fostertown Dr

Address Line 2:

City/Town/Village: Newburgh

State: Zip code: 12550

(As applicable, name of business if different from above) has retained the legal services of (attorney or representative)

Name:

Address Line 1:

Address Line 2:

City/Town/Village:

State:

Zip code:

Telephone with area code:

If the municipality or community board would like to express an opinion to the Cannabis Control Board, they must respond to this notification within 30 days by emailing an opinion to municipalities@ocm.ny.gov. This expressed opinion must be on official municipality or community board letterhead.

If the municipality or community board would like to request a one-time 30 day extension for the municipality or community board to provide their opinion, or if the municipality or community board has any comments, concerns, or questions, they must reach out to the Office at municipalities@ocm.ny.gov with "Notification to Municipalities Municipality Opinion 30 Day Extension Request – [Insert municipality or community board name here]" in the subject line. Municipalities or community boards should be sure to provide proof of the date of receipt of the Notification to Municipalities that they wish to request an extension of time for submitting a municipality opinion. Any request that does not include such information will be rejected as incomplete.

Signed

Today's date:

Print

Karanjit Singh

3. **Go Ahead Realty LLC & Aladdin Properties (Owner)/BT Land Development (Designated Contact) – 330 Becker Drive & Duanesburg Road. Conceptual Site Plan/Special Use Permit/Consolidated Waiver of Subdivision review to construct a ±8,000 square foot travel center with drive-thru and motor vehicle fueling station on ±3.37 acres. Engineer: MJ Engineering and Land Surveying, P.C.**

Ms. Yovine: I'm Allison Yovine from MJ Engineering.

Mr. Giorgio: Michael Giorgio from BT Land Development.

Ms. Yovine: We are here today to get some feedback from you for this project. This is located on Duanesburg Road across from Pilot. It's in the B-2, general business zone. We are proposing an 8,000 square foot travel center with gas pumps which would require a special use permit in this area.

I wanted to go over the design a bit with you and get your thoughts on it. We would have the front entry with one way to get in which would be aligned to the driveway to Pilot. Then we would have an 8,000 square foot travel center with gas pumps and also gas pumps for tractor trailers as well. There would also be a drive-thru on the rear of the property. Where we also exit the property. We have made sure to have the exits be right turn only to try to be able to have the cars exit towards Route 7 and not to the neighborhood.

We understand that there is concern about traffic in this area and we do intend to do a traffic study but we just want to first get your input because with the traffic study we will have to know where the entrances and exits and all that go so we wanted to make sure we got some feedback from you prior to doing a traffic study and further the design of the project.

Chairman Denny: I will ask the Planning Commission to see if they have any questions or comments. Myself, I see the diesel trucks going in there to fuel up. The room that they have to get in and get out may pose a problem but let's see what the Planning Commission has to say. Mr. Yuille?

Mr. Yuille: First thing, I think this is a good use of the property. It has been sitting there forever and I know a few years back we had Stewart's look at this property and for some reason they didn't want to go with it. The one concern that I have got and I will wait for comments from the TDE on this is the truck traffic in there. I see with gas pumps and the store and everything makes sense at that end but mixing the trucks with the cars and the pedestrians that are going to be walking back and forth, at the other facility across the street those trucks go around the building. They are separated from it. Here they are all going to be in the same area. I see a potential problem coming up on it. I know it's not going to be a truck stop as such, but if a guy parks his truck and decides he's going to walk in and get some stuff in the store and leave his truck parked there now he has blocked one of the truck lanes and if you get two (2) or three (3) other trucks that come in off the road, where do they go? There is no bypass lane to get out. That is something that I think is a major concern and I think that needs to be looked at.

Other than that, the layout looks good. You have your septic system, retention ponds for stormwater and I think it would be a great asset. Can you explain to me what a travel center is? Is that...

Mr. Giorgio: Basically, it's just another word for a plaza. We are going to have multiple tenants in the building. It's going to be like a food court. So, there is going to be...

Mr. Yuille: It's not like a big Cumberland Farms, it's going to be different than that?

Mr. Giorgio: Right. If you kind of picture, almost like if you stop at a rest area you may have a choice of a sandwich, a hamburger or slice of pizza. There is going to be a food court style next to the convenience store.

Mr. Yuille: There will be bathrooms and everything in there that people can use. I will wait for the comments from the TDE. Other than that, my main concern is the trucks being in there.

Go Ahead Realty LLC & Aladdin Properties (Owner)/BT Land Development (Designated Contact)
330 Becker Drive & Duanesburg Road

Mr. Giorgio: The reason why we went with this particular plan, but again we would love to hear what the TDE has to say, is that we were trying to keep mindful of the neighbors. We thought about having the trucks come around the back but we were worried it would impact the neighbors too much with sound and noise and smell. That is why we tried to keep them towards the front away from the neighborhood.

Mr. Yuille: Those were going to be my next comments because there were some neighbors that lived along Becker Drive that were very vocal when we were looking at another project that Bobby had and they came in. There is a concern there. Buffering to block the noise. Obviously, you've removed the house or going to remove the house that was there.

Mr. Giorgio: Correct and one of the other designs that we have planned is to have a berm along the back edge of the property with some evergreens so that it will create a natural barrier so that the neighbors will not be able to really see anything at all.

Mr. Yuille: That is all, Mr. Chairman.

Chairman Denny: Mr. Calder?

Mr. Calder: I like the idea of the project being there. I was going to mention about the neighbors also that Mr. Yuille touched on. I know that some of the projects prior to this, they were extremely vocal and I am sure it's early yet and you will hear them and talk to them and getting ideas and such which would be good. I have no problem with the project at all.

Chairman Denny: Mr. D'Alessandro?

Mr. D'Alessandro: I have just a couple of questions. I know we are just in the preliminary phase but do you have hours of operation?

Mr. Giorgio: We haven't had that set yet, it will kind of be dictated by the tenants. We are talking to some really, really great tenants now and we are hoping that we are going to end up landing some of these. I would imagine that there could be some tenants that might want to be 24 hours possibly, it will really depend on the tenants.

Mr. D'Alessandro: We have discussed this before I see a couple of trucks above the station and I know the audience can't see it and our copy here up to the left, like where the storm management area, there is a couple there. I'm just worried about overnight parking and trucks running all night long.

Mr. Giorgio: That's a great question. We are going to have signs for the trucks that there is no overnight parking allowed and we will be relaying that on the facility. That was just set up as a bypass idea and again, Mr. Yuille, has brought up that he was concerned about a bypass lane and that is something we are looking at as well.

Mr. D'Alessandro: The last thing is, I just want to make sure that I'm seeing this right that there is definitely no truck exits on Route 7 because it's already full across the street with that going on. You're just going to exit out the back and then onto 7?

Mr. Giorgio: Correct. That's a right hand turn only. That is the way that is designed, the way that turn swings.

Mr. D'Alessandro: Thank you. That's all I have, Mr. Chairman.

Chairman Denny: Mr. Collins?

Go Ahead Realty LLC & Aladdin Properties (Owner)/BT Land Development (Designated Contact)
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Mr. Collins: I think it's a great project, my only concern is the first gas pump, the farthest near the septic area, if they backed up there, truckers can be kind of rude, I hate to say that, but if they come in there and stack up, there can be a traffic impact especially if you have two (2) 53 footers there and then you got another one coming, can he swing around the second truck to get to the next one?

What is to stop people from going into the same parking area and dropping their rigs?

Mr. D'Alessandro: The back parking?

Mr. Collins: The back parking, is it going to be too tight for them to get their truck in and swing or how are you going to eliminate them from coming down, pulling in and just parking?

Mr. Giorgio: That's a great question. The way that it is designed is that will only be accessible for pedestrian cars. You wouldn't be able to get a truck past that one point.

Mr. Collins: That was my concern because they could just come in and say I'm going to go here and I'm going to do whatever and not really care that they take up all your parking spaces. I think it's a good project. My concern is the traffic where the trucks are coming in and stacking up and blocking people that want to come into your travel center and get regular gas that drive by and see these trucks sitting there. They can stop in there, but big 53' rigs can be a little intimidating to some people. That's all I have.

