

**Town of Rotterdam  
Planning Commission  
April 16, 2024**

**Workshop (2<sup>nd</sup> Floor Conference Room) – 7:00pm**

1. **Gillette Shows Inc. – 93 W. Campbell Road.** The applicant requests a Waiver of Site Plan review to hold a carnival from May 23, 2024 to June 2, 2024 in parking Lot E (southern portion of former K-Mart lot) of Via Port Rotterdam.
2. **Lecce Development Co. LLC & Lecce Senior Living - Helderberg Avenue (rear) and Helderberg Avenue.** The applicants request a Waiver of Subdivision to Boundary Line Adjust  $\pm 4,849$  square feet from Helderberg Avenue (Tax Map No. 71.5-1-5.3) to Helderberg Avenue (rear) (Tax Map No. 71.5-1-11.12) to facilitate the construction of a driving range and maintenance building. Surveyors: Gilbert VanGuilder Land Surveyor, PLLC.
3. **Qingqin Xie – 2727 Hamburg Street.** The applicant requests a Waiver of Site Plan review to operate a spa in existing tenant space no. 4, former State Farm Office,  $\pm 1,820$  square feet, on a  $\pm 1.1$ -acre parcel.
4. **Biggest Pop Up – 93 W. Campbell Road.** The applicant requests a Waiver of Site Plan review to conduct a vendor event at the ViaPort Rotterdam Mall in the vicinity of the food court and fountain area from April 20, 2024 – April 20, 2024.
5. **1926 Curry, LLC – 1926 Curry Road.** The applicant requests a Waiver of Site Plan review to allow for the installation of a  $\pm 200$  square foot storage container to be placed in the rear of an existing  $\pm 18,170$  square foot two story hotel on a  $\pm 1.52$ -acre parcel.

**Agenda (V. Dalton Bambury Hearing Room 2<sup>nd</sup> Floor) – 7:30pm**

*Approval of the Planning Commission Minutes April 2, 2024*

1. **JC Discount Wine and Liquor LLC – 2300 Curry Road.** Sketch Site Plan review to allow for the demolition of a  $\pm 2,016$  square foot former Cumberland Farms Convenience Store and the construction of a  $\pm 2,250$  square foot retail liquor store with  $\pm 2,250$  square foot mezzanine on a  $\pm 30,243$  square foot lot. Engineer: Bohler Engineering.
2. **Michael Demers – 595 Currybush Road.** Sketch Two (2) Lot Subdivision: Lot 1 =  $\pm 2.68$  acres with existing single-family residence, Remaining Lands =  $\pm 95.61$  acres. Engineer: Ingalls & Associates, LLP.
3. **Town of Rotterdam – Code Amendment.** Report and Recommendation to the Town Board to amend Chapter 270, entitled “Zoning” to extend the Main Street/Neighborhood Center Overlay District from the intersection of Curry Road and Guilderland Avenue north to the boundary with the City of Schenectady. Area encompasses  $\pm 11.5$  acres.

**Workshop (2<sup>nd</sup> Floor Conference Room) – 7:00pm**

1. **Gillette Shows Inc. – 93 W. Campbell Road.** The applicant requests a Waiver of Site Plan review to hold a carnival from May 23, 2024 to June 2, 2024 in parking Lot E (southern portion of former K-Mart lot) of Via Port Rotterdam.
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3. **Qingqin Xie – 2727 Hamburg Street.** The applicant requests a Waiver of Site Plan review to operate a spa in existing tenant space no. 4, former State Farm Office,  $\pm 1,820$  square feet, on a  $\pm 1.1$ -acre parcel.
4. **Biggest Pop Up – 93 W. Campbell Road.** The applicant requests a Waiver of Site Plan review to conduct a vendor event at the ViaPort Rotterdam Mall in the vicinity of the food court and fountain area from April 20, 2024 – April 20, 2024.
5. **1926 Curry, LLC – 1926 Curry Road.** The applicant requests a Waiver of Site Plan review to allow for the installation of a  $\pm 200$  square foot storage container to be placed in the rear of an existing  $\pm 18,170$  square foot two story hotel on a  $\pm 1.52$ -acre parcel.

## WAIVER OF SITE PLAN REVIEW

**Date:** April 16, 2024

**PC2024-W16**

The Town Planning Commission Office has received the attached application and accompanying documents. The below-identified applicant requests a waiver of Article XVII "Site Plan Approval", stating that a site plan review and approval is unnecessary and would not serve the purpose of the Article.

**APPLICANT:** Gillette Shows  
**ADDRESS:** Attn: Elizabeth Gillette  
291 Pecks Road  
Pittsfield, MA 01201

**PROJECT ADDRESS:** 93 W. Campbell Road (Via Port Rotterdam)

**APPLICANT IDENTIFIED AS:** Owner ☒ Lessee Contractor

**REQUEST:** The applicant requests a Waiver of Site Plan review to hold a carnival from May 23, 2024 – June 3, 2024 in parking Lot E (southern portion of former K-Mart lot) of ViaPort Rotterdam.

### Action Taken by Commission:

In accordance with Chapter 270 of the Town of Rotterdam Zoning Ordinance, Article XVII, "Site Plan Approval", Section 270-130(C) the Planning Commission waives the requirements set forth in said Article, conditionally. Conditions imposed, if any, are as follows:

1. Compliance with all NYS Building and Fire Codes.
2. Compliance with all applicable state and county laws and regulations, including as applicable, Department of Labor safety inspection/approval requirements and Department of Health inspection/approval requirements.
3. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Inspector/Code Enforcement Officer prior to operation.
4. Applicant shall receive a carnival permit from the Town of Rotterdam Town Clerk prior to operation.
5. Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.
6. All applicable NYS and CDC Guidelines shall be followed. Please visit [forward.ny.gov](http://forward.ny.gov) and [www.cdc.gov](http://www.cdc.gov).

The Commission action on the Waiver application took place at the Planning Commission meeting of April 16, 2024 and authorized the Commission Chairman to execute the Waiver. The issuance of this Waiver is contingent upon the applicant complying with all conditions as stated above. Failure to adhere to conditions may result in revocation of Waiver by the Town of Rotterdam Planning Commission and requirement of a full Site Plan.

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**Peter J. Comenzo**  
Senior Planner

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**Kimberly Ricker-Scannell, Chairman**  
Planning Commission





**Town of Rotterdam  
Waiver of Site Plan Review Application  
93 W. Campbell Road**

APR 01 2024

The following applicant requests a Waiver of Site Plan Review. The following documentation is required for Planning Commission review:

1. Copy of Site Plan Map (8 X 11) that identifies:
  - Kiosk or tenant space (highlighted).
  - Clearly identified with space number
2. On a separate sheet of paper provide a descriptive narrative of use and activity occurring on the site including but not limited to:
  - Number of employees
  - Exact nature of business and hours of operation.
3. A completed Commercial Building Permit Application and/or Fire Inspection Application.
4. \$100.00 application fee (Checks to be made payable to the Town of Rotterdam).

APPLICANT(S): Gillette Shows, Inc.

ADDRESS: 291 Pocks Road, Pittsfield, MA 01201

DAYTIME TELEPHONE: 413 441-2130 (FAX) bettygillette@hotmail.com

PROJECT ADDRESS: 93 W. Campbell Road, Schenectady, NY 12306

REQUEST: Gillette Shows, Inc. is requesting Waiver of Site Plan Review To hold a Carnival

LICENSE AGREEMENT DATE: March 28/24 AREA: Parking lot E (former K-mart)

TERM: FROM May 23 TO June 2 KIOSK OR TENANT SPACE #: \_\_\_\_\_

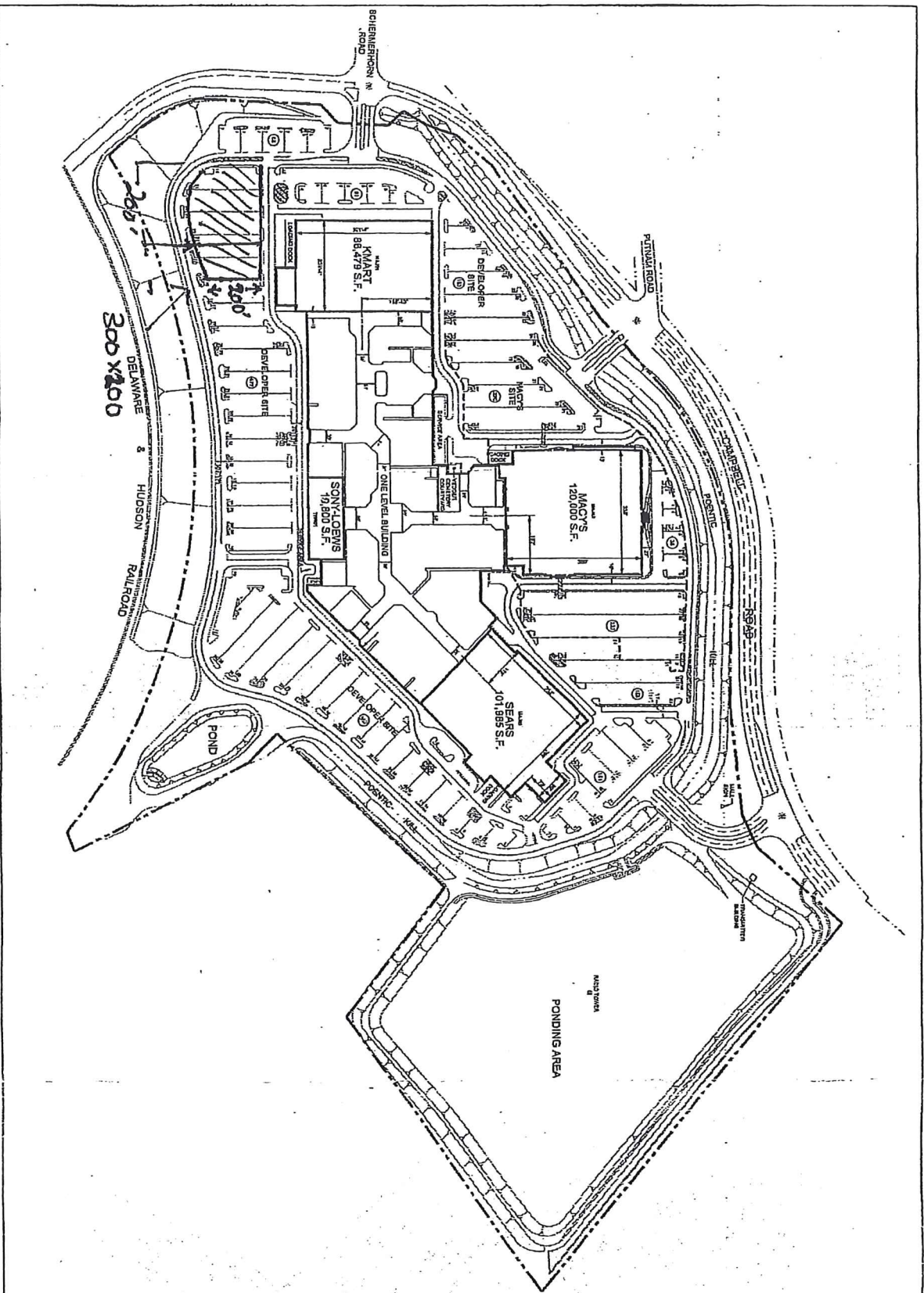
By signing the application, it is understood by the applicant that he/she must fully comply with the Town Code and obtain any required permits.

SIGNATURE OF APPLICANT Elizabeth Gillette DATE March 28, 2024

\* The Planning Commission meets on the first and third Tuesday of each month. All pertinent information and fee must be submitted to the Planning Commission Office at least ten (10) days prior to the meeting.

\*\* All businesses located in the Town of Rotterdam must receive Planning Commission approval and a Certificate of Compliance issued by Building Inspector prior to occupancy.





# **ROTTERDAM SQUARE**

Mail Address:

**ROTTERDAM SQUARE MALL**  
83 West Campbell Road  
Schenectady, NY 12308  
Phone: (518) 374-3714  
Fax: (518) 374-3722

For Leasing  
Information Contact:

Stephen L. Hart  
The Macerich Company  
3648 Elio Boulevard East  
Denville, NY 13214  
Phone: (315) 445-2272  
Fax: (315) 445-9742

**Note:**  
This is a schematic plan only.  
Intended to show the general layout  
of the project and not to be used  
for construction. The plan is not to be scaled.

LAST UPDATED: 03-17-97  
BY: ADO

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[www.macerich.com](http://www.macerich.com)

**SITE PLAN**



## WAIVER OF SUBDIVISION REVIEW

Date: April 16, 2024

PC2024-SW1

The Town Planning Commission Office has received the attached application and accompanying documents. The below-identified applicant requests a waiver of Section 249 as outlined in Section 249-27(D) entitled "Waiver for Lot Line Amendments."

**APPLICANT:** Lecce Senior Living, LLC  
Attn: Lou Lecce  
40 British American Boulevard  
Latham, NY 12110

**PROJECT ADDRESS:** Helderberg Avenue & Helderberg Avenue (rear)

**APPLICANT IDENTIFIED AS:** X Owner(s)      Lessee      Contract Vendee

**REQUEST:** The applicants request a Waiver of Subdivision to Boundary Line Adjust  $\pm 4,849$  square feet from Helderberg Avenue (Tax Map No. 71.5-1-5.3) to Helderberg Avenue (rear) (Tax Map No. 71.5-1-11.12) to facilitate the construction of a driving range and maintenance building. Surveyors: Gilbert VanGuilder Land Surveyor, PLLC.