Chairman Denny: Mr. DiLallo?

Mr. DiLallo: I think it's a good project. Show me how you envision the truck traffic entering and exiting, please.

Mr. Giorgio: The main entrance which is the only entrance. They would come here, get their fuel and leave "Inaudible..."

Mr. DiLallo: Leave that way? I was envisioning the opposite way. I had visions of going near the gas pumps which I didn't like.

Mr. Giorgio: This is the only entrance for the trucks. We are going to try to, of course with your feedback, make this the most efficient way possible.

Mr. DiLallo: I understand what you are trying to do, but you basically have to give those guys a place to park so they can go in and get something to eat. Are you going to have a shower in there too?

Mr. Giorgio: No showers.

Mr. DiLallo: You will probably have no way of knowing, do you think it will alleviate the problems on Route 7 or make them worse? Is this going to attract more trucks or is it going to take care of the overflow from Pilot?

Mr. Giorgio: The reason why we came up with this design is because of the complaint that Pilot was so stacked at certain times a day that these trucks have no where to go. If you've been by there, you'll see them lined up on Route 7.

Mr. DiLallo: There is the problem because your entrance is going to have trucks on both sides of it and they will not be able to see getting in or getting out.

Mr. Giorgio: We have been doing our own internal studies and we have been visiting the site now for almost six (6) months straight and we go all different hours of the day. We have been taking pictures and we have put a lot of due diligence into this project and what we have seen is when Pilot gets its busy peak times, the big trucks their lot gets full.

Go Ahead Realty LLC & Aladdin Properties (Owner)/BT Land Development (Designated Contact)
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They have zero place to go. We have what we feel is a relief for that congestion and the times that we have been doing the studies, we've only seen two (2) or three (3) trucks with this problem. If you look here, we can actually fit about three (3) trucks into the lane and then we have room for another two (2) or three (3). We think we are going to alleviate that congestion. Plus, if you have ever been to the Pilot, the average traveler or local Rotterdam pedestrian that is going there for just gasoline, there are actually fights at the pumps with people. I've been there and I have witnessed people get into fist fights. Again, at least now, these people will have a choice so that is going to alleviate some of that congestion over there. If anyone has gone there, they will know what I'm speaking of.

Mr. DiLallo: Pilot told us too that they were only going to allow the truckers to stay there for three (3) hours.

Mr. Giorgio: With us, they are not going to be able to do an overnight and we are probably going to put a time limit on how long a truck can actually park.

Mr. DiLallo: Where do you picture the trucks parking so he can go inside and get something to eat?

Mr. Giorgio: Well, basically it would be right here and there is only room for one (1) or two (2).

Mr. DiLallo: How many diesel pumps are there?

Mr. Giorgio: There's three (3). Like I mentioned earlier, we noticed that the problem usually ends up being about two (2) or three (3) trucks. That is kind of how we came up with that formula.

Mr. DiLallo: I wonder if they are going to park on Becker after they get out of there, out of your place?

Mr. Giorgio: You mean to the right there, when they are taking the right?

Mr. DiLallo: How many feet is that, do you know from your exit to Route 7?

Ms. Nuvve: Probably not 100'.

Mr. DiLallo: I wonder if I should ask you to widen the road there. They are going to park there. They are going to park anywhere they can. I'm really worried about your entrance on 7. If they park on both sides of your entrance on 7, it's going to be real difficult for people especially getting out with tractors there. It's a good concept plan.

Mrs. Flansburg: Can I just have you go back to it for a second and tell me a little bit about the different flows. So, everyone is going to come in that one entrance?

Mr. Giorgio: Correct.

Mrs. Flansburg: So, the most you can have stacked are two (2) trucks or they are blocking your passenger vehicles coming through?

Mr. Giorgio: Correct.

Mrs. Flansburg: So, if you are a passenger vehicle your choice is to go over to the fuel tanks, park or go through the drive-thru and then you are presumably exiting that one close, up there, what is the additional 25 spots for down below?

Mr. Giorgio: This is just for people coming in and want to park and grab a bite to eat or go to the store.

Go Ahead Realty LLC & Aladdin Properties (Owner)/BT Land Development (Designated Contact)
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Mrs. Flansburg: Just additional parking for the same purposes as over in there. But those people are going to exit with the trucks?

Mr. Giorgio: They could go either way.

Mrs. Flansburg: They would have to come through, so it's not going to be one way in/one way out of that lot?

Mr. Giorgio: No. They can exit through the slip lane here past the drive-thru.

Mrs. Flansburg: So, they are in the bypass lane and they are still exiting...

Mr. DiLallo: Is the bypass for trucks too?

Chairman Denny: No.

Mr. Giorgio: We didn't design it that way because we are trying to keep them away from the neighborhood and that is why we have designed it this way.

Mrs. Flansburg: And I'm trying to keep them away from any pedestrians, the biggest thing I recall with Pilot when it first started was if you were coming from Schalmont and you're headed out they wanted it to be truck entrance only and then not truck entrance and there were cars exiting when trucks were trying to come in. I'm just trying to avoid that right from the get go of having them comeingle as little as possible. So, again they would be able to exit, you have a little arrow going out that way so I'm assuming they are also able to exit at the same point as the truck given their choice.

To beat a dead horse, I am worried about the trucks. The amount of space that you have, of course the driver is going to want to come and use the facilities and get something and go whether it's 15 minutes or an hour. Just be mindful of that going forward with your plans. Other than that, I think it's a great concept and clearly, it's needed because there are trucks parked all over the place but across the way they have opportunities for trucks to pull through, park and stay and you are not giving them that chance.

Mr. Giorgio: No, we're not.

Mrs. Flansburg: So, you are not providing the same service and that is fine. Just try and have signage that's appropriate for it and let them know what it is so they don't come in not knowing. I think it's a great concept and what you talked about the berm with the evergreens. We are absolutely going to want to protect the neighbors as much as possible. That's all I have for now.

Mr. Collins: Is this going to be strictly self service for the trucks?

Mr. Giorgio: Just a suggestion that if you did have an attendant there, it takes a while to pump 300 gallons of diesel. It may cost you a few more bucks but if you have somebody putting it in the trucks, it would give the truck driver go in and get his snacks or whatever and get out and try to alleviate some of the parking. It may cost you a few bucks during peak times.

Chairman Denny: If the trucks do fuel up there can they pay there right at the pump?

Mr. Giorgio: Yes. My business partner just brought up a good point that we are going to be getting what they call a high speed diesel pump and it pumps 30 gallons a minute.

4. **BT Land Development (Contract Vendee) – 330 Becker Drive & Duanesburg Road.** Concept Site Plan/Special Use Permit/Consolidated Waiver of Subdivision review to construct a ±8,000 square foot travel center with drive-thru, ±2,100 square foot coffee shop with drive-thru and motor vehicle fueling station on ±3.37 acres. Engineer: MJ Engineering and Land Surveying, P.C.

Ms. Yovine: I'm Alison Yovine from MJ Engineering. I am here to give you a little bit of a status update. We were here previously in the spring and you generally liked the concept but since then we have done some changes and we just want to make sure that you agree with everything and then we are going to move on to technicalities.

So previously, there was diesel tanks right here. Since then, we have removed the diesel tanks and we now have 2,100 square foot coffee shop here with a drive-thru and the "Inaudible" and the drive-thru there. We have also been in talks with DOT in getting their input as far as what they would like. We will have an "enter only" here and a "right hand only" out onto Route 7 as per the recommendation.

At this point, we wanted to just get some feedback from you and make sure we are generally in the right direction and then move ahead more with figuring out the fine tuned details.

Chairman Denny: Mr. Yuille, let's start with you.

Mr. Yuille: Again, I like the design. Much better design and you got rid of the truck traffic. I like the right out only. The two (2) drive-thru's might be a problem with a bypass lane going by the other one. You get someone that gets fed up and they pull out without looking. That happens at the bank, so that's not a real big concern. I notice there was a comment about the location of the fueling tanks. Maybe they should be out on the north side of the pumps out near the green space towards Duanesburg Road, but that is probably a better location for that. I think it fits. The only question that I had was in this travel center, the 8,000 square foot building, is that going to be a building separated into different tenant spaces with each one having an outside door or when you go in you would have...

Ms. Yovine: You would go in one entry way.

Mr. Yuille: And it would be like a food court type of thing?

Ms. Yovine: Yes. One thing that I should also point out that we are working on trying to figure out what the calculations of the parking would be. Whether the travel center would be based on the parking for the travel center under the code or if it would be under, say there was fast food in there, if it would be under that. At this point, we do expect to be asking for a parking variance or an area variance for parking. We just want to make sure that you are on board with that. We are still trying to figure out exactly what the requirement would be for the parking and how much of a variance we would be asking for. We wanted to make sure you were on board.

Mr. Yuille: I think this will take some of the load off of the Pilot across the street, some of the car traffic and leave that for the truck traffic because that is a nightmare out there as it is. I think this would be a good use for that property. I know that it has been in the works for several years, but I think this will work and tweak it in a few places, I think it will be fine. That's all, Mr. Chairman.

Chairman Denny: Mr. Calder?

Mr. Calder: I like the project, to be honest with you and I think the better use we can get out of Duanesburg Road with that corridor up there is good. The more commercial use the better. In and outs are safe and look good. I don't have a problem with this project at all. I'm good with it.

Chairman Denny: Mr. D'Alessandro?

Mr. D'Alessandro: I like the exits now on Route 7. It blends a lot better. It's probably a lot safer. I have two (2) questions. On the lower right, where that number 18 is for the parking spots, what are those things in the ovals?

Ms. Yovine: Right now, that is where we are proposing to have the two (2) fuel tanks. This is a loading area for the food court area, they can drop off there "Inaudible..."

Also, we should point out that these parking spaces in the front, when the recommendation, we are thinking those might be RV travel or say landscaping trailers or something with larger spaces so they can pull easily. We know that was a recommendation before.

Mr. D'Alessandro: I'm not sure if this is a question or recommendation is when you leave the west side, if you could probably do just right turn only as they come out to alleviate the traffic on Becker Drive. There is a lot of traffic that comes in and out of Eldorado Acres and by making that right turn only it would probably alleviate some extra traffic coming down Becker Drive. That's all I have, Mr. Chairman.

Ms. Yovine: Okay.

Chairman Denny: Mr. Collins?

Mr. Collins: I think it's a good project. "Inaudible..." it's amazing to get over to the truck stop across the way and get a cup of coffee and whatever and it's a nightmare. This is a good location and I think it will serve the neighborhood and I think it will serve a lot of travel people coming on or off of I-88 because like I say I try to go in there and grab a cup of coffee and the big 18 wheelers are there and you don't know where to go. I think it's a good concept and I like what Mark said about just going out that way. Chances are 90% of the people would be going out that way anyway. I think it serves a good purpose out there and I like it.

Chairman Denny: Mr. DiLallo?

Mr. DiLallo: Obviously the thing that we worry about is the trucks and they do park along Route 7 and they will probably continue to do so. How can we discourage them from going into Becker Drive and parking and walking into your store?

Mr. Collins: Isn't there a weight limit on that road?

Mr. DiLallo: I'm not sure if there is or not. Do you know, Fred?

Mr. Mastrianni: "Inaudible."

Mr. Collins: Can our highway superintendent request a weight?

Mr. DiLallo: That is what I would look to try to do is try to prevent them from going there and parking there. Obviously, those guys got to eat. Other than that, I'm in favor of the plan and you've worked hard to get it where it's out and I'm anxious to hear the TDE's comments. That's all I have.

Chairman Denny: Mrs. Flansburg?

Mrs. Flansburg: "Inaudible..." What is my flow? If I come in from either side and I'm going to your coffee shop and then I can get in line to go to the drive-thru for food?

Ms. Yovine: Right. If you are coming in this way I guess if you need gas, you could stop or if you just wanted to come get food. If you're coming in this way and parking and then getting gas and then you're going to go back out that way.

Mrs. Flansburg: "Inaudible..." Depending on where the backup is.

Ms. Yovine: There's no reason why you can't go that way.

Mrs. Flansburg: I was thinking of starting with the coffee shop and then coming and hopping into the other line instead of bypassing it all the way around. It just depends how far back the queue is.

Ms. Yovine: You would have to bypass.

Mrs. Flansburg: You have it stacked. The drive-thru window is over here and the ordering is by the patio and the pick up is all the way around.

Ms. Yovine: "Inaudible..." so you would probably have to go around or go a different direction and come back.

Mrs. Flansburg: I do it all the time and it's not like it's completely unheard of. I will start with overall, I like the concept. I think the entrance/exits are fine. I love the idea of looking into the idea of a weight limit on Becker because we don't want to create a problem that they don't have already, but we do know it won't resolve anything without the tractor trailers parking on Route 7. It will alleviate the people getting run over on the one across the street. I like the project, it's definitely a good use out in that area. It's certainly appropriate with easy access. Thank you.

Chairman Denny: I also think that this is a good project and the flow of the traffic looks pretty free. The idea of putting a weight limit on Becker Drive may be something we can do to prevent the bigger trucks if they decide to come back there and park and then walk into the travel center.

At this time, I'm going to have Mr. Mastrianni, our TDE, give us some of his ideas.

Mr. Yuille: I have one question. What are the hours of operation? Twenty-four (24) hour?

Ms. Yovine: It's not determined.

Mr. Yuille: Okay, it can be answered at a later date. It's 24 hour across the street.

Mr. Mastrianni: Good evening everybody. Fred Mastrianni with GPI. Thank you for the opportunity to review this project. I thank you for the opportunity to work for the town and the Planning Commission.

I will start with the traffic and we've had some discussions with MJ Engineering and DOT as she mentioned. We did change the driveways on Route 7 which is one way in/one way out. I will just kind of go over some discussions we've had in the past and some things that we want to have evaluated as part of the future traffic engineering study.

Right now, we are showing a two (2) way left turn lane here. As part of the future traffic study, we are going to have to better understand how far that two (2) way left turn lane is going to be. Is it going to be as far as it is now or should we extend it a little bit further to the intersection with Becker Drive and that is dependent upon how much traffic I believe is going to be going to Becker Drive as part of the project? That is one thing that we would like to take a look at in the future.

Since we are going to be, I wouldn't use the word widening, but right now the flush median right now I think it is seven feet (7') or eight feet (8') wide when you provide a two (2) way left turn lane it is going to be at least 11' wide. So, what you are looking at is changing the striping of the roadway section and making it a little wider as far as the striping is concerned. There are some cross slopes that we need to look at and we've got the travel lane basically at two percent (2%) but typically the shoulders out there are a little steeper. So, I'm assuming what is part of the future traffic engineering study they are going to take a look at that to see what needs to be done with the cross slope. The shoulders are very wide

out there and I don't see any reason to widen the road at all as far as the pavement section is concerned, but just looking at the cross slope to make sure it works well with the two (2) way left turn lane.

Larger vehicles are anticipated to utilize Becker Drive. I know we talked about the larger vehicles and maybe looking at posing the weight limit restriction, but anybody coming out of that wants to go west will have to use Becker Drive, take a left turn and go west. There is going to be truck traffic on a portion of Becker Drive. I'm not sure if that weight limit restriction is practical and feasible. I know that we just mentioned about creating a right turn only and that certainly can be looked at as part of the traffic engineering study.

They provided some truck turning templates which was great but since we are using Becker Drive as also a truck movement, if they are heading west, we would like to see in the future template showing how that truck is going to get around and also take a left into Route 7. I'm sure we will be including that in any future traffic engineering study.