### Action Taken by Commission:

In accordance with Chapter 249 of the Town of Rotterdam Zoning Ordinance, entitled "Subdivision," Section 249-27(D) the Planning Commission waives the requirements set forth in Chapter 249, conditionally. Conditions imposed, if any, are as follows:

1. The final maps (with all necessary changes discussed at the Planning Commission) need to be submitted for signature and filing with Schenectady County.
2. The Planning Commission Chairman will sign up to two (2) Mylar's (One for Schenectady County and one for the applicant).
3. The signed Mylar's need to be filed with Schenectady County Clerk's office within ten (10) days.
4. After signature and filing with Schenectady County six paper copies shall be returned to the Planning Commission office.
5. Add note to plan: "Rotterdam Zoning Board of Appeals approved variances on March 20, 2024."

The Commission action on the Waiver application took place at the Planning Commission meeting of April 16, 2024 and authorized the Commission Chairman to execute the Waiver. The issuance of this Waiver is contingent upon the applicant complying with all conditions as stated above. Failure to adhere to conditions may result in revocation of Waiver by the Town of Rotterdam Planning Commission and requirement of a full Subdivision.

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Peter J. Comenzo  
Senior Planner

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Kimberly Ricker-Scannell, Chairman  
Planning Commission



TOWN OF ROTTERDAM  
OFFICE OF THE PLANNING COMMISSION

**Town of Rotterdam Boundary Line Adjustment Application**  
Lecce Development Co., LLC - Lot Line Adjustment for Golfcourse Driving Range and Maintenance Building

**100.00 Application Fee**

The purpose of this application is to allow the property owner to adjust the  
boundary lines of said parcels:

Tax Map Number(s) #1 71.05-1.11.12 #2 71.05-1-36  
these numbers will refer to specific questions relating to each parcel

#1 Property Owner's Name: Lecce Development Co., LLC

Mailing Address: 1209 Troy Schenectady Road, Latham, NY 12110

Phone Number(s) and e-mail (518) 782-1929 / llecce@leccearcodia.com

#2 Property Owner's Name: Lecce Senior Living LLC

Mailing Address: 1209 Troy Schenectady Road, Latham, NY 12110

Phone Number(s) and e-mail (518) 782-1929 / llecce@leccearcodia.com

Contractor's/Agent/Representative's Name (if Applicable) Luigi Palleschi, ABD Engineers & Surveyors, LLP

Address: 411 Union Street, Schenectady, NY 12305

Phone Number(s) and e-mail (518) 377-0315 / luigi@abdeng.com

q

Parcel Size(s) (acreage or sq. ft): #1: 3.1 acres #2: 61.13

Location of Property(s) (911 address) #1: Lecce Senior Living Main Access Road

#2: same



Zone Classification & Lot Size: #1: A-1 #2: A-1 and Lecce Senior Living District

If parcel(s) is in multiple zones, indicate all zones.

Are the lots presently conforming lots? ☒ YES ☐ NO

IF NO, What lot(s) are not conforming: \_\_\_\_\_

Proposed lot size(s): #1: 3.30 +/- acres #2: 61.02 +/- acres

Will the boundary line adjustment leave all proposed lots conforming? ☒ YES ☐ NO

IF NO, What lot(s) will not be conforming: \_\_\_\_\_

Current use of property: (What is present on this parcel today) list all structures:

#1: Vacant

#2: Vacant (piece to be transferred has no structure or improvements)

Proposed use (what are you proposing to accomplish with this application): (i.e. merge/sell lot(s) build home etc.)  
Merge lot and part of lot, build as golf course driving range and maintenance building.

Are additional documents presented as part of this application? ☒ YES ☐ NO

\* if yes, then mark all additional documents as Exhibit A, Exhibit B, etc.

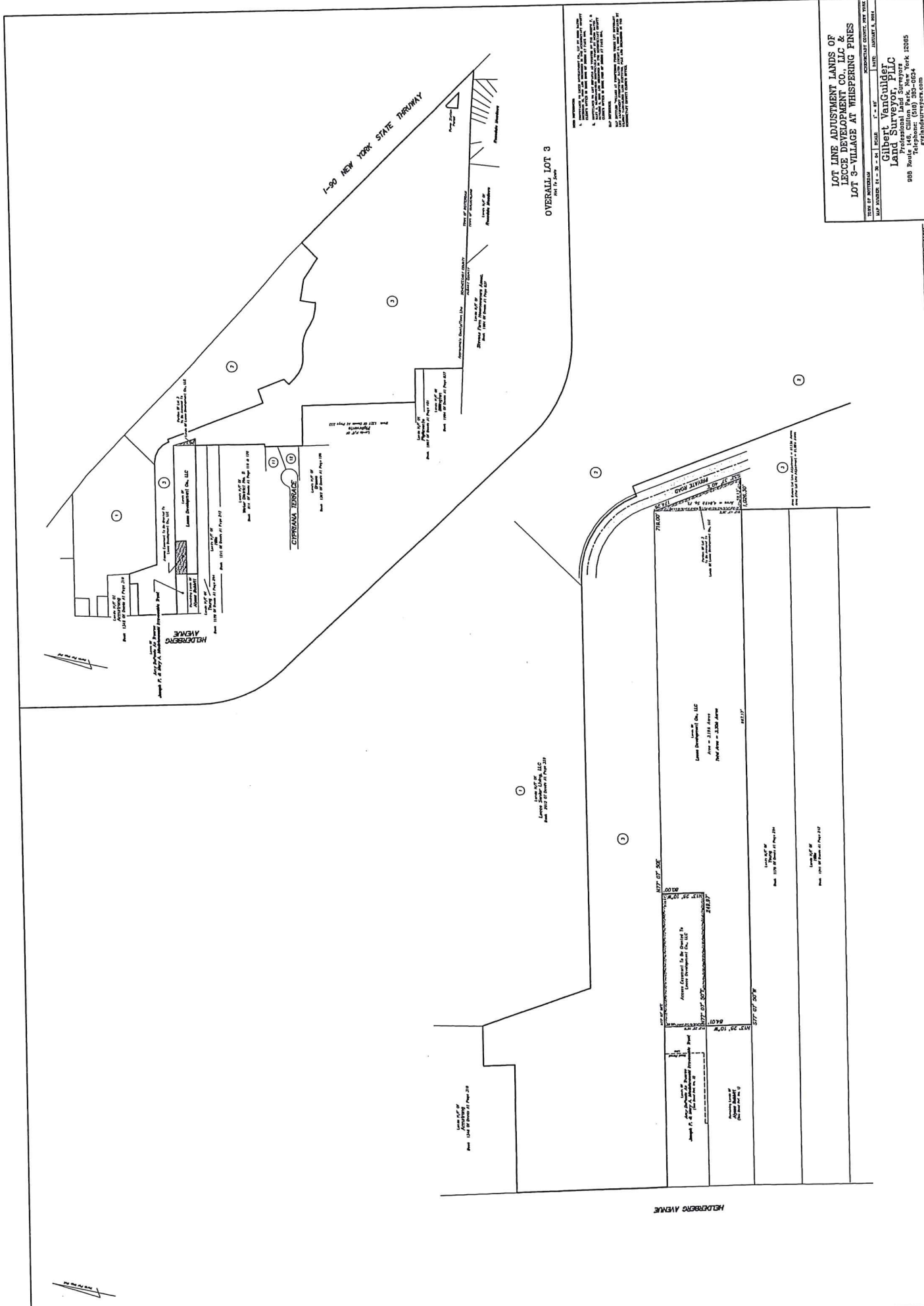
Additional data on proposed boundary line adjustment. See WOH LLP letter dated 2.9.24 and ABD Plan and GVG Plan.

*Notice is hereby given that in the event the Town of Rotterdam determines that technical assistance is needed to review the project, the reasonable and necessary expenses associated with such review shall be borne by the project applicant.*

By signing the application, it is understood by the applicant that he/she must fully comply with the Town Code and obtain any required permits.

SIGNATURE OF PROPERTY OWNER PARCEL #1 [Signature] DATE 2.8.2024  
Lou Lecce for Lecce Development Co., LLC

SIGNATURE OF PROPERTY OWNER PARCEL #2 [Signature] DATE 2.8.2024  
Lou Lecce for Lecce Senior Living LLC



**LOT LINE ADJUSTMENT LANDS OF  
LECCE DEVELOPMENT CO. LLC &  
LOT 3-VILLAGE AT WHISPERING PINES**

**Gilbert Wachtel**  
**Land Surveyor, PLLC**  
Professional Land Surveyor  
988 Route 146, Clifton Park, New York 12065  
Tel: 518.385.8084  
gfw@landsurveyors.com

DATE: 11/11/2011

SCALE: 1" = 100'

MAP NUMBER: 11-20-01

DATE: 11/11/2011

DATE: 11/11/2011

DATE: 11/11/2011

DATE: 11/11/2011

DATE: 11/11/2011

DATE: 11/11/2011

DATE: 11/11/2011

DATE: 11/11/2011

DATE: 11/11/2011

DATE: 11/11/2011

DATE: 11/11/2011

DATE: 11/11/2011





## WAIVER OF SITE PLAN REVIEW

**Date Reviewed:** April 16, 2024

**PC2024-W14**

The Town Planning Commission Office has received the attached application and accompanying documents. The below-identified applicant requests a waiver of Article XVII "Site Plan Approval", stating that a site plan review and approval is unnecessary and would not serve the purpose of the Article.

**APPLICANT:** Qingqin Xie  
**ADDRESS:** 2727 Hamburg Street  
Schenectady, NY 12303

**PROJECT LOCATION:** 2727 Hamburg Street

**APPLICANT IDENTIFIED AS:** Owner ☒ XX Lessee ☐ Contract Vendee

**REQUEST:** The applicant requests a Waiver of Site Plan review to operate a spa in existing tenant space no. 4, former State Farm Office,  $\pm 1,820$  square feet, on a  $\pm 1.1$  acre parcel.

### Action Taken by Commission:

In accordance with Chapter 270 of the Town of Rotterdam Zoning Ordinance, Article XVII, "Site Plan Approval", Section 270-130(C) the Planning Commission waives the requirements set forth in said Article, conditionally.

Conditions imposed, if any, are as follows:

1. Approvals are contingent upon compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Inspector/Code Enforcement Officer prior to operation.
3. Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.
4. Owner/applicant shall install Knox box for emergency personnel. Please contact Fire District #3 for specifications.
5. Property is in Sewer District #7 and shall be connected to sanitary sewer. Connection to sanitary sewer must be completed and existing septic will need to be properly decommissioned on or before July 31, 2024. A lateral was provided to the property with the reconstruction of Hamburg Street.

The Commission action on the Waiver application took place at the Planning Commission meeting of April 16, 2024 and authorized the Commission Chairman to execute the Waiver. The issuance of this Waiver is contingent upon the applicant complying with all conditions as stated above. Failure to adhere to conditions may result in revocation of Waiver by the Town of Rotterdam Planning Commission and requirement of a full Site Plan.

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**Peter J. Comenzo**  
Senior Planner

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**Kimberly Ricker Scannell, Chairman**  
Planning Commission



**Town of Rotterdam  
Waiver of Site Plan Review Application**

**RECEIVED**  
**MAR 26 2024**  
**TOWN OF ROTTERDAM**  
**PUBLIC WORKS**

The following applicant requests a Waiver of Site Plan Review. The following documentation is required for Planning Commission review:

1. Copy of Deed and/or executed lease agreement or contract to purchase.
2. Copy of Site Plan that identifies:
  - All structures on site.
  - All parking areas on site (parking spaces 9' x 18').
  - Handicap parking and accessibility as required by New York State Building Code.
  - Interior floor plan of usable area by applicant.
  - Proposed site improvements including parking, structural additions, landscaping and other pertinent information as identified in Section 270-132 of Town Code.
3. On a separate sheet of paper provide a descriptive narrative of use and activity occurring on the site including but not limited to the number of employees, exact nature of business, hours of operation and expected customers to the site daily.
4. A completed Commercial or Residential Building Permit Application.
5. \$100.00 application fee (cash or check – payable to the Town of Rotterdam). Fee in lieu of parkland for residential developments: \$600 per dwelling unit.
6. Does any Town 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.

PRESENT OWNER(S): 2727 Hamburg street Plaza inc

APPLICANT(S)/LESSEE: Qingxin Xie

MAILING ADDRESS: 2727 Hamburg street #2

CITY: Rotterdam STATE: NY ZIP: 12303

DAYTIME TELEPHONE: (518)333-5988 EMAIL ADDRESS: \_\_\_\_\_

PROJECT ADDRESS: 2727 Hamburg street #2 Rotterdam NY 12303

APPLICANT IDENTIFIED AS: Owner ☐ Lessee ☒ Contract Vendee ☐

REQUEST: Register a new business.

Spa 1<sup>or 2</sup> person 9am - 9pm.

By signing the application, it is understood by the applicant that he/she must fully comply with the Town Code and obtain any required permits.