The only concern that I have with respect to the driveways is if you look at this driveway it is very much opposite of the Pilot and if there is some reason there is quite an overflow there is a potential that truck being able to come into this site, it is going to have to cross quite a wide section here is a concern because it will "Inaudible." I'm a little concerned about the location of this driveway, itself that it being so opposite the other one. Typically, we like to see that but if we are trying to minimize the traffic going into this area. We don't want "Inaudible..." and I'm just a little concerned about how that all fits in.

As far as Becker Drive, depending on how much traffic will utilize Becker Drive to access this site from Route 7 from the left turn lane, this is why I mentioned before, right now, and again, it's conceptual and we completely understand and right now here is a two (2) way left turn lane. If we are coming down this direction how much traffic is going to use this and if that's being used do we want this two (2) way left turn lane extended all the way down here and maybe make a dedicated left turn lane so people are turning left in here and it won't be a problem. I'm not saying that I'm suggesting that we need to do that but as far as the future traffic engineering study, we just want that to be looked at to see if that makes sense or not.

I know we talked a little bit about, right now this is sort of offset, these two (2) intersections. There is a business down here, I believe, "Inaudible..." should we make that more of a four (4) way intersection so if these folks want to get in here and now, they will have to kind of do this or can we make that more of a sweeping curve so that this is actually a dedicated "Inaudible..." Again, as part of the engineering traffic study that is going to be done and I'm assuming they are going to evaluate that.

As far as trucks using here, going in here, I'm guessing we are going to need to restrict that because if you have a good size truck, I think there will be some issues with the maneuverability...

Chairman Denny: I don't think they will fit through there.

Mr. Mastrianni: Exactly. We are going to need some kind of signage for "Inaudible..." Again, that's details and this is a concept plan and that is part of the future.

As far as pedestrian safety I think they have done a very fine job and there are sidewalks along the building fronts. The only concern that I have is "Inaudible..." and what about back here, there should be some type of a walk way back here. So just some additional considerations in that area. "Inaudible..."

That is all I have as far as the future traffic engineering report. We are going to need a permit from DOT because it's Route 7.

2. **Quality Petroleum 2, LLC – 330 Becker Drive & Duanesburg Road. Sketch Site Plan/Special Use Permit review to construct a ±8,000 square foot travel center with a drive-thru window and a five-island motor vehicle fueling station on a consolidated ±3.37-acre parcel. Engineer: MJ Engineering and Land Surveying, P.C.**

Mr. Easton: Good evening, my name is Jamie Easton and I'm with MJ Engineering. This board has seen this project before a little bit as we have tried to progress the project forward. Just to give the board the most recent update, we have developed full site plans, the TDE has reviewed the site plans, the traffic report, the stormwater report, the water and the sewer report, and he's provided us with his comments last week.

As we dive into the full detail engineering analysis of this project, the real goal of our submission was really to provide enough information and technical support so that we can move onto the ZBA to see if the area variances that are required for this project are granted or not without going before we answer the TDE's comments in depth.

Certainly, I have reviewed the TDE's comments. Most of them are very good, some of those just need clarification and it's MJ's part on where to find it and for technical answers to some of the questions, but most of those questions we feel are comfortable and can easily address an engineering solution for that. So, really tonight what we are looking to progress with is getting this project, at least on a comfortable level that the Planning Commission is at for a recommendation back to the ZBA so they can weigh in on the area variances that are required for this project. If area variances are not granted this project on the reduced number of parking spots, this project is dead to begin with and there is really no point in progressing with full answering the TDE's questions and DOT's traffic comments on this project if we do not get an area variance on this project, there is no reason to answer all of those technical questions at this time.

We did provide you with enough information to hopefully, if you are comfortable enough, and if there are any questions, I will certainly answer those questions so that we move this project onto the next step.

Chairman Denny: I'm going to ask the Planning Commission to see what comments they have and our TDE, Fred Mastrianni, can answer some of the questions also. Mrs. Flansburg do you have any comments or questions?

Mrs. Flansburg: I just have a couple of things and there looks like there is quite a bit of back and forth that you need to do. The only specific things I had with regard to the wetlands, there was a comment about a determination from the Army Corps of Engineer. Is that something you are putting off until you get the variance?

Mr. Easton: The wetlands are shown on the plans. We will be in the process of obtaining that permit. We are actually going to make that application going forward. There is a question from the TDE in regards to one small area at the intersection of Route 7 and Becker that potentially could be an isolated wetland there or is it jurisdictional or is it even wetland to begin with. We have asked our wetland consultant to review that and then we will determine if it is jurisdictional, non-jurisdictional or even if it's a wetland. They are looking into that question. It's on our radar and the biggest point of that is certainly as you look at if that potential area was a wetland, what impacts does it have to the project site is typically what happens. It's certainly off our site but it's in DOT right-of-way, but there are some separation requirements that need to be from that to our septic field that is shown out in front.

I did look at that this morning and there is a code in NYSDEC's design of septic fields as we are reviewing this project. It is under separation requirements and there it talks about wetlands and there is an asterisk on that has a number 10 on it that says a waiver may be granted by DEC during the review of the project depending on the wetland. I'm paraphrasing there a little bit. Even if a wetland is there and deemed to be there at all, they have the right to waive that. This is very similar to Pilot that is across the street for where their septic fields are, if you pull in, they are on the right hand side, I believe, if you look at the site plan there is "Inaudible" wetlands that this project that kind of feeds into across the way as it goes towards I-88.

That is a question that DEC will have to answer if there are wetlands there in that corner and they will have to weigh in on that design and I wanted to let you know that.

Mrs. Flansburg: Can you quickly talk about how you see the traffic coming in, moving around the site and going out.

Mr. Easton: The majority of our traffic will certainly come in off of Route 7 and utilize either the gas pumps or the parking in the front. If you have a larger, I'll call it, trailer or truck, very similar to Stewart's in a sense of if you have a larger parking island out in front of their gas canopy for the landscape berm, the snowplow guy, to pull off to the side and not get in front of it. That is where those parking spaces are up in there and to get them into the site, but not congest because we want to get the larger vehicles into the parking field. Most of down here, in this parking field, will be probably used for the employees. That is how we really envision this. This would really certainly be overflow parking. We envision some of this down here, probably being fully utilized but the parking code is so many spaces because there is a mixed use inside this building. Some of it is clearly classified as a convenient store in which the parking ratio is defined but the smaller pod areas within it, where it's fast food that is being established the parking ratio is much higher. Even though the code requires all that parking, realistically we don't feel that is going to be part of it and that is going to be part of our argument to the ZBA. So, most of this parking we see as, most people coming in off of Route 7, parking here in front or in this field, utilizing the sidewalk to cross over to get into the main building. That is really what we envisioned.

If someone happens to drive by, which some people do, a small percentage would then use it. Certainly, Becker can pull into the site as an option. Most people, from the traffic report and everywhere else are going to jump back onto 88 and they are going to come back out and exit this point. So, most people here, parking in front of the building, just exit out from the side and use the one-way right hand turn only and exit the facility and make it nice and easy. The people that really want to go in that direction, the west, will go through this parking lot and come over here. Again, most of the traffic, I don't know the exact traffic number, but certainly our major traffic movement is coming down, pulling in, utilizing and taking a right. "Inaudible..." (*Board members talking*). The majority of the traffic is coming in and going back out towards I-88.

Mrs. Flansburg: That's all I have, Mr. Chairman.

Chairman Denny: Mr. Collins?