SIGNATURE OF APPLICANT Qingxin Xie DATE 3/26/2024

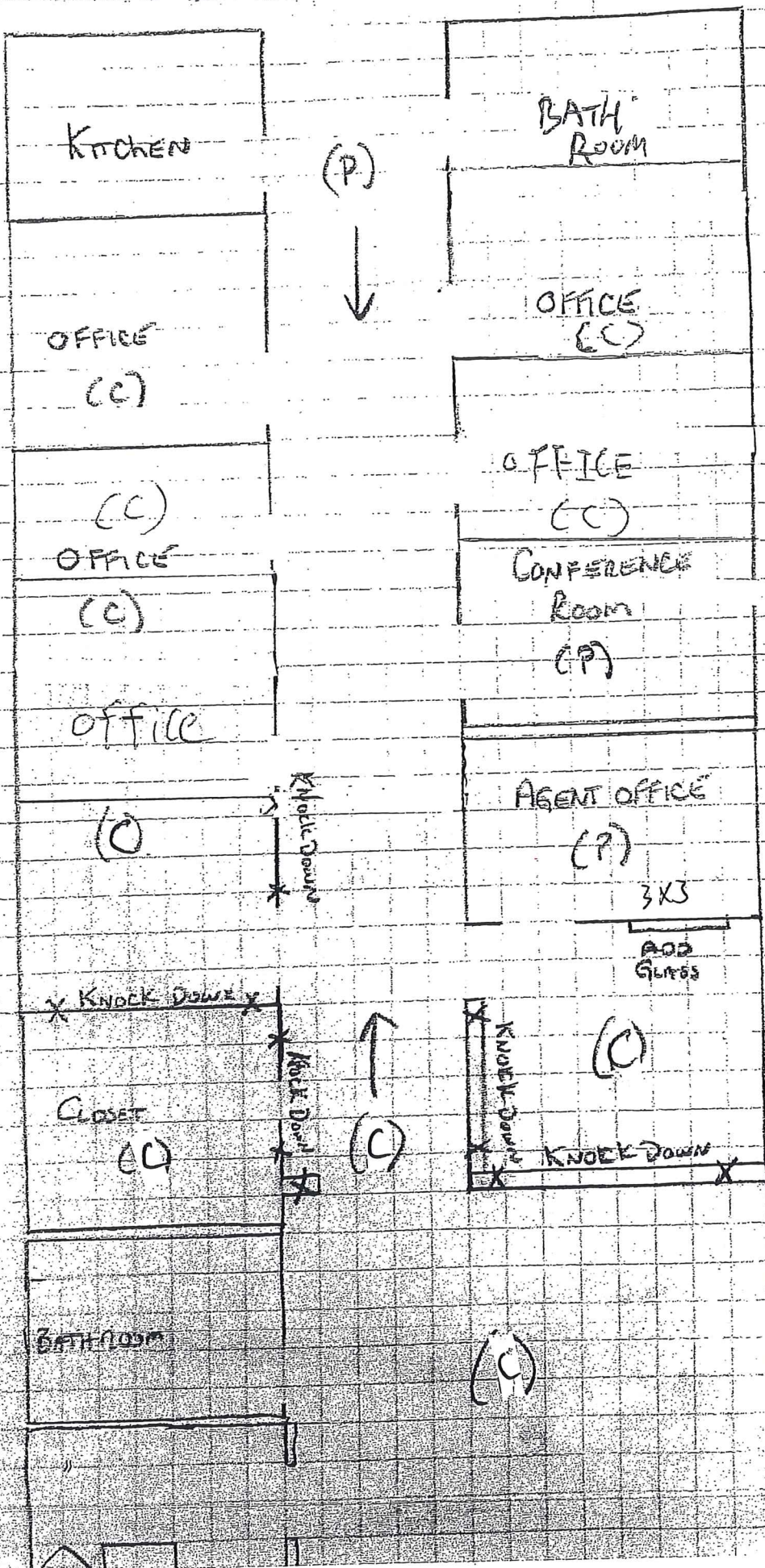
\* The Planning Commission meets on the first and third Tuesday of each month. All pertinent information and fee(s) must be submitted to the Planning Commission Office at least ten (10) days prior to the meeting.

\*\* All businesses located in the Town of Rotterdam must receive Planning Commission approval and a Certificate of Compliance issued by Building Inspector prior to occupancy.



State Farm  
Insurance Office

2727 Hamburg St. #







## WAIVER OF SITE PLAN REVIEW

**Date Reviewed:** April 16, 2024

**PC2024-W17**

The Town Planning Commission Office has received the attached application and accompanying documents. The below-identified applicant requests a waiver of Article XVII "Site Plan Approval", stating that a site plan review and approval is unnecessary and would not serve the purpose of the Article.

**APPLICANT:** Biggest Pop Up  
**Mail to ADDRESS:** Erick Sanchez  
200 Fort Hill Road  
Peekskill, NY 10566

**PROJECT LOCATION:** 93 W. Campbell Road

**APPLICANT IDENTIFIED AS:** Owner XX Lessee Contract Vendee

**REQUEST:** The applicant requests a Waiver of Site Plan conduct a vendor event at the ViaPort Rotterdam Mall in the vicinity of the food court and fountain area from April 20, 2024 – April 20, 2024.

### **Action Taken by Commission:**

In accordance with Chapter 270 of the Town of Rotterdam Zoning Ordinance, Article XVII, "Site Plan Approval", Section 270-130(C) the Planning Commission waives the requirements set forth in said Article, conditionally. Conditions imposed, if any, are as follows:

1. Approvals are contingent upon compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Safety Inspector and/or Building Inspector/Code Enforcement Officer prior to operation.
3. All temporary kiosks shall be removed by April 27, 2024.

The Commission action on the Waiver application took place at the Planning Commission meeting of April 16, 2024 and authorized the Commission Chairman to execute the Waiver. The issuance of this Waiver is contingent upon the applicant complying with all conditions as stated above. Failure to adhere to conditions may result in revocation of Waiver by the Town of Rotterdam Planning Commission and requirement of a full Site Plan.

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**Peter J. Comenzo**  
Senior Planner

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**Kimberly Ricker-Scannell, Chairman**  
Planning Commission





**Town of Rotterdam**  
**Waiver of Site Plan Review Application**  
**93 W. Campbell Road**

The following applicant requests a Waiver of Site Plan Review. The following documentation is required for Planning Commission review:

1. Copy of Site Plan Map (8 X 11) that identifies:
  - Kiosk or tenant space (highlighted).
  - Clearly identified with space number
2. On a separate sheet of paper provide a descriptive narrative of use and activity occurring on the site including but not limited to:
  - Number of employees
  - Exact nature of business and hours of operation.
3. A completed Commercial Building Permit Application and/or Fire Inspection Application.
4. \$75.00 application fee (Checks to be made payable to the Town of Rotterdam).

APPLICANT(S): Biggest Pop Up —

ADDRESS: 200 Fort Hill Rd. Peekskill, NY ~~1066~~ 10566

DAYTIME TELEPHONE: (518) 290-0153 (FAX)

PROJECT ADDRESS: 93 W. Campbell Road, Schenectady, NY 12306

REQUEST: Vendor Space located in Via Rotterdam Mall

LICENSE AGREEMENT DATE: 4-20-2024 AREA: Food Court *Between & Fountain*

TERM: FROM 4-20 TO 4-20 KIOSK OR TENANT SPACE #:

By signing the application, it is understood by the applicant that he/she must fully comply with the Town Code and obtain any required permits.

SIGNATURE OF APPLICANT  DATE 4/9/24

\* The Planning Commission meets on the first and third Tuesday of each month. All pertinent information and fee must be submitted to the Planning Commission Office at least ten (10) days prior to the meeting.

\*\* All businesses located in the Town of Rotterdam must receive Planning Commission approval and a Certificate of Compliance issued by Building Inspector prior to occupancy.  
10.12.18

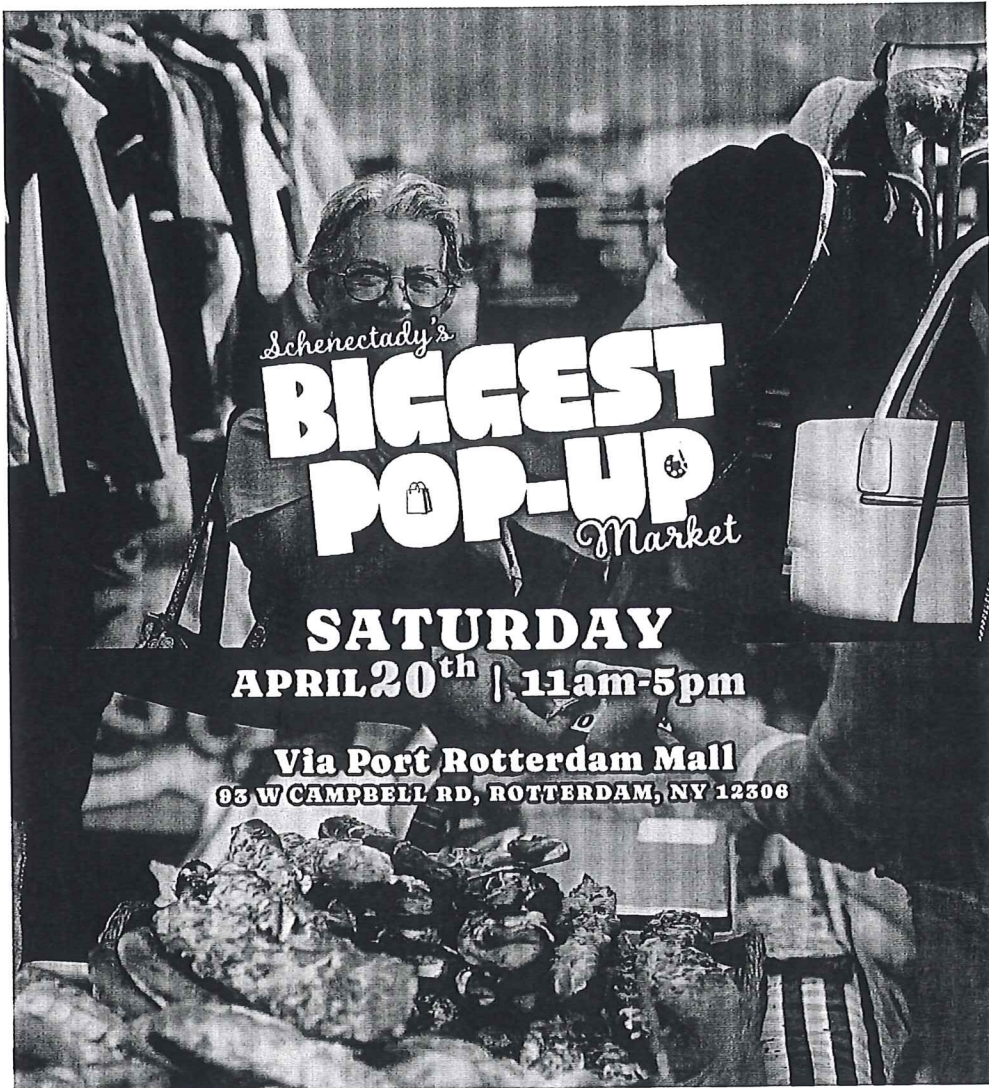
**Peter Comenzo**

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**From:** Erick Sanchez <ykmgla@gmail.com>  
**Sent:** Tuesday, April 9, 2024 1:06 PM  
**To:** Peter Comenzo  
**Subject:** Schenectady's Biggest Pop-Up 







Schenectady's  
**BIGGEST  
POP-UP**  
Market

**SATURDAY**  
**APRIL 20<sup>th</sup> | 11am-5pm**

**Via Port Rotterdam Mall**  
**93 W CAMPBELL RD, ROTTERDAM, NY 12306**

---  
Erick Sanchez  
**YKMG Creative // Content**  
323-774-9510 Cell  
[ykmgl@gmail.com](mailto:ykmgl@gmail.com)

1 Peter 4:10-11

PRIVILEGED AND CONFIDENTIAL: \*\*This electronic communication, including attachments, is for the exclusive use of addressee and may contain proprietary, confidential and/or privileged information. If you are not the intended recipient, any use, copying, disclosure, dissemination or distribution is strictly prohibited.\*

## WAIVER OF SITE PLAN REVIEW

**Date Reviewed:** April 16, 2024

**PC2024-W18**

The Town Planning Commission Office has received the attached application and accompanying documents. The below-identified applicant requests a waiver of Article XVII "Site Plan Approval", stating that a site plan review and approval is unnecessary and would not serve the purpose of the Article.

**APPLICANT:** 1926 Curry, LLC  
Attn: Jimit Patel  
**ADDRESS:** 1926 Curry Road  
Schenectady, NY 12303

**PROJECT LOCATION:** 1926 Curry Road

**APPLICANT IDENTIFIED AS:**                      **XX Owner**                      **Lessee**                      **Contract Vendee**

**REQUEST:** The applicant requests a Waiver of Site Plan review to allow for the installation of a  $\pm 200$  square foot storage container to be placed in the rear of an existing  $\pm 18,170$  square foot two story hotel on a  $\pm 1.52$  acre parcel.

### **Action Taken by Commission:**

In accordance with Chapter 270 of the Town of Rotterdam Zoning Ordinance, Article XVII, "Site Plan Approval", Section 270-130(C) the Planning Commission waives the requirements set forth in said Article, conditionally.

Conditions imposed, if any, are as follows:

1. Approvals are contingent upon compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Compliance from the Town of Rotterdam Building Inspector/Code Enforcement Officer prior to use.

The Commission action on the Waiver application took place at the Planning Commission meeting of April 16, 2024 and authorized the Commission Chairman to execute the Waiver. The issuance of this Waiver is contingent upon the applicant complying with all conditions as stated above. Failure to adhere to conditions may result in revocation of Waiver by the Town of Rotterdam Planning Commission and requirement of a full Site Plan.

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**Peter J. Comenzo**  
Senior Planner

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**Kimberly Ricker Scannell, Chairman**  
Planning Commission





**Town of Rotterdam  
Waiver of Site Plan Review Application**

The following applicant requests a Waiver of Site Plan Review. The following documentation is required for Planning Commission review:

1. Copy of Deed and/or executed lease agreement or contract to purchase.
2. Copy of Site Plan that identifies:
  - All structures on site.
  - All parking areas on site (parking spaces 9' x 18').
  - Handicap parking and accessibility as required by New York State Building Code.
  - Interior floor plan of usable area by applicant.
  - Proposed site improvements including parking, structural additions, landscaping and other pertinent information as identified in Section 270-132 of Town Code.
3. On a separate sheet of paper provide a descriptive narrative of use and activity occurring on the site including but not limited to the number of employees, exact nature of business, hours of operation and expected customers to the site daily.
4. A completed Commercial or Residential Building Permit Application.
5. \$100.00 application fee (cash or check – payable to the Town of Rotterdam). Fee in lieu of parkland for residential developments: \$600 per dwelling unit.
6. Does any Town officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? YES \_\_\_\_\_ NO X. If yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

PRESENT OWNER(S): JIMIT PATEL 1926 Cury LLC

APPLICANT(S)/LESSEE: JIMIT PATEL 19

MAILING ADDRESS: 1926 Cury Rd

CITY: Rotterdam STATE: Ny ZIP: 12303

DAYTIME TELEPHONE: 551-208 4843 EMAIL ADDRESS: jaypatel@gmail.com

PROJECT ADDRESS: 1926 Cury Rd

APPLICANT IDENTIFIED AS: Owner ✓ Lessee \_\_\_\_\_ Contract Vendee \_\_\_\_\_

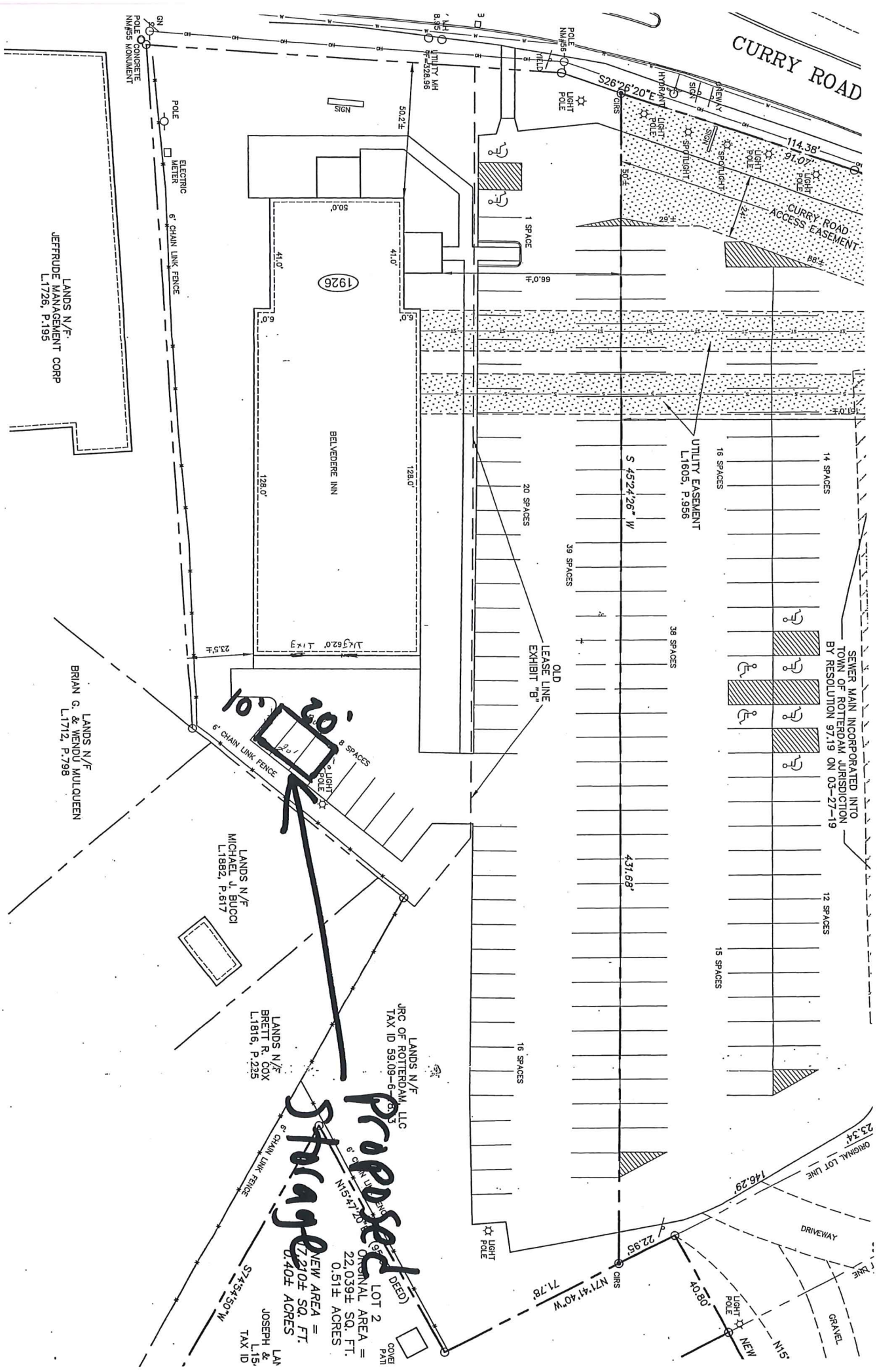
REQUEST: We don't have any basement storage at the property  
and we are requesting to place a 20' x 10' storage containers  
in the back of the property to store home supplies & garden equi

By signing the application, it is understood by the applicant that he/she must fully comply with the Town Code and obtain any required permits.

SIGNATURE OF APPLICANT [Signature] DATE 04/08/2024

\* The Planning Commission meets on the first and third Tuesday of each month. All pertinent information and fee(s) must be submitted to the Planning Commission Office at least ten (10) days prior to the meeting.

\*\* All businesses located in the Town of Rotterdam must receive Planning Commission approval and a Certificate of Compliance issued by Building Inspector prior to occupancy.





**DPW Comments**  
**April 16, 2024**

1. **JC Discount Wine and Liquor LLC – 2300 Curry Road.** Sketch Site Plan review to allow for the demolition of a ±2,016 square foot former Cumberland Farms Convenience Store and the construction of a ±2,250 square foot retail liquor store with ±2,250 square foot mezzanine on a ±30,243 square foot lot. Engineer: Bohler Engineering.
  1. Gas tanks, canopy, and related equipment were removed from the site in August 2018.
  2. The Planning Commission should authorize the Chairman to enter into an agreement to retain the services of a Town Designated Engineer to assist in the review of this project.
  3. In addition to building demolition, the applicant should remove existing sign and lighting that was abandoned. Updated lighting and signage should be proposed with this redevelopment.
  4. One or two of the proposed parking spaces along the building near the Curry Road entrance should be eliminated and replaced with curbing and additional greenspace. Vehicles backing out of these spaces will negatively impact the entryway from Curry Road.
  5. Concrete should include the parking spaces along the building frontage. Additional bollards should be added to cover all the spaces for building/pedestrian protection.
  6. A variance will be needed for the building setback along Curry Road.
  7. Applicant should consider utilizing heavy duty composite material and bollards for dumpster enclosure.

**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  
Schenectady County Metroplex  
Schenectady County Department of Public Works  
Fire District #3  
Mohonasen School District

**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: J C Discount Wine and Liquor LLC, Harinder Chahal

Mailing Address: 1416 Curry Road

City: Shenectady State: NY Zip: 12306

Daytime Phone: \_\_\_\_\_ E-mail: nhchahal04@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: Bohler Engineering and Landscaping Architecture NY, PLLC

Mailing Address: 17 Computer Drive West

City: Albany State: NY Zip: 12205

Daytime Phone: 518-438-9900 E-mail: cmlodzianowski@bohlereng.com

Project/Proposal Site Area (Acres or sq. ft.): .46 acres

Assessor Tax Parcel No.(s) of Proposal Site: Section 59.18, Block 2, Parcel 1

Adjacent Area Owned or Controlled (Acres or sq. ft.): .40 acres

Assessor Tax Parcel No.(s) of Adjacent Land Owned or Controlled: 59.14-9-13

Street Address of Proposed Site (if any): 2300 Curry Road

Describe Existing Use(s) on Proposed Site (Such as buildings, well, sewer drainfield and others):  
Vacant Building (former convenience store)

Existing Zoning Classification: B-2 General Business District

School District: Mohonasen Fire District: \_\_\_\_\_

Water Supply Public Water Supply



### LEGAL INFORMATION

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

Approximately 3,300' North West of the round about  
intersection of Carmen Road and Hamburg Street.

Name of public road (s) providing access: Curry Road

Width of property fronting on public road: 260 feet

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):

Request site plan approval for a proposed retail store  
location within B-2 General Business Zoning District

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

The proposed use is a permitted retail store.

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.

# 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, HARINDER CHAHAL, being duly sworn declare that I am the  
(PROPERTY OWNER)

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

**Tax Parcel Number(s):** Section 59.18, Block 2, Parcel 1

Bohler Engineering and Landscape Architecture  
I hereby grant NY, PLLC 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):

Date:

4/5/2024

NOTARY

STATE OF NEW YORK) ss:

COUNTY OF Schenectady)

SUBSCRIBED AND SWORN to before me this 5<sup>th</sup> day of April, 2024

NOTARY SEAL

Notary Signature

RAYMOND N. INGRAHAM III  
Notary Public, State of New York  
No. 01IN6396620  
Qualified in Schenectady County  
Commission Expires Aug. 26, 2027

Notary Public in and for the State of New York  
Residing at:

My appointment expires: Aug 26 2027

1416 Collis Road Schenectady NY  
12306





**APPLICANT:**  
J C DISCOUNT WINE AND LIQUOR LLC  
2315 CUNRY ROAD  
TOWN OF ROTTERDAM, NY 12033

**OWNER:**  
J C DISCOUNT WINE AND LIQUOR LLC  
2315 CUNRY ROAD  
TOWN OF ROTTERDAM, NY 12033

**PARCEL:**  
SEC. 38.18 - BLK 2 - PARCEL 1  
2309 CUNRY ROAD  
TOWN OF ROTTERDAM  
SCHENECTADY COUNTY, NEW YORK

F-13 • **WASHING REQUIRED**  
 C-10 • **WAX REQUIRED**

## SCALE FWD9



THE EDUCATION LAW OF THE STATE OF NEW YORK PROHIBITS ANY PERSON ALTERING ANYTHING ON THESE DRAWINGS AND/OR ACCOMPANYING SPECIFICATIONS, UNLESS IT IS UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, WHOSE CHANGES ARE MADE. THE PROFESSIONAL ENGINEER MUST SIGN, SEAL, DATE AND DESCRIBE THE FULL EXTENT OF THE ALTERATION ON THE DRAWINGS AND/OR IN THE SPECIFICATIONS. (NY EDUCATION LAW SECTION 1709-4)

**811**  
Know what's Below  
Call before you dig  
NEW YORK STATE  
YOU MUST CALL 811 BEFORE YOU DIG

THIS SHEET IS INTENDED FOR GENERAL AND THE USE  
OF THE ARCHITECT, ENGINEER, CONSULTING ARCHITECT  
OR ARCHITECTURAL FIRM. IT IS NOT TO BE USED FOR  
CONSTRUCTION.

PROJECT No.: NTB20122  
DRAWN BY: -NON-  
CHECKED BY: -C-  
DATE: 03-13-12  
CAD ID: P-2012-  
PROJECT:

FOR

JC DISCOUNT WINE  
AND LIQUOR LLC

PROPOSED  
DEVELOPMENT

SEC: 53.18 | BLK: 2 | PARCEL: 1  
2300 CURRY ROAD  
TOWN OF ROTTERDAM  
SCHENECTADY COUNTY, NEW YORK

17 COMPUTER DRIVE WEST  
ALBANY, NY 12203  
Phone: (518) 435-2000  
Fax: (518) 435-0900  
[www.BohlerEngineering.com](http://www.BohlerEngineering.com)

ORG. DATE - 03-13-2024





# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

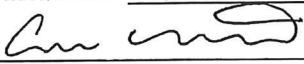
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |                                                                     |                                            |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------------------------------------------------|--------------------------------------------|
| <b>Part 1 – Project and Sponsor Information</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |                                                                     |                                            |
| Name of Action or Project:<br>Proposed 7,750 +/- square foot Retail Store                                                                                                                                                                                                                                                                                                                                                                                                                                |  |                                                                     |                                            |
| Project Location (describe, and attach a location map):<br>2300 Curry Road                                                                                                                                                                                                                                                                                                                                                                                                                               |  |                                                                     |                                            |
| Brief Description of Proposed Action:<br>A retail store is proposed on the .69-acre parcel with parking, landscaping, utilities and lighting                                                                                                                                                                                                                                                                                                                                                             |  |                                                                     |                                            |
| Name of Applicant or Sponsor:<br>J C Discount Wine and Liquor LLC, Harinder Chahal c/o Bohler                                                                                                                                                                                                                                                                                                                                                                                                            |  | Telephone: (518) - 438-9900<br>E-Mail: cmlodzianowski@bohlereng.com |                                            |
| Address:<br>17 Computer Drive West                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |                                                                     |                                            |
| City/PO:<br>Albany                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  | State:<br>NY                                                        | Zip Code:<br>12205                         |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?<br>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<br><input checked="" type="checkbox"/>  |
| 2. Does the proposed action require a permit, approval or funding from any other government Agency?<br>If Yes, list agency(s) name and permit or approval: Town Planning Board, Building Department, NYSDOT, Town Water & Sewer, County Highway Dept.                                                                                                                                                                                                                                                    |  |                                                                     | YES<br><input checked="" type="checkbox"/> |
| 3. a. Total acreage of the site of the proposed action? <span style="float: right;">.69 acres</span><br>b. Total acreage to be physically disturbed? <span style="float: right;">0.6+/- acres</span><br>c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <span style="float: right;">.69 acres</span>                                                                                                                              |  |                                                                     |                                            |
| 4. Check all land uses that occur on, are adjoining or near the proposed action:<br><input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)<br><input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):<br><input type="checkbox"/> Parkland |  |                                                                     |                                            |