Mr. Collins: My biggest concern is traffic because of the tractor trailers that back up there in the morning and parked on both sides. I work in Princetown in the morning and some mornings there are 10, 12 trucks parked out there. I don't know how you are going to control that because it makes it a dangerous situation with people coming down. You have tractor trailers backed up to Schalmont, you have them backed up the other way coming out of Pilot and then you have 12 tractor trailers parked on the roads. I don't know how you are really going to I like the project overall and I think you will get a percentage of people coming from Princetown because they have to go all the way over to Cumberland Farms depending on what you sell there. My biggest concern is how you control, because every morning there is at least eight (8) tractor trailers there and the drivers aren't to be seen so they are probably sleeping in the back because of the new rules that they have to be off the road. I just see a dangerous situation with the tractor trailers, cars, Mr. Yuille's daughter got in a bad accident out there because of the situation. I'm not against the project, I'm just saying I don't know how you control that environment because as far as I know it's not against the law for tractor trailers to park on sides. Maybe I'm wrong, but the way it was explained, you just can't, especially when they close the thruway and I-88 these guys are scrambling. That's my biggest concern, how you control that environment and make it safe for traffic.

Mr. Easton: Certainly, that is a valid question and you do have tractor trailers out there. Certainly, there will be occasions, again, for emergency purposes they shut down I-88 or the thruway or portions of it and they are doing that more and more for snowstorms and safety...

Mr. Collins: You could have them parked overnight all summer long.

Mr. Easton: In regards to that configuration, I'll have to have people look into it, but normally, on any DOT road you're not legally allowed to park on the shoulder and I will say that is a police enforcement action which we do not control.

Certainly, we can dive into that more with DOT, they certainly can't just park on the edge of the shoulder of I will say the Northway, which DOT has jurisdiction. I think some of this has to do with enforcement in which some of these people are driving by and the parking lot is full and I want my Dunkin' Donuts and I'm going to run in there and come back out. That happens. Certainly, the traffic report that we did and what we were asked, we investigated what the trucks situations are. We did analyze some of it. If we want a traffic expert to come here to address your questions, but I believe certainly my gut tells me if they are illegally parking there for a long period of time along the road, that's really a law enforcement issue not a planning issue that you should be more concerned about.

Mr. Collins: It's kind of ironic that you have the State Police right across the street and you have the sheriff's there. Movement in this direction to clean up this, it becomes a safety hazard because when I travel out there in the morning they are coming off I-88, they're going on the thruway, they are going on I-88, they are coming down 7, they are coming down from Schalmont and it's like you have to be right on board. Like I said you have the State Police, you have the Sheriff's and maybe they don't see them.

That's all I have.

Mr. Giorgio: Michael Giorgio, BT Land Development and Quality Petroleum. One thing that I will mention that to this point I don't think anybody has really approached the Sheriff's Department or the State Police, but I have had dialogue with them and they have assured me that they are going to step it up once we get in motion and get open.

The other thing that I want to point out is that the median and the center turn lane, there's going to be a turn lane there so that room that the trucks have now, that's going to disappear. They are not going to have as much room to do that anymore. I have talked to the Sheriff's Department; I happen to know the sheriff personally and we went to school together. It will be addressed and it will be enforced. Right now, no one is really bringing it to their attention because I don't think anyone has said hey listen guys, could you step this up a little bit. It has been talked about, just so you know.

Mr. Collins: I think the project is good and I like it. I think it's needed out there because as a traveler you really can't get into Pilot because the parking is terrible in Pilot.

Mr. Giorgio: We are going to have over double the parking spaces than Pilot.

Mr. Collins: I think a lot of people are intimidated because of the tractor trailers are so slow in getting in and out of there. I think it will fill the void out there especially for the people that are in Princetown. The traffic was my concern. That's all I have, Mr. Chairman.

Chairman Denny: Mr. D'Alessandro?

Mr. D'Alessandro: I like the project and I know we are beating this thing like a dead horse, but my concern is the entrance right across from where Pilot's entrance is. I'm worried about people just coming straight across. Maybe that won't happen, maybe it will.

Mr. Easton: I know that was one of their recommendations by GPI basically making a no truck sign there so trucks don't come across. We talked a little bit about whether this was lined up or not being lined up, what's the pros and cons to that situation and we felt that lining it up would be better due to the fact of the other driveways along the way. That is our opinion, having them like you would normally have, a four (4) way stop, when someone comes out, there is no one staring at them, could they drive straight across? They certainly could, but by having someone come in, stopping there, make a left, that would prevent some of those people coming out, cutting people off, things like that. The queue distance analysis of the left hand turn movement is summarized in the park and I know GPI had some questions about that queue length and I know they are working with our traffic engineer to resolve that issue and what is the exact queue length and does it

impact some of those term movements, is there enough gaps, space and time for the Pilot trucks to pull out and keep doing their operations. I think that analysis will be further reviewed by GPI and I believe they are on top of those things.

Mr. D'Alessandro: I think that's a great project especially for that area. I have been to Pilot a lot and a lot of times you can't find a place to park. This would be great out there. That's all I have, Mr. Chairman.

Chairman Denny: Mr. Yuille?

Mr. Yuille: I like the project for the area and again it will take that site and clean it up. I am also concerned about the trucks parking along Duanesburg Road. I know there are no parking signs out there but when the trucks are parked there you can't really see them because the trucks block them and you can't really see those signs. It's crazy out there. Like Mr. Collins said, my daughter was involved in a real bad accident right at the light, it was not because of the parking, but because of sunlight. That would be one of the things, but if you are going to eliminate the parking on Duanesburg Road and I'm looking at Becker Drive and I know it was said in the comments about no parking signs that maybe we want to encourage the Town Board to put some no parking zones around there. These guys are stuck. You have a 53' rig where are you going to go. They go to Bellevue Builders and there are signs down there that they can't park.

Anyways, that is something that we probably need to do. Also, I noticed there isn't a fence along the back. I would like you to consider putting a fence along there because I notice that the grade in the back drops down and the site is actually higher than that. If you are going to put a fence along there like a six foot (6') vinyl fence you might want to do it the way that CVS did it down there because the neighbors were concerned we put a four foot (4') berm in then put the six foot (6') fence on top of that. That would be something to consider and that would shield the house. There is a house on the corner of Feuz Road then there is a couple of other ones and then if anyone parked back there, they wouldn't be walking across either. I had a discussion with Peter about that.

Mr. Easton: When you look at this, the grading plan, this lower parking lot and actually this one, the design of it is actually lower than the grade. In the front, the septic field blocks the parking and then the parking field, this is a cut of approximately five (5), six (6) feet, they were cut down in, but once we basically get to the drive-thru lane it starts transitioning from a cut section to a full section so in this area, you are correct, that the building is approximately three (3), four (4) feet higher than the roadway surface elevation.

Mr. Yuille: That is why I suggested putting a berm in at least you could get it back level and then put stuff on top of that.

Mr. Easton: Certainly, we can look at coming off the asphalt "Inaudible" gutter, make a little higher berm right there, put the fence along there, because really along that back lane it's our bypass lane.

Mr. Yuille: You really don't want people walking in off of Becker Drive across the traffic lane.

Mr. Easton: Something like that is certainly very easy to add and we can certainly do that.

Mr. Yuille: How many parking spaces on this site? I counted the ones on this plan and I got 117.

Mr. Easton: There are 97 designated parking spaces, but I did not count at the gas fuel pumps. Some times people count those and some they don't.

Mr. Yuille: Stewart's did on their plan.

Mr. Easton: I do not count those because I know if some people do fill up and then run into. We are asking for an area variance and I would rather be realistic and saying we are asking for whatever number without counting those.

Mr. Yuille: Well, I counted the ones that were on here, the numbers that were written in, like 30, 13, and 7 and all the way and I didn't count the ones under the pump and I came up with 117. I was going to say if you are over 100 you need another handicapped parking spot. With 97, you'd be fine with four (4) but if you were at 101, you're going to need five (5).

Mr. Easton: I will certainly double check the map.

Mr. Yuille: If you add the ones under the pump it will take you to 127 but you definitely have a ton of parking spaces.

Mr. Easton: We certainly do.

Mr. Giorgio: Just so you know, we did talk about, we haven't submitted our landscape plan yet, but we already have in our plan for berm, fencing and arborvitaes. You will be really, really pleased when you see it.