|                                                                                                                                                                                                                                                                                                                                                                                      |                                     |                                     |                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| 5. Is the proposed action,                                                                                                                                                                                                                                                                                                                                                           | NO                                  | YES                                 | N/A                                 |
| a. A permitted use under the zoning regulations?                                                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b. Consistent with the adopted comprehensive plan?                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?                                                                                                                                                                                                                                                                      | NO                                  | YES                                 |                                     |
|                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                                     |
| 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?                                                                                                                                                                                                                                                                     | NO                                  | YES                                 |                                     |
| If Yes, identify: _____                                                                                                                                                                                                                                                                                                                                                              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                                     |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels?                                                                                                                                                                                                                                                                                     | NO                                  | YES                                 |                                     |
|                                                                                                                                                                                                                                                                                                                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                                     |
| b. Are public transportation services available at or near the site of the proposed action?                                                                                                                                                                                                                                                                                          | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                                     |
| c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?                                                                                                                                                                                                                                                                         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                                     |
| 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:<br>_____<br>_____                                                                                                                                                                                                                                                                        | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                                     |
| 10. Will the proposed action connect to an existing public/private water supply?                                                                                                                                                                                                                                                                                                     | NO                                  | YES                                 |                                     |
| If No, describe method for providing potable water: _____<br>_____                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                                     |
| 11. Will the proposed action connect to existing wastewater utilities?                                                                                                                                                                                                                                                                                                               | NO                                  | YES                                 |                                     |
| If No, describe method for providing wastewater treatment: _____<br>_____                                                                                                                                                                                                                                                                                                            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                                     |
| 12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? | NO                                  | YES                                 |                                     |
|                                                                                                                                                                                                                                                                                                                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                                     |
| 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?                                                                                                                                                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                                     |
| 13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?                                                                                                                                                                                             | NO                                  | YES                                 |                                     |
|                                                                                                                                                                                                                                                                                                                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                                     |
| b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?                                                                                                                                                                                                                                                                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                                     |
| If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____<br>_____<br>_____                                                                                                                                                                                                                                                                 |                                     |                                     |                                     |

|                                                                                                                                                                                                                                                                                                                                                                                                                   |                                     |                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|
| 14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:<br><input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional<br><input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban |                                     |                                     |
| 15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?                                                                                                                                                                                                                                            | NO                                  | YES                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 16. Is the project site located in the 100-year flood plan?                                                                                                                                                                                                                                                                                                                                                       | NO                                  | YES                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources?<br>If Yes,                                                                                                                                                                                                                                                                                                     | NO                                  | YES                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| a. Will storm water discharges flow to adjacent properties?                                                                                                                                                                                                                                                                                                                                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?                                                                                                                                                                                                                                                                                                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| If Yes, briefly describe:<br>_____<br>Existing storm structures in the right-of-way. _____<br>_____                                                                                                                                                                                                                                                                                                               |                                     |                                     |
| 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)?<br>If Yes, explain the purpose and size of the impoundment: _____<br>_____                                                                                                                                                        | NO                                  | YES                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?<br>If Yes, describe: _____<br>_____                                                                                                                                                                                                                                    | NO                                  | YES                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?<br>If Yes, describe: _____<br>_____                                                                                                                                                                                                                                  | NO                                  | YES                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| <b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b><br><br>Applicant/sponsor/name: <u>Caryn Mlodzianowski - Bohler</u> Date: <u>04/08/2024</u><br><br>Signature: <u></u> Title: <u>Project Manager</u>                                                                       |                                     |                                     |



**DPW Comments**  
**April 16, 2024**

2. **Michael Demers – 595 Currybush Road.** Sketch Two (2) Lot Subdivision: Lot 1 = ±2.68 acres with existing single-family residence, Remaining Lands = ±95.61 acres. Engineer: Ingalls & Associates, LLP.
  1. This project was tabled from the January 23, 2024 Planning Commission meeting.
  2. Add note to 95-acre remaining lands: “This property is not a building lot.”
  3. Engineer should show sanitary control zone for existing well and verify that it is located on Lot #1.
  4. A stream and wetlands exist on the remaining lands and may limit access. Any future development of this property will require further evaluation.

***DPW Comments from January 23, 2024***

1. Add note to 95-acre remaining lands: “This property is not a building lot.”
2. Engineer should show sanitary control zone for existing well and verify that it is located on Lot #1.
3. Construction has occurred at the existing single-family residence without building permits. A stop work order was issued by the Rotterdam Building Inspector on October 18, 2023 and is still not resolved.

**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 Public Works  
Fire District #6



## Town of Rotterdam

### Office of the Planning Commission

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

REC-111

JAN 10 2011

TOWN OF ROTTERDAM  
PUBLIC WORKS

### TOWN OF ROTTERDAM SUBDIVISION APPLICATION

Initial Sketch Plan \$150  
Final Major Subdivision \$200 per lot  
Final Minor Subdivision \$160 per lot  
Parkland Fees \$1,000 per additional lot created or \$600 per unit (MULTI-FAMILY)  
Advertising Fee = Actual cost of legal notices

\*\*\*\*\*

### PART II GENERAL INFORMATION

Legal Owner's Name: Michael Demers  
Mailing Address: 590 Currybush Road  
City: Schenectady State: NY Zip: 12306  
Daytime Phone: 518-445-5969 E-mail: ecmcompanies@hotmail.com

**If the applicant does not own the property, prepare the endorsement at the end of this form establishing owner's authorization of the applicant's proposed subdivision of his land.**

Owner's Designated Contact: Ingalls & Associates, LLP  
Mailing Address: 2603 Guilderland Avenue  
City: Schenectady State: NY Zip: 12306  
Daytime Phone: 518-393-7725 E-mail: cpagan@ingallslp.com  
If you do not hold title to property, what is your interest in it? Design Engineer, Land Surveyor

Street Address of Proposed Site (if any): 595 Currybush Road

Project/Proposal Site Area: (Acres or sq. ft.) 98.3+/- Acres

Assessor Tax Parcel No.(s) of Proposal Site: 47.-47-8  
Describe Existing Use(s) on Proposed Site: (buildings, well, sewer drainfield, etc.) \_\_\_\_\_  
The existing site contains a single family dwelling with a gravel driveway, well and septic system

Existing Zoning Classification: A-1 Agricultural

## LEGAL INFORMATION

Location of Proposal Site: (General description by which direction and how far from roads and intersections and other community features)  
The project site is located approximately 3,827' east of the intersection of Pangburn Road.

Does any Town 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.

Width of Property Fronting on Public Road in Linear Feet: Total 1,192.89'

I have attached a legal description of the proposed site: ☒ Yes ( ) No  
(All applications must contain an attached legal description stamped by the Land Surveyor. Include the legal description for the entire area to be subdivided on a preliminary subdivision map.)

I have included a copy of the deed(s) of the proposed site: ☒ Yes ( ) No  
(All applications must contain a current deed of the proposed site)

I have attached a vicinity map of the proposed site: ☒ Yes ( ) No  
(All applications must contain a vicinity map indicating at a minimum the location and distances to the nearest cross streets)

What impact will the proposed subdivision have on the adjacent properties? None

What factors support this subdivision? The proposed lot 1 will maintain the single family dwelling with driveway access to Currybush Road. The proposed lot 2 will remain vacant with no development proposed at this time.

What measures do you propose to mitigate your proposal's impact upon or otherwise to make appropriate provision for open spaces, drainage waste, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary waste, parks and recreation, playgrounds, schools, and school grounds, and impacts which relate to the public health, safety and general welfare?

The proposed lot 1 will maintain the single family dwelling with the existing well and septic system with the existing driveway access to Currybush Road.



### SUBDIVISION INFORMATION

Number of Lots: 2

Gross Area: 98.3+/- Acres

Typical Lot Size: \_\_\_\_\_

Proposed Net Density: \_\_\_\_\_

Smallest Lot Size: 2.68 Acres

Minimum Frontage: 280 +/- feet

Proposed Source of Water: ( ) Public System ( ) Private Community System ☒ Individual Wells  
( ) Other, please describe \_\_\_\_\_

Proposed Means of Sewage Disposal: ( ) Public Sewer ( ) Community System ( ) Dry Sewer  
☒ Septic Tank & Drain field ( ) Other, please describe \_\_\_\_\_

Do You Have Any Plans for Future Additions, Expansions or Further Activity Related to this Proposal?

( ) Yes ☒ No If yes, please explain: \_\_\_\_\_

### PRELIMINARY SUBDIVISION IMPROVEMENT INFORMATION

Level of Street Improvements Proposed:

- ( ) Public Roads  
( ) Arterial Roads

Describe Any Combination of Above: \_\_\_\_\_

Estimated Time Period Expected for Complete Development of Subdivision: N/A

Is phasing of the finalization of the subdivision proposed?

- ( ) Yes. If yes, show phasing on subdivision map.  
☒ No.

Is dedication of land for public use proposed? (Roads, parks, schools, open space, others)

- ( ) Yes. If yes, please explain below:  
☒ No.

INCLUDE WITH PART II

\*\*\*\*\*

SURVEYOR/ENGINEER VERIFICATION

\*\*\*\*\*

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

Ingalls & Associates, LLP  
Name: John J. Post, Jr. L.S. License No 050643  
Address: 2603 Guiderland Avenue, Schenectady NY 12306  
Telephone No. 518-393-7725  
E-mail or Fax: jpost@ingallsllp.com

INCLUDE WITH PART II

\*\*\*\*\*

LEGAL OWNER SIGNATURE

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

\*\*\*\*\*

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

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

#1 Name: Michael Demers

Date: 12/1/23

Address: 590 Currybush Road

Phone: 518-445-5969

Schenectady, NY

Zip: 12306

Signature of Applicant or Representative

Date

Address: 10 Alton Rd

Date:

Albany NY 12203

Phone:

Zip:

Signature of Applicant or Representative

Date

Address: 10 Alton Rd

Albany NY 12203

Signature of Applicant or Representative

Address: 10 Alton Rd

Albany NY 12203

Signature of Applicant or Representative

Address: 10 Alton Rd

Albany NY 12203

Signature of Applicant or Representative

Address: 10 Alton Rd

Albany NY 12203

Rotterdam Subdivision Application

# 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](http://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, Scott Fyvie, being duly sworn declare that I am the  
(PROPERTY OWNER)

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

Tax Parcel Number(s): 47.-47-8

I hereby grant Ingalls & Associates, LLP and/or their agent(s) to act on my behalf.

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

Signature (Authorized Representative):

Date:

Scott Fyvie  
12/12/23

NOTARY

STATE OF NEW YORK ss:

COUNTY OF Albany

SUBSCRIBED AND SWORN to before me this 12<sup>th</sup> day of Dec, 2023

NOTARY SEAL

Jeanna M. Stanchuk  
Notary Signature

Notary Public in and for the State of New York

Residing at:

My appointment expires:

JEANNA M. STANCHUK  
Notary Public - State of New York

No. 01S6T417816  
Qualified in Rensselaer County  
My Commission Expires May 24 2025



# 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, Michael L. Demers, being duly sworn declare that I am the  
(PROPERTY OWNER)

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

Tax Parcel Number(s): 47.-47-8

I hereby grant Ingalls & Associates, LLP and/or their agent(s) to act on my behalf.

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

Signature (Authorized Representative): [Signature]

Date: 12/12/23

NOTARY

STATE OF NEW YORK, ss:

COUNTY OF Albany

SUBSCRIBED AND SWORN to before me this 12<sup>th</sup> day of Dec, 2023

NOTARY SEAL

[Signature]  
Notary Signature

Notary Public in and for the State of New York  
Residing at: JEANNA M. STANCHUK

My appointment expires: Notary Public - State of New York  
No. 01S6T417816  
Qualified in Rensselaer County  
My Commission Expires May 24 2025

# 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.

**RECEIVED**  
JAN 10 2011  
TOWN OF ROTTERDAM  
PUBLIC WORKS

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.

|                                                                                                                                                                                                            |  |                                  |           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------------------------------|-----------|
| <b>Part 1 – Project and Sponsor Information</b>                                                                                                                                                            |  |                                  |           |
| Name of Action or Project:                                                                                                                                                                                 |  |                                  |           |
| Minor Subdivision                                                                                                                                                                                          |  |                                  |           |
| Project Location (describe, and attach a location map):                                                                                                                                                    |  |                                  |           |
| 595 Currybush Road, Rotterdam                                                                                                                                                                              |  |                                  |           |
| Brief Description of Proposed Action:                                                                                                                                                                      |  |                                  |           |
| The project will subdivide 98.3+/- acre parcel into two lots. There is an existing house with associated driveway, well and septic system that will remain on one of the proposed lots.                    |  |                                  |           |
| Name of Applicant or Sponsor:                                                                                                                                                                              |  | Telephone: 518-445-5969          |           |
| Michael Demers                                                                                                                                                                                             |  | E-Mail: ecmcompanies@hotmail.com |           |
| Address:                                                                                                                                                                                                   |  |                                  |           |
| 590 Currybush road                                                                                                                                                                                         |  |                                  |           |
| City/PO:                                                                                                                                                                                                   |  | State:                           | Zip Code: |
| Schenectady                                                                                                                                                                                                |  | NY                               | 12306     |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?                                                                     |  |                                  | NO        |
| 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. |  |                                  | YES       |
| 2. Does the proposed action require a permit, approval or funding from any other government Agency?                                                                                                        |  |                                  | NO        |
| If Yes, list agency(s) name and permit or approval:                                                                                                                                                        |  |                                  | YES       |
| 3. a. Total acreage of the site of the proposed action? <span style="float: right;">_____ 98.3 acres</span>                                                                                                |  |                                  |           |
| b. Total acreage to be physically disturbed? <span style="float: right;">_____ 0 acres</span>                                                                                                              |  |                                  |           |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <span style="float: right;">_____ 98.3 acres</span>                                 |  |                                  |           |
| 4. Check all land uses that occur on, are adjoining or near the proposed action:                                                                                                                           |  |                                  |           |
| 5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) |  |                                  |           |
| <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):                                       |  |                                  |           |
| <input type="checkbox"/> Parkland                                                                                                                                                                          |  |                                  |           |

|                                                                                                                                                                                                                                                                                                                                                                                      |                                     |                                     |                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| 5. Is the proposed action,                                                                                                                                                                                                                                                                                                                                                           | NO                                  | YES                                 | N/A                      |
| a. A permitted use under the zoning regulations?                                                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Consistent with the adopted comprehensive plan?                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?                                                                                                                                                                                                                                                                      | NO                                  | YES                                 |                          |
|                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |
| 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?                                                                                                                                                                                                                                                                     | NO                                  | YES                                 |                          |
| If Yes, identify: _____                                                                                                                                                                                                                                                                                                                                                              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels?                                                                                                                                                                                                                                                                                     | NO                                  | YES                                 |                          |
|                                                                                                                                                                                                                                                                                                                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| b. Are public transportation services available at or near the site of the proposed action?                                                                                                                                                                                                                                                                                          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?                                                                                                                                                                                                                                                                         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 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:<br>_____<br>_____                                                                                                                                                                                                                                                                        | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |
| 10. Will the proposed action connect to an existing public/private water supply?                                                                                                                                                                                                                                                                                                     | NO                                  | YES                                 |                          |
| If No, describe method for providing potable water: _____                                                                                                                                                                                                                                                                                                                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| There is an existing well that will remain in use with the existing house<br>_____                                                                                                                                                                                                                                                                                                   |                                     |                                     |                          |
| 11. Will the proposed action connect to existing wastewater utilities?                                                                                                                                                                                                                                                                                                               | NO                                  | YES                                 |                          |
| If No, describe method for providing wastewater treatment: _____                                                                                                                                                                                                                                                                                                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| There is an existing septic system that will remain in use with the existing house.<br>_____                                                                                                                                                                                                                                                                                         |                                     |                                     |                          |
| 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                                 |                          |
|                                                                                                                                                                                                                                                                                                                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 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?                                                                                                                                                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?                                                                                                                                                                                             | NO                                  | YES                                 |                          |
|                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |
| b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?                                                                                                                                                                                                                                                                                  | <input type="checkbox"/>            | <input type="checkbox"/>            |                          |
| If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____                                                                                                                                                                                                                                                                                   |                                     |                                     |                          |
| There is an existing stream that flows across the parcel.<br>_____<br>_____                                                                                                                                                                                                                                                                                                          |                                     |                                     |                          |



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

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

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?

| NO                                  | YES                      |
|-------------------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> |

16. Is the project site located in the 100-year flood plan?

| NO                       | YES                                 |
|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> |

17. Will the proposed action create storm water discharge, either from point or non-point sources?  
If Yes,

| NO                                  | YES                      |
|-------------------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a. Will storm water discharges flow to adjacent properties?

|                                     |                          |
|-------------------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|-------------------------------------|--------------------------|

b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?

|                                     |                          |
|-------------------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|-------------------------------------|--------------------------|

If Yes, briefly describe:

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?

| NO                                  | YES                      |
|-------------------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If Yes, explain the purpose and size of the impoundment:

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?

| NO                                  | YES                      |
|-------------------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If Yes, describe:

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?

| NO                                  | YES                      |
|-------------------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If Yes, describe:

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

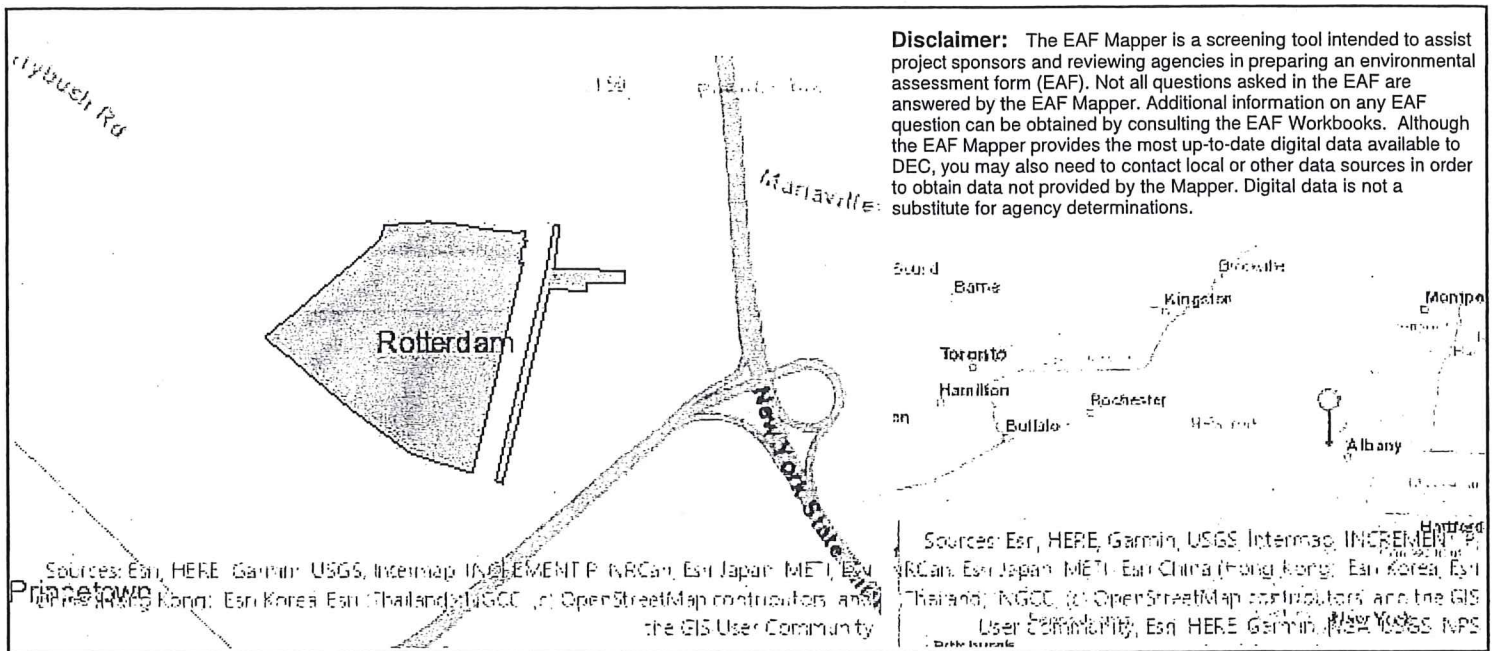
Applicant/sponsor/name: Chad Pagan

Date: 01-08-24

Signature: 

Title: Agent for applicant

**PRINT FORM**



|                                                                                               |                                                                                                                                   |
|-----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| Part 1 / Question 7 [Critical Environmental Area]                                             | No                                                                                                                                |
| Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites] | No                                                                                                                                |
| Part 1 / Question 12b [Archeological Sites]                                                   | No                                                                                                                                |
| Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]                               | Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook. |
| Part 1 / Question 15 [Threatened or Endangered Animal]                                        | No                                                                                                                                |
| Part 1 / Question 16 [100 Year Flood Plain]                                                   | Yes                                                                                                                               |
| Part 1 / Question 20 [Remediation Site]                                                       | No                                                                                                                                |







Town of Rotterdam  
Department of Public Works  
1100 Sunrise Boulevard  
Schenectady, NY 12306  
Phone: 518-355-7575 x356  
Fax: 518-355-2725

## NOTICE OF VIOLATION

October 18, 2023

Michael Demers  
590 Currybush Rd  
Schenectady NY 12306

Dear: Mr. Demers :

According to records of the Town of Rotterdam Assessor, you are the owner of property located at 595 Currybush Rd, Tax Map: 47.-7-8 , I observed a violation of the Town of Rotterdam Code/2020 Property Maintenance Code NYS and/or Zoning Law/Ordinance on your property, specifically:

The activity is in violation of:

| Code                   | Comply by date |
|------------------------|----------------|
| 105.4 Stop work Orders | Oct 20, 2023   |
|                        |                |

A copy is attached for your information. I hereby request that you either cease and desist the violation, or file with this office a plan demonstrating how you intend to bring the property into compliance.

If you believe that you are not in violation of Town of Rotterdam Code and/or Zoning Law/Ordinance, please contact this office to review the situation. If you intend to bring your property into compliance with the law, but you cannot meet the stated deadline, please contact this office and we will attempt to work with you on a short extension.

If you do not take the requested action or make other arrangements with this office by the compliance date stated above, we will begin formal enforcement action against you. You will NOT receive an additional warning before we begin this formal enforcement action.

*copy*  
spoke with owner at  
property on 1/3/24  
stated what needed  
to be done.

contractor solicited permit  
called contractor on 1/12/24  
stated he needed a better  
drawing.  
no updated drawing  
as of 1/18/24

**THIS IS THE ONLY LETTER YOU WILL RECEIVE. Your next communication from us will involve formal enforcement action.**

If you wish to discuss any aspect of your case, you can call me at 518-355-7575, Ext. 356. The Department of Public Works is open between 8:00 A.M. and 4:00 P.M. Monday through Friday.

Sincerely,



Jeffrey Briere  
Town of Rotterdam  
Building Inspector/Code Enforcement Officer

**105.4 Stop work orders.** The authority having jurisdiction is authorized to issue a stop work order to halt work that is being performed without a required building permit; work that is being performed after a required building permit has been revoked or suspended or has expired; work that is being conducted in a dangerous or unsafe manner; or work that is contrary to provisions of the Uniform Code, the Energy Code, the approved construction documents, or the terms and conditions (if any) of the building permit. No person or entity shall commence, perform or continue any work if the authority having jurisdiction has issued a stop work order with respect to such work.

**Interior and exterior work being done without a permit on file.**

**Corrective Action:** Will need to file all permits as needed (Plumbing and Building) are required. All permits are now double and a fine of \$500.00 for no permits on file.

**Compliance Date: 10-20-23**



**DPW Comments**  
**April 16, 2024**

3. **Town of Rotterdam – Code Amendment.** Report and Recommendation to the Town Board to amend Chapter 270, entitled “Zoning” to extend the Main Street/Neighborhood Center Overlay District from the intersection of Curry Road and Guilderland Avenue north to the boundary with the City of Schenectady. Area encompasses ±11.5 acres.
  1. The Rotterdam Town Board referred to the Rotterdam Planning Commission and declared lead agency on March 27, 2024.
  2. Expansion of the overlay district will provide opportunities for redevelopment in the area. Several commercial properties in the area are vacant/underutilized and would be able to utilize the overlay district. All properties in this proposed overlay district have access to municipal water and sewer.

**SEQR Requirement:** 6 NYCRR 617 Unlisted Action. Materials circulated on April 4, 2024.

**Involved/Interested Agencies**

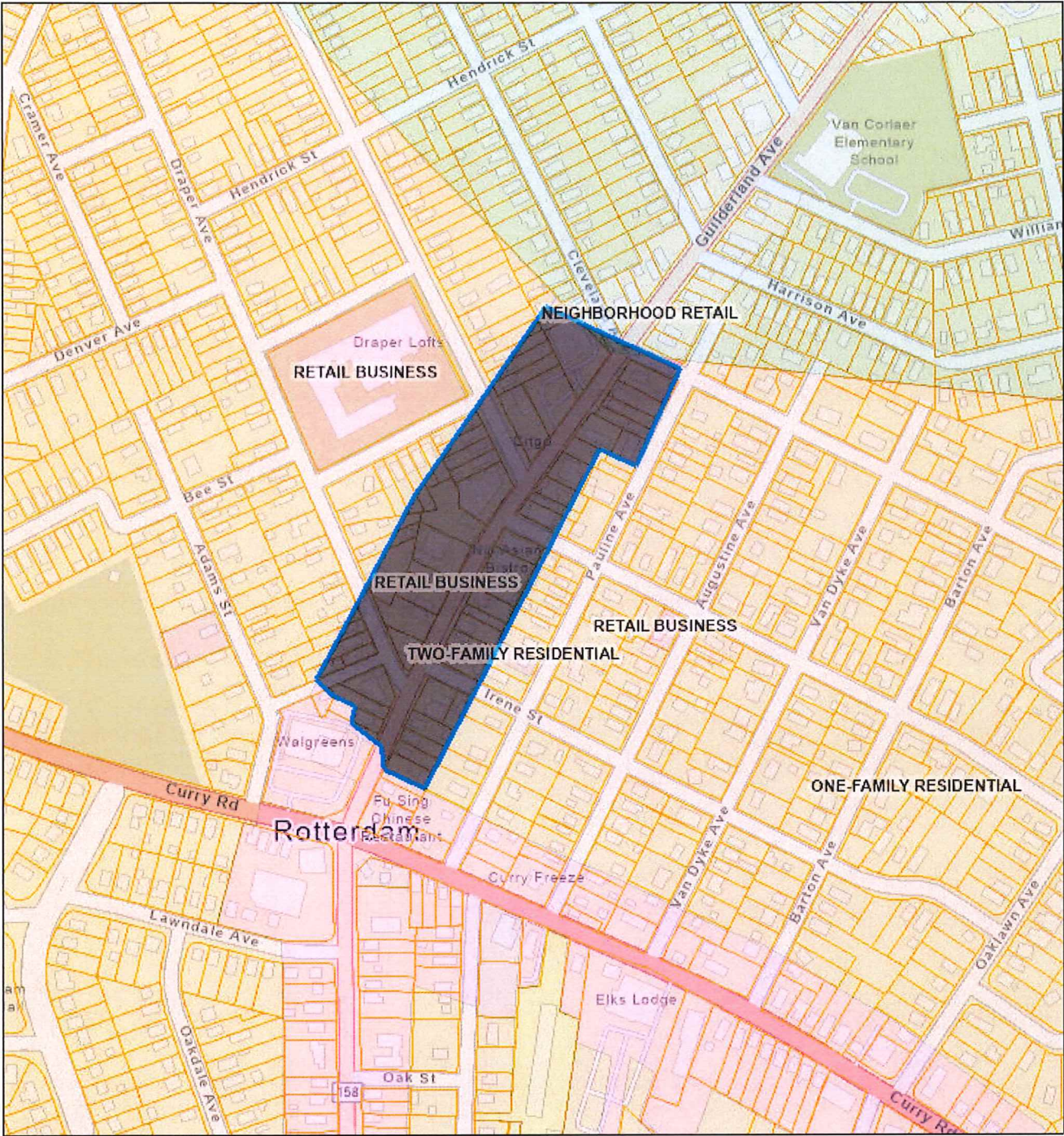
Schenectady County Economic Development and Planning (239m & 239nn)