Mr. Yuille: I brought it up for consideration for you. This will be a plus for this area. I purposely don't go to Pilot even though they have great prices on gas, I don't go there because I don't like jockeying around these trucks and people get crazy inside there and if you go to Dunkin' Donuts, you will notice the radius is wrong and that was a corrected radius. The first one was even worse than that. The second one is still bad; you have to go in and back up and jockey around.

Mr. Easton: I think some of these things we will still progress with. I know Peter mentioned that he may like to see some pull through parking in this location instead of the sidewalk. I'm okay with it. We can eliminate the sidewalk. We can just stripe this area so that if you did have a larger system...

Mr. Comenzo: Most people like to pull through.

Mr. Yuille: Especially if you have a trailer.

Mr. Easton: So even though we have a couple along the top, I thought about this a little bit, you can take this sidewalk that differentiates those two (2) parking stalls and you can pave it, stripe it still, just in case someone happened to have a larger vehicle they could bridge that walking path, they would be able to pull in, park and then pull right back out and go in whichever direction they wanted. They would have more available and more circulation. Things like that, I am more than welcome to listen to and hear because I'm just the civil engineer and I have my ideas but sometimes other ideas are also informative and bring to light some of the situations that you are thinking about that I'm not thinking about.

Mr. Collins: The thruway rest stops don't have sidewalks. They are just both roads for the same rEaston.

Mr. Yuille: That is all I have, Mr. Chairman.

Chairman Denny: I would like to have our TDE come and go through some of the stuff on this project.

Mr. Mastrianni: Good evening, Fred Mastrianni with GPI, the TDE. First of all, I would like to thank you for the opportunity to review the plans. Many things we talked about as far as truck access, it is correct is what they suggest that is once we put a center turn lane, right now the shoulder is very wide and once you add a center turn lane, it has to be a certain width it's going to reduce the shoulder width in general. They are working within the same pavement footprint, if you will. I think that will be an advantage.

Now, of course, DOT is reviewing the drawings and one of things and I'm a highway engineer by trade, the shoulders are just too wide for the whole area. I don't know why they designed it like that in the first place, to be honest with you. Trucks should not be parking on Route 7. They should not be doing that and obviously it's a safety issue.

I think what may also help with this project is that it will pretty much eliminate the width that they have to park on the road even though they shouldn't be, they may not physically be able to. So, I'm interested in seeing what DOT's perspective is regarding that.

We did talk to DOT as far as the one way in/one way out and I think that works out well. There is going to be some heavy truck traffic that is going to use the town road and one of the concerns that we have right now, that section of the road is in relatively poor condition so we want to make sure that the additional truck traffic that is being added to the road, whatever the percentage may be, we want to make sure that the pavement stays in relatively decent condition or does it need to be improved.

Route 7 itself, we are not sure if they have a full depth shoulder out there meaning is the shoulder the same thickness as far as the pavement section as the roadway. It probably is, but we want to make sure we can confirm that because once you are widening the road and you are changing the cross section and you are using part of the shoulder for the travel lane than we want to make sure that the truck traffic can handle it.

The marsh area that we talked about, we want to confirm whether it is wetland or not wetland, we want them to confirm that.

The other comments are very detailed and I don't think there is anything in here that we can't resolve from a technical standpoint. What we try to do, we realize these are "Inaudible" plans but we try to provide as much detail as possible so we eliminate a lot of going back and forth. I think we may be meeting in the near future to go over the comments. Our traffic engineer had several as far as the trip generation rates, but again those are details I think we can iron out. There is a concern on our end as well, you have Pilot trucks coming in and out and you have this traffic, what are the safety implications but eliminating that parking Route 7 because we are going to have narrower shoulders hopefully would help that whole safety issue.

If there is anything more regarding our comments that you would like us to further comment on, feel free to let me know.

Chairman Denny: "Inaudible..." A lot of those guys are from out of state/out of town...

Mr. Mastrianni: To me it's a design issue. I think the shoulder width should be no more than six foot (6') in my personal opinion and I think it could be 10, 11 so this project could reduce the shoulder width and now they can't physically be able to park on the pavement section. I didn't reach out to DOT.

Mr. Comenzo: Now that we have engineered drawings and settled on a layout we have to send it out to the involved/interested agencies. We did declare lead agency already. We will solicit comments from the agencies and we will set up a meeting and kind of work out the traffic issues and have a discussion with DOT.

Mr. Mastrianni: I don't see any showstoppers here. I think we can certainly go through the issues and resolve it. Thank you.

Chairman Denny: We have already declared lead agency and the information will be sent out to the involved/interested agencies for comments. There is no action tonight at this point. We're all set for tonight.

Mr. Easton: Thank you.

Next meeting is February 4, 2020

Meeting adjourned at 8:20 p.m.

1. **Quality Petroleum 2, LLC (Owner) – 330 Becker Drive & Duanesburg Road. Final Site Plan/Special Use Permit/Consolidated Subdivision Public Hearing to construct an ±8,000 square foot travel center with three tenants: Tenant #1 = ±3,000 s.f. convenience store with associated motor vehicle fuel filling station, Tenant #2 = ±2,300 s.f. retail space, and Tenant #3 = ±2,200 s.f. fast food restaurant with drive thru window on a consolidated ±3.37 acre parcel. Engineer: MJ Engineering and Land Surveying, P.C.**

Chairman Denny: Alison Yovine is present to give us a presentation what is actually happening or going on at this time.

Ms. Yovine: I will share my screen.

Since the last meeting we have rearranged a little bit of the inside of the building because of Covid we had to get rid of, prior to this we had three (3) fast food tenants and the convenient store.

Mr. Giorgio: Two (2) fast food and convenience store.

Ms. Yovine: Yes, sorry and now we have replaced one (1) fast food tenant with a liquor store. So it's going to be a convenience store, a liquor store and Wendy's with a drive-thru there. When we talked with Wendy's they actually had a change for and prior we had the drive-thru window to the rear of the travel center, but they have requested that the drive-thru window now is on the short end of the building. So, we had to reconfigure the drive-thru lane a bit. Prior in this area is where the dumpster was located and so we re-arranged the drive thru lane to go to the short side of the building to get to this drive-thru window and then we have this bypass lane going on the other side and inside this little area will be a landscaped island. Then we have moved the dumpster to be over within the parking field over here and it will be easy access for the truck to get through because remember this is just the parking area, just straight here and the truck can come through this way or come through that way.

That was the change from the last time. Also, because the liquor store has less bathroom requirements the septic system has been a little bit reduced and we've been talking to DEC about that and we had a phone call with Jamie Malcolm at DEC on Monday and we have gone through the changes with him. We have some minor changes to do to our plan but he is agreement that the septic system as is, through the revisions, that everything is okay with that. Also with the liquor store there is a little bit less of a parking requirement, with the dumpster here we have lost a few parking spaces, but we still have 107 spaces, I believe and we only are required to have, we have 104 spaces including the 10 pumps, but right now we are required to have 87 spaces when you calculate the convenience store, the Wendy's and the liquor store.

Then we got an email today from DOT, Tina Crowley, is in favor of the plan and ready to go to Stage 2 permit for this. We have already submitted the Stage 1 permit and now we are ready to go to Stage 2 with that. We have also already received the wetland permit, the Army Corp permit because we are disturbing a little bit of wetlands down here for the drive-thru lane and we have already received that permit.

I think I have touched on everything. Also, just to note that this drive-thru lane over the drive-thru window over here, we're actually going to have a little bit more stacking room for the drive-thru which will be helpful.

If there are any questions, I can answer them.

Chairman Denny: Let me ask the members of the Planning Commission. Fred, I'm going to ask you to speak but let me get some comments from the members. Mr. Yuille?

Mr. Yuille: First of all, I like both of the changes that you made. The drive-thru, the way you have changed it around the end of the building is actually going to make is safer for somebody pulling out of the drive-thru. It's kind of like when you come out of E-Z Pass you really have to be careful because you have somebody right shoulder to shoulder with you. This way you have a visual on what is happening with the bypass lane. I like that improvement.

I like the improvement of moving the dumpster away from the building. It's not as convenient for Wendy's but they will have to drag their stuff over there. I like it over on the other side in the parking lot. Those are my two (2) positive comments on that.

One of the comments that I think I made at the last meeting was about the landscaping along the drive-thru, right behind the building between the drive-thru lane and the building there is a small area of grass or land or something and on the drawing, it looks like the shrubs are still there. Am I correct?

Ms. Yovine: Yes.

Mr. Yuille: Any drive-thru that I have ever been through that becomes a nightmare. People throw cups in it, cigarette butts in it and it becomes a maintenance nightmare for the people taking care of the plaza. I would suggest that you just eliminate that and do something along there. That would be my suggestion.

One other question that I had, actually I have several more, one other question that I had why is the 7-11 on the end of the building? If you look at the floor that you gave us this plan here that came in our packet, the small version of what you had on the screen, the 7-11 is on the right and the Wendy's on the left as you are looking at it from Duanesburg Road and what appears to be the big building in the center is the liquor store, but actually the 7-11 comes all the way over to the door on the liquor store and the liquor store only goes from that door over to the break in the roof line. My feeling is why isn't this 7-11 in the middle? I'm just asking a question? I'm not trying to redesign your plaza.

Mr. Giorgio: This is Michael Giorgio from BT Land Development. They choose that for whatever they had their internal studies that in these shared spaces that people have the tendency to go into the right, but the building is kind of like an optical illusion. The way that I designed the building was to minimize the visual impacts so the 7-11 space really, it looks like it's a small space but it's actually the bigger space of the building, but from the front of the road you really can't tell. It looks like the 7-11 is all the way to the right, but really, they are occupying about 37% of the building.

Mr. Yuille: They come from the door in the middle all the way to the right end of the building. I'm thinking to myself, I'm an out of townner, I come in there and fill my car with gas and I'm going to end up in the liquor store trying to pay for my gas. That was just a comment that I had on that because I was confused by it.

Mr. Giorgio: Unfortunately, they pick their space and then we designed it around where they want to be, but there will be a sign on the front of the liquor store and you will see a sign there for the 7-11. I think it will be a little less confusing once the signs are on the building.

Mr. Yuille: They don't have a drive-thru or anything like that, correct?

Mr. Giorgio: They do not, no.

Mr. Yuille: I noticed that there is a door between the 7-11 and the liquor store and wall and I assume that door will be removed?

Mr. Giorgio: Actually, 7-11 requested that because they feel like people may want to go over there and grab their beer at 7-11 and then go next door and grab their liquor at the liquor store. So they requested the passage there.

Mr. Yuille: I just thought it was something that didn't get taken off the plan.

The other thing there is a break in that six foot (6') high fence and I know some of these neighbors who live behind on Becker Drive and Feuz Road can be a little anxious about things going on and that is why I recommended putting a berm

in and then putting the fence on top of the berm to kind of jack it-up, but I noticed there is a break in it, it's right at the drive-thru where you start around the corner.

Mr. Yovine: I have the plan up right now on my screen. We had to keep a break in the fence there because we have the electrical transformer there. If you can see where my cursor is...

Mr. Yuille: We don't have your plan on the screen.

Chairman Denny: I see it.

Mr. Collins: I see it.

Ms. Yovine: There is a straight fence that goes along the drive-thru and then this square right here is the electrical transformer and then we have this portion of the fence over here, we couldn't run the fence all along because the transformer was in the way, but we have screened it to right here. I think we sent out an email in response to that question showing you also a section through the drive-thru. I'm not sure if you saw that, but the drive-thru lane is actually quite higher than Becker so there is the slope there, so the people on Becker will be facing the slope and then seeing landscaping and the fence. It's going to be quite a bit higher and they will not even be able to really look. Your eyesight is going to go to landscaping.

Mr. Yuille: My concern was, first of all that transformer does not exist today, correct?

Mr. Yovine: Right. It's a new proposed transformer.

Mr. Yuille: So, that is going to be positioned someplace. It wouldn't be like the fence is going to go through it. They could position that any place to accommodate the view. My concern is safety of some kids coming up from Eldorado and that area and walking down Becker and seeing a break in the fence and going right up through the fence and ending up in the drive-thru or pass by lane. I was thinking more of a safety where you keep it completely blocked off. You really don't want walk ins coming that way. Not that they would go to the drive-thru but they are not going to walk around. That would be my concern there and then the other concern was the extension going towards the new dumpster. Why doesn't it go down a little further to kind of block off the dumpster area from the road in the back. Again, that's a safety area so somebody doesn't come up that way.

Those are my two (2) concerns. I wanted to point them out and I will leave them out there and you can do what you want with them. Okay?

Ms. Yovine: Sure.

Mr. Yuille: Mr. Chairman, that's all I have. Thank you.

Chairman Denny: Mr. Signore do you have any comments or questions?

Mr. Signore: What is the extent of the disturbance of the wetlands?

Ms. Yovine: It's 4,294 square feet.

Mr. Signore: You said there was going to be some changes to that?

Ms. Yovine: No, that is the way it is and we've already received the permit for that.

Mr. Signore: I'm good. I have nothing further.

Chairman Denny: Mr. Calder?

Mr. Calder: I'm looking at the records that were sent with the packet and we are going back to May of 2019, so, we've asked a lot of questions already, but back to the question that Tom mentioned on this drive-thru at Wendy's. When you come out of the drive-thru and you go into the outside lane to leave the project, is there going to be a sign there or something, yield, right-of-way, or anything. Can you see totally clear on the right-hand side and be able to see any cars coming around?

Ms. Yovine: You will be able to see clearly because there is just low landscaping in that little bed, the planting bed. We don't have a sign there, but we can put a sign.

Mr. Calder: I would think they would have to yield to the outside lane going around, correct?

Ms. Yovine: Yeah, it's like any intersection, when you get to here you are going to want to make sure you yield before you turn.

Mr. Calder: You might want to think about putting something there to protect from having an accident and having liability there. Someone pulling out with a bunch of hamburgers and stuff and aren't paying attention and somebody kind of whips around that corner a little fast, we're going to have an accident.

Ms. Yovine: Sure, we can add a sign.

Mr. Calder: That's my opinion, otherwise I like the project very much. Thank you.

Chairman Denny: Mr. D'Alessandro, do you have any comments or questions?

Mr. D'Alessandro: No questions. I liked this project before and I think it's great for the area. The changes that you've made were small and minor and I actually like it better and I think it flows a lot better. Good luck with the project.

Chairman Denny: Mr. Collins?

Mr. Collins: I just have one question, out on Duanesburg Road is that going to be like a turn lane you're putting in there so they get off the highway going in? What's going on with that? I know you are supposed to do "Inaudible" and stuff and get everything situated and I just want to make sure that's okay.

Mr. Giorgio: We have a turning lane going in as Alison is pulling up the diagram, you will see.

Ms. Yovine: It's shown on all of these diagrams.

Mr. Collins: I know we talked about a turning lane so that they could get off the main highway and move it over to the right before they went in.

Ms. Yovine: Yes.

Mr. Giorgio: Yes, DOT has provided their comments on that and looks like it's going to be...

Ms. Yovine: These are just some dimensions that we are having here.

Mr. Mastroianni: Just to be clear, it's not really a turning lane into the site. We have an eastbound thru lane and a shoulder and there is no dedicated turn lane into the driveway. DOT didn't request that and we will not be providing that.

Mr. Collins: That was my question if they were requesting it because we talked about it at one time. As long as DOT is okay with it, I'm fine. That's all I have, Mr. Chairman.

Chairman Denny: Mrs. Flansburg, do you have any comments or questions?

Mrs. Flansburg: No questions, the only comments that I had were that I think the two (2) changes that you made were actually quite an improvement. The main issue that I had under the previous plan was the stacking or queuing of people or cars as they were coming through the drive-thru in it's original location, so I think it's a much safer and much more appealing the way that you have it now, but I don't have any other questions. I do look forward to hearing from our TDE to see if he has any other things to add, though.