239nn to the following municipalities

City of Schenectady



MS/NC Overlay Expansion Guilderland Ave April 2024 11.5 acres

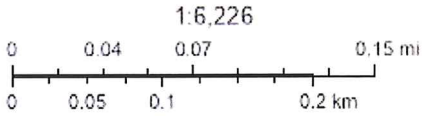


April 11, 2024

Zoning

- GENERAL BUSINESS
- MULTI-FAMILY RESIDENTIAL
- NEIGHBORHOOD RETAIL
- ONE-FAMILY RESIDENTIAL

- RETAIL BUSINESS
- SINGLE FAMILY RESIDENTIAL
- TWO-FAMILY RESIDENTIAL
- Parcels



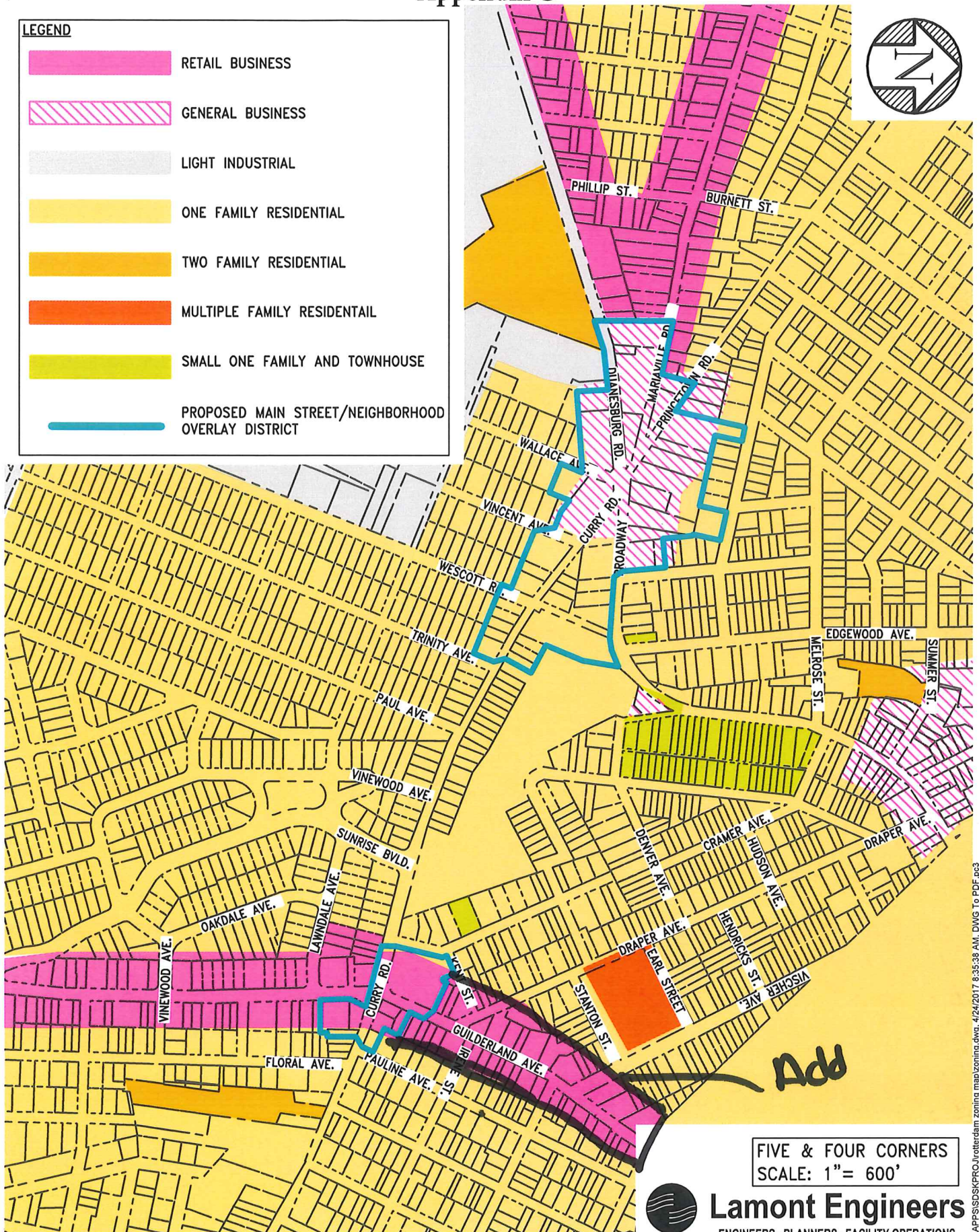
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, OpenStreetMap contributors, and the GIS User Community



# Appendix C

## LEGEND

- RETAIL BUSINESS
- GENERAL BUSINESS
- LIGHT INDUSTRIAL
- ONE FAMILY RESIDENTIAL
- TWO FAMILY RESIDENTIAL
- MULTIPLE FAMILY RESIDENTIAL
- SMALL ONE FAMILY AND TOWNHOUSE
- PROPOSED MAIN STREET/NEIGHBORHOOD OVERLAY DISTRICT



**Lamont Engineers**  
ENGINEERS • PLANNERS • FACILITY OPERATIONS



*Town of Rotterdam, NY  
Friday, March 15, 2024*

## Chapter 270. Zoning

### Article VIIIB. MS/NC Main Street/Neighborhood Center Overlay District

[Added 9-27-2017 by L.L. No. 4-2017]

#### § 270-53.20. Purpose.

A. The purpose of the Main Street/Neighborhood Center Overlay District (MS/NC) is to:

- (1) In certain specified areas, transition existing land uses and site designs that are permitted in underlying existing zoning districts to land uses and site designs that are consistent with the provisions of this article, without adversely affecting existing use and development rights;
- (2) Promote a mixture of complementary land uses that includes housing, retail, offices, commercial services, and civic uses, to create economic and social vitality and to encourage the linking of trips.
- (3) Develop commercial and mixed-use areas that are safe, comfortable, and attractive to pedestrians.
- (4) Provide flexibility in the siting and design of new developments and redevelopment to anticipate changes in the marketplace.
- (5) Reinforce streets as public places that encourage pedestrian and bicycle travel.
- (6) Provide roadway and pedestrian connections to residential areas.
- (7) Encourage efficient land use by facilitating compact, high-density development and minimizing the amount of land that is needed for surface parking.
- (8) Facilitate development (land use mix, density, and design) that supports public transit, where applicable.
- (9) Maintain mobility along traffic corridors and state highways.

#### § 270-53.21. When regulations apply.

A. Applicability of this article. The provisions of this article shall apply to any property within the MS/NC Districts with respect to which an applicant elects to proceed with development or use of such property in accordance with the provisions of this article.

- (1) Such election shall be made in writing on a form prescribed by the Planning Board, signed by the owner of the property.
- (2) Once such election is made and the property is used or developed in accordance with the provisions of this article, such election shall be irrevocable, and the provisions of this article

shall be deemed to have superseded any inconsistent provisions applicable in the underlying zoning district with respect to such property.

- B. Inapplicability of this article. Except to the extent a previous election has become irrevocable pursuant to § 270-53.21A(2), above, the provisions of this article shall not apply to any property within the MS/NC Districts with respect to which an applicant does not elect to proceed in accordance with the provisions of this article. In such cases, the provisions of the underlying zoning district shall remain in effect.

## § 270-53.22. Permitted uses.

Where an election has been made to proceed under this article in accordance with § 270-53.21, the following principal uses are permitted as of right in the MS/NC District subject to site plan approval by the Planning Board:

- A. Mixed-use developments containing a nonresidential use listed in this section and upper-story residential unit(s).
- B. Retail sales and service under 5,000 square feet gross floor area.
- C. Sit-down restaurants and taverns.
- D. Professional offices.
- E. Professional clinics.
- F. Indoor theaters, dance studios, assembly halls, game rooms, billiard/pool parlors, bowling alleys and similar establishments.
- G. Personal service shops, including but not limited to barbershops, shoeshine shops, beauty parlors, dry-cleaning and laundry pickup, delivery shops, and card shops.
- H. Public parks, playgrounds and other municipal recreational uses.
- I. Public libraries and museums.

## § 270-53.23. Special uses.

Where an election has been made to proceed under this article in accordance with § 270-53.21, the following special uses may be permitted in the MS/NC District:

- A. Public and private schools.
- B. Preschools and day-care centers.
- C. Retail sales over 5,000 square feet and less than 10,000 square feet gross floor area.
- D. Hotels/motels.
- E. Private clubs and religious institutions.
- F. Operations involving the repair, reconstruction, analysis or inspection of computers, electronic and communications equipment and similar components, provided that no manufacturing is performed and all operations are conducted within a completely enclosed building.
- G. Disturbance on a wetland or watercourse area of any class or in a wetland or watercourse buffer area as defined in this chapter.
- H. Brewpubs, microbreweries, microcideries, microwineries and microdistilleries. Brewpubs, microbreweries, microcideries, microwineries and microdistilleries, however, must comply with the

following:

[Added 5-24-2023 by L.L. No. 5-2023]

- (1) Each brewpub, microbrewery, microwinery, or microdistillery shall manufacture and sell alcoholic beverages in accordance with the provisions of the New York State Liquor Authority and shall maintain current licenses as required by said agency.
- (2) No outdoor storage shall be permitted.
- (3) All malt, vinous or distilled liquor production shall be within completely enclosed structures.
- (4) By-products or waste from the production of malt, vinous or distilled liquor shall be properly disposed of off the property.
- (5) The emission of odors or smells in such quantities as to produce a public nuisance or hazard is not permitted.
- (6) Excessive noise in violation of Chapter 188 is prohibited and may result in revocation of the special use permit.
- (7) Food cart vendors are permitted on-site only by permission of the Planning Board.
- (8) Hours of operation shall be addressed during site plan review.

## § 270-53.24. Accessory uses.

Where an election has been made to proceed under this article in accordance with § 270-53.21, accessory uses in the MS/NC District shall be limited to following:

- A. Parking and loading.
- B. Bus shelters and loading areas.
- C. Permitted signs.
- D. Storage and buildings accessory to the principal use.
- E. Rooftop-mounted solar collectors that constitute small-scale solar energy systems.

## § 270-53.25. Maximum building height.

Where an election has been made to proceed under this article in accordance with § 270-53.21, the maximum building height shall be three stories, not exceeding 45 feet.

## § 270-53.26. Lot area.

Where an election has been made to proceed under this article in accordance with § 270-53.21, the minimum lot area required for each principal use is 15,000 square feet, with a minimum lot width of 100 feet.

## § 270-53.27. Lot coverage.

Where an election has been made to proceed under this article in accordance with § 270-53.21, lot coverage shall not exceed 60% for principal and accessory buildings.

## § 270-53.28. Yard requirements.



Where an election has been made to proceed under this article in accordance with § 270-53.21, the following shall apply:

- A. Front depth shall be a maximum of 10 feet.
- B. Side yard width shall not be less than five feet.
- C. Rear yard depth shall not be less than 25 feet.

## § 270-53.29. Parking.

The intent of the MS/NC District is to encourage shared parking, to reduce vehicular trips, and to reduce the impact on the primary road network. Where an election has been made to proceed under this article in accordance with § 270-53.21, the following shall apply:

- A. On-street parking where permitted is encouraged.
- B. Off-street parking requirements applicable in the MS/NC District are set forth in § 270-149 of this chapter.
- C. Parking is prohibited in the front yard.

## § 270-53.30. Landscaping.

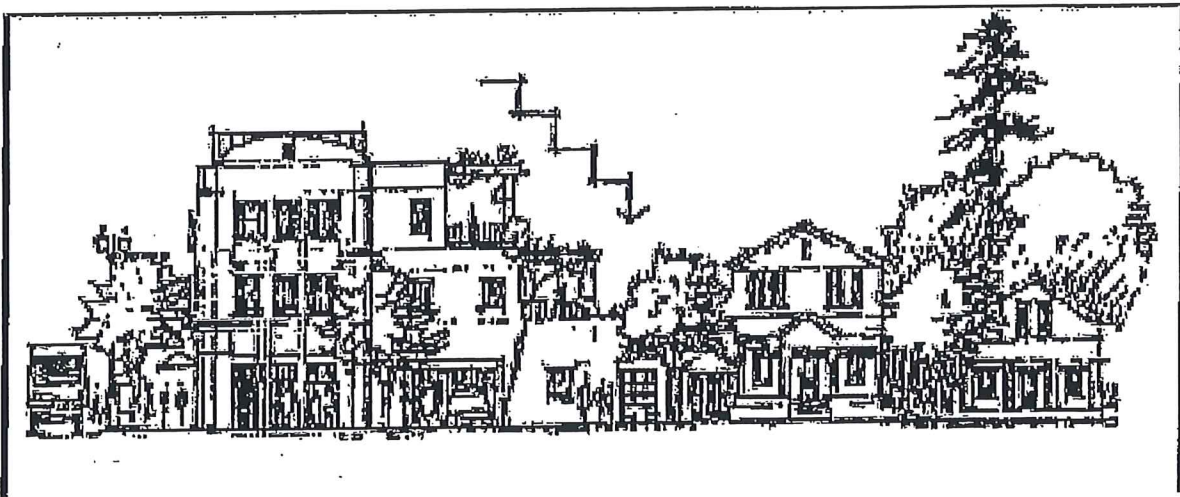
Where an election has been made to proceed under this article in accordance with § 270-53.21, street trees shall be planted in sidewalk cutouts where on-street parking is provided and shall be protected by tree grates or granite tree surrounds. Street tree spacing shall be determined through site plan review.