Chairman Denny: At this time, I'm going to ask Mr. Mastroianni from GPI to give us some of his views.

Mr. Mastroianni: Thank you so much. We have been working closely with MJ on this project and I think that the design that they came up with is definitely quite an improvement over the original design. There are just a couple of things that I want to bring up. We did submit a comment on April 29th regarding the traffic study and I don't think MJ has gotten an opportunity to respond to that yet so, I'm assuming, Alison, you're going to be responding to our comments?

Ms. Yovine: Sure, yes.

Mr. Mastroianni: One thing I think is important to note is that I believe in the traffic study there is a discussion widening the road by stripping and in DOT's email, just recently from Kristina Crowley they are actually looking at "Inaudible" widening for the center two (2) way left turn lane and "Inaudible" construction beginning at the edge of the eastbound travel lane. I don't know, there is some significant cost implications by doing full depth reconstruction of the shoulder widening so I don't know if that is something that you took into consideration or Mike Giorgio, I don't know if he knows that and I think in that case when you do update the traffic impact study you may want to look at the confusions and compare to the email that you got from Kristina Crowley to make sure they are the same recommendations.

Mr. Giorgio: We are working closely with Kristina so we will be taking all their recommendations to address the island.

Mr. Mastroianni: Just so you know, they are looking for "Inaudible" widening which means...

Mr. Giorgio: Yes, I was aware of that and we received the email today and we had a meeting about it and we already got our contractors working on it.

Mr. Mastroianni: Great. As far as the site plan, our last correspondence on that was dated April 9th and we are pretty much all set with the site plan. We don't see anything that we need to comment on. Obviously, we know about the permits that we need from DOT and the Town Highway Department. We know that, like she stated, we did get a permit from the Army Corps which is great. So, nothing on the site plan that I think we need to mention and that looks like it's in pretty good shape.

As far as the sewer, I was involved with the meeting with MJ and DEC regarding the sewer issue. We have a comment letter dated June 10th and it has about seven (7) comments. None of these are anything to worry about. They are just more details than anything and we talked it out with DEC and MJ so we think we have a resolution to all of these. One thing that I will mention is that a perc test is going to be done prior to construction of the system and depending on what those rates are the size of the field may change and that is fine because there is enough room to make those changes and



Town of Rotterdam
Office of the Planning Commission

John Denny III, Chairman
Peter J. Comenzo, Senior Planner

Telephone (518) 355-7575

Facsimile (518) 355-2725

Resolution Number PC28-2020

Moved by Mr. Yuille seconded by Mrs. Flansburg

Applicant: Quality Petroleum 2, LLC

Applicant: Quality Petroleum 2, LLC

Project Location: 330 Becker Drive & Duanesburg Road
Rotterdam, New York

Tax Number or Numbers: 57.00-3-24 and 57.00-3-25

Proposed Project: Special Use Permit to allow for the operation of a motor vehicle fueling station at an $\pm 8,000$ square foot travel center with three tenants: Tenant #1 = $\pm 3,000$ s.f. convenience store with associated motor vehicle fuel filling station, Tenant #2 = $\pm 2,300$ s.f. retail space, and Tenant #3 = $\pm 2,200$ s.f. fast food restaurant with drive thru window on a consolidated ± 3.37 acre parcel.

WHEREAS, public meetings were conducted by the Town of Rotterdam Planning Commission held on May 21, 2019, October 15, 2019, January 21, 2020 and a public hearing held on June 16, 2020 to consider the above referenced Special Use Permit and,

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

WHEREAS, the Town of Rotterdam Planning Commission after careful consideration of the application, testimony of the applicant and/or representative and members of the public in attendance at the hearing, and all other materials of record that pursuant to **Chapter 270-65(L)**, which states that motor vehicle fuel filling stations may be permitted or denied subject to a Special Use Permit **HEREBY APPROVES THE SPECIAL USE PERMIT; NOW**

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

1. Approval is conditioned upon applicant addressing all Rotterdam DPW and TDE comments and full and final approval of the DPW.
2. Final Fees Due:

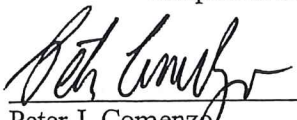
Final Site Plan Fees	\$150.00
2 nd Special Use Permit	\$500.00
3 rd Special Use Permit	\$500.00
Advertising	\$ 83.22
Subdivision Application	\$ 75.00
<u>Subdivision Lot Fees</u>	<u>\$ 160.00</u>
Total	\$1,468.22

18 JUN 20PM1230

CLERK OFFICE

Resolution Number PC28-2020
Quality Petroleum 2, LLC (Owner) – 330 Becker Drive & Duanesburg Road
June 16, 2020

3. Prior to issuance of permits for building construction, the applicant must receive Highway Work Permits from NYSDOT for grading, utility, turn lane, and entry way work onto Duanesburg Road (SR-7). Copies of all correspondence with the NYSDOT should be provided to the Town.
4. Prior to the issuance of permits for building construction, the applicant must receive NYSDEC SPDES General Permit for Groundwater Discharge of Treated Sanitary Sewage.
5. Prior to issuance of grading and/or building permits, the Town Stormwater Management Officer shall review and approve the Stormwater Pollution Prevention Plan. Applicant must then issues a NYSDEC SPDES General Permit for Stormwater discharge from Construction Activity before any earthwork can commence on site.
6. Prior to the issuance of a certificate of occupancy, all NYSOT improvements on Duanesburg Road (SR-7), included, but not limited to the turn lane shall be completed.
7. Add note to utility plan C-7: "One water meter shall be installed on the service connection. Final type and location to be approved by DPW."
8. Add note to Notes and Legend C-1: "Owner/applicant shall install Knox Box for emergency personnel. Check with Fire District #6 for specifications."
9. Add note to utility plan C-7: "A former single-family residence and outbuildings were demolished and removed from Becker Drive in 2019. Any existing remaining water lines shall be located and decommissioned in accordance with town standards. Check with the Town of Rotterdam DPW for specifications."
10. Add note to the landscape and signage plan C-9: "Sign permits shall be obtained for the proposed project identification signage including any proposed pylon, monument and/or building mounted signage. Signage shall be substantial conformance with Sheet D-10 entitled Sign Details."
11. Add note to Notes and Legend C-1: "Building design shall be in substantial conformance to the proposed Exterior Elevations entitled Proposed Floor Plan/Proposed Roof Plan dated May 12, 2020 and prepared by Nolan Engineering PLLC and presented to the Planning Commission on June 16, 2020."
12. Add note to landscape and signage plan C-9: "Landscaped areas shall contain a sprinkler system."
13. Add note to landscape and signage plan C-9: "Landscaping shall be maintained in perpetuity and dead/dying plant materials shall be replace in-kind."
14. Add not to Notes and Legend C-1: "No stockpiling or burying of construction debris, slash, stumps, or construction material is permitted."
15. Add note to Notes and Legend C-1: "During earthwork and construction activities, measures should be taken to prevent tractor trailer parking in and around the site."
16. Final approval is contingent upon the applicant receiving permits (site development and building) from the DPW Building Inspector.
17. Final approval is contingent upon Town DPW Water Department review and approval of the proposed water supply for the project and the issuance of permits to connect to municipal water.
18. Final approval is contingent upon the applicant receiving permits from the Rotterdam Highway Superintendent.
19. The applicant shall provide the Town of Rotterdam DPW paper and electronic AutoCAD file copies of the utility "As-Built Record Drawings" upon completion and testing of the utilities.
20. Prior to the issuance of a certificate of occupancy, the applicant shall file with the County Clerk's Office a lot consolidation of the 2 existing parcels that comprise the project site.
21. Prior to issuance of Site Development and/or Building Permit(s) by the Town of Rotterdam, the applicant shall attend a pre-construction meeting with the Building Inspector and DPW staff to confirm the completion of the above stated conditions.


Peter J. Comenzo
Senior Planner


John Denny, III
Planning Commission Chairman