## § 270-53.31. Design guidelines.

Where an election has been made to proceed under this article in accordance with § 270-53.21, the following design guidelines shall apply;

- A. Where applicable, cornices (e.g., building tops or first-story cornices) shall be aligned to generally match the height(s) of those on adjacent buildings.
- B. Building height transitions or step-downs shall be provided when adjacent to residential or small-scaled uses, as shown in the figure below.

FIGURE 1

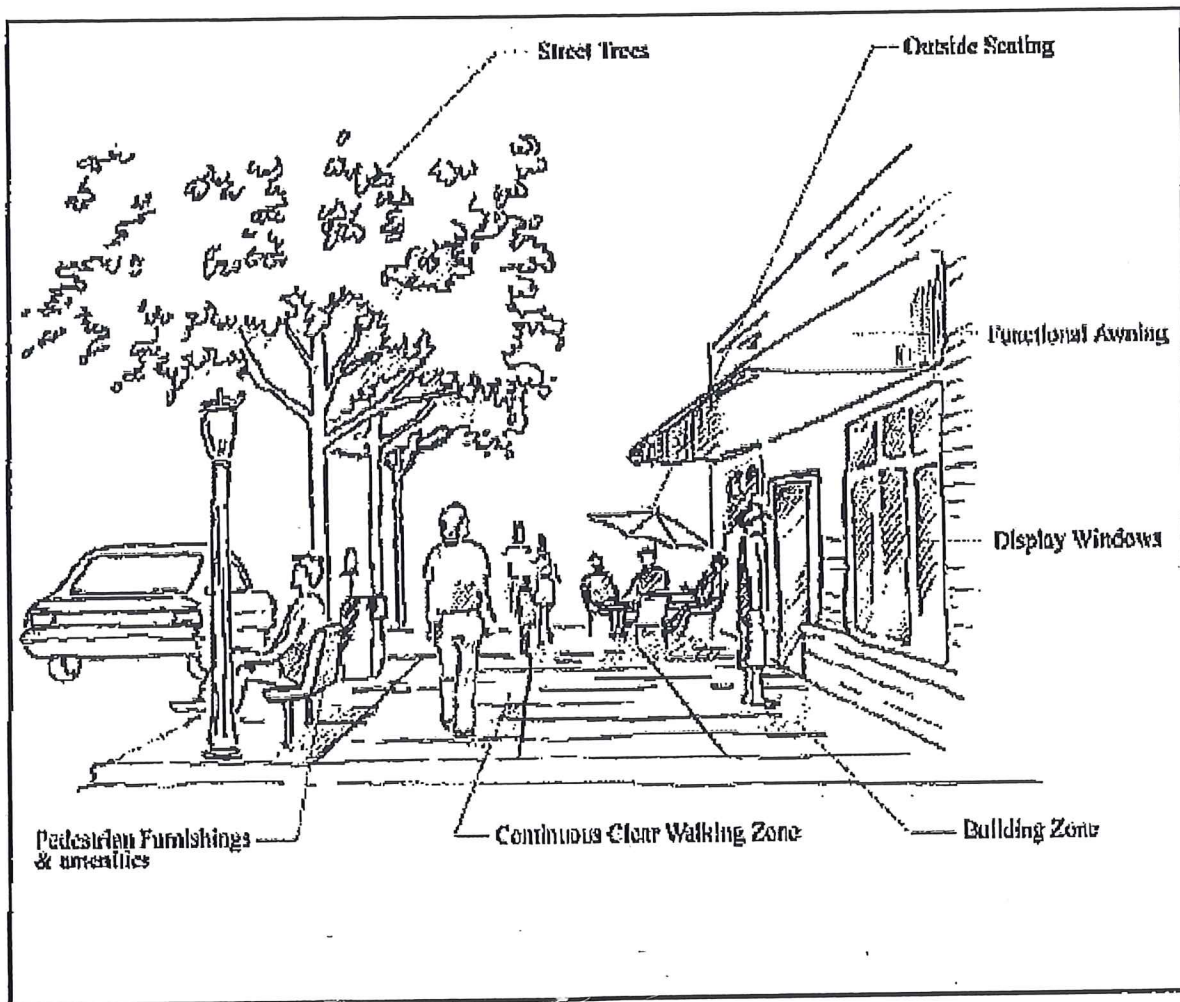


**BUILDING HEIGHT TRANSITION**

- C. All building entrances, pathways, and other pedestrian areas shall be lit using pedestrian-scale lighting to two footcandles measured at ground level (e.g., wall-mounted lighting, sidewalk lamps, landscape up-lighting, and similar features).
- D. The building(s) shall have at least one primary entrance facing a street.
- E. Building entrances shall open directly to the outside; every building shall have at least one entrance that does not require passage through a parking lot or garage to gain public access; corner buildings shall have corner entrances whenever possible.
- F. Windows shall be provided along at least 60% of the building's facade.
- G. Pedestrian facilities shall connect the development to adjacent land uses and provide connections through the development to the public street right-of-way.
- H. Public entrances shall be provided with weather protection (e.g., awnings, canopies, or similar features). During site plan review, consideration shall be given to appropriate pedestrian amenities (e.g., street tree well cutouts, space for outdoor seating, bus waiting areas, trash receptacles, newspaper vending machines, benches, mailboxes, sidewalk displays, public art, and similar features).
- I. To the extent practicable, all electric, telephone, cable, and similar utility lines servicing a site shall be located underground.
- J. Parking and vehicle drives shall be located away from building entrances to the maximum extent practicable and generally not between a building entrance and the street.
- K. Drive-through facilities are prohibited.
- L. Surface parking shall be oriented behind or to the side of a building when possible, and parking shall not be located on street corners.
- M. Landscape buffering shall be provided between parking lots and all adjacent sidewalks.
- N. Credit for on-street parking. The amount of required off-street parking shall be reduced by one off-street parking space for every on-street parking space adjacent to the development. On-street parking shall follow the established configuration of existing on-street parking, subject to Town, county, and NYSDOT standards, except that angled parking may be allowed for some streets, as approved by the Planning Board. The configuration of on-street parking and allowable credit toward off-street parking requirements shall be addressed during site plan review. The Town shall maintain a written record of credits granted for each use.
- O. Reduce or waive minimum off-street parking standards. The applicant may request a reduction to or waiver of parking standards based on a parking impact study. The study allows the applicant to propose a reduced parking standard based on estimated peak use, reductions due to easy pedestrian accessibility, availability of transit service, likelihood of car pool use, adjacent on-street parking, and potential for shared parking. Shared parking means that multiple uses share one or more parking facilities. Parking demands must peak during different times of the day. The parking study is subject to review and approval or modification by the Planning Board.
- P. Maximum parking ratio. Surface parking shall not exceed 125% of the minimum parking requirement for the subject land use(s). Exemptions to the standard can be approved through site plan review for developments that provide parking structures or shared parking that is intended to be available for public use.
- Q. Bicycle parking. Bicycle parking shall be provided in an amount and in location(s) determined by the Planning Board during site plan review.
- R. The figures below depict a streetscape and neighborhood plan consistent with the aims of the MS/NC District.

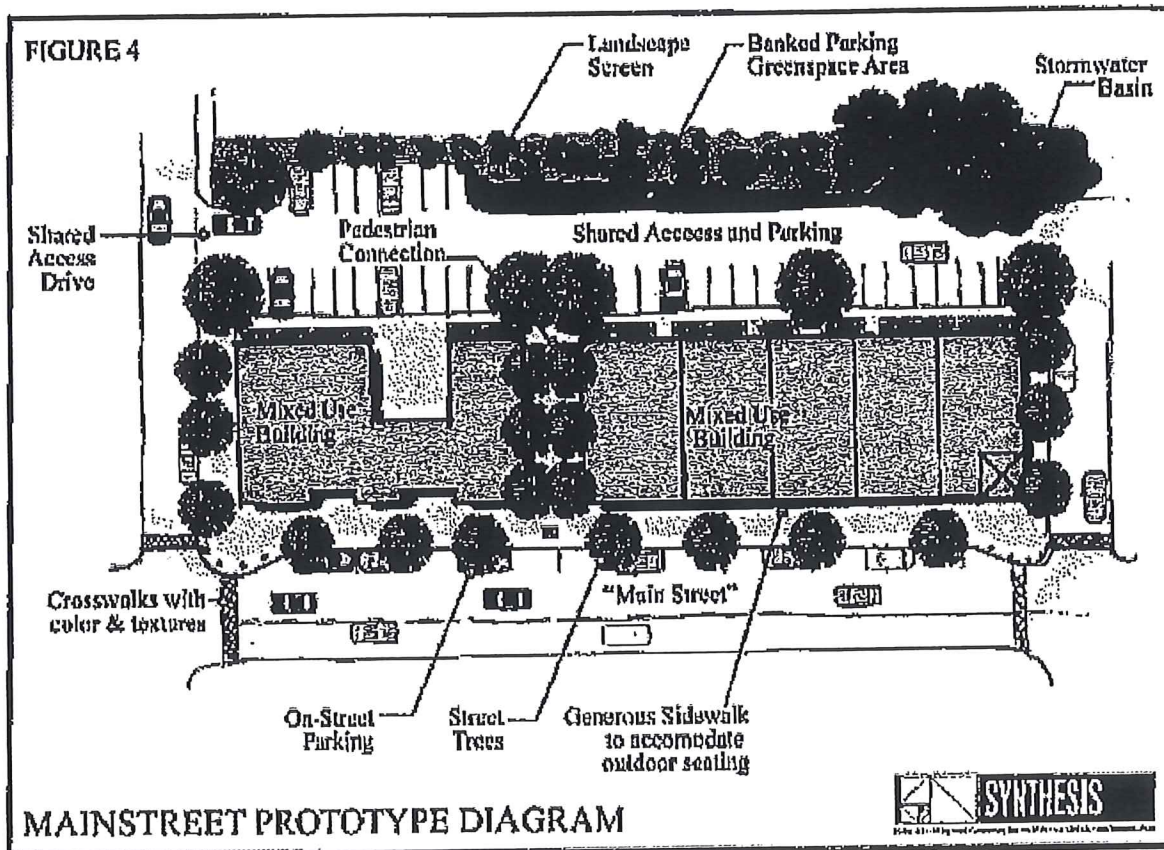


FIGURE 2



STREETSCAPE WITH BUILDING ENTRIES, WINDOWS, WEATHER PROTECTION, STREET FURNISHINGS AND TREES





§ 270-53.32. through § 270-53.39. (Reserved)

# 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.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |                                                                   |                                            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-------------------------------------------------------------------|--------------------------------------------|
| <b>Part 1 – Project and Sponsor Information</b>                                                                                                                                                                                                                                                                                                                                                                                                                        |  |                                                                   |                                            |
| Name of Action or Project:<br>Town of Rotterdam Zoning Code Amendment - Mixed Use Zoning - Main Street Neighborhood Center                                                                                                                                                                                                                                                                                                                                             |  |                                                                   |                                            |
| Project Location (describe, and attach a location map):<br>Guilderland Avenue North of Curry Road                                                                                                                                                                                                                                                                                                                                                                      |  |                                                                   |                                            |
| Brief Description of Proposed Action:<br>Mixed Use Zoning was developed in 2017 as part of the land use update and created the overlay district in a very limited portion of the four corners area. The existing Retail Business (B-1) zone in the Guilderland Avenue corridor limits redevelopment opportunities. There are several underutilized and vacant properties in this corridor that could benefit from additional flexibility afforded by mixed use zoning. |  |                                                                   |                                            |
| Name of Applicant or Sponsor:<br>Town of Rotterdam                                                                                                                                                                                                                                                                                                                                                                                                                     |  | Telephone: 518-355-7575 x-338<br>E-Mail: pcomenzo@rotterdamny.org |                                            |
| Address:<br>1100 Sunrise Boulevard                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |                                                                   |                                            |
| City/PO:<br>Rotterdam                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  | State:<br>New York                                                | Zip Code:<br>12306                         |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?<br>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<br><input type="checkbox"/>                                    | YES<br><input checked="" type="checkbox"/> |
| 2. Does the proposed action require a permit, approval or funding from any other government Agency?<br>If Yes, list agency(s) name and permit or approval:                                                                                                                                                                                                                                                                                                             |  | NO<br><input type="checkbox"/>                                    | YES<br><input type="checkbox"/>            |
| 3. a. Total acreage of the site of the proposed action? _____ acres<br>b. Total acreage to be physically disturbed? _____ acres<br>c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres                                                                                                                                                                                                  |  |                                                                   |                                            |
| 4. Check all land uses that occur on, are adjoining or near the proposed action:                                                                                                                                                                                                                                                                                                                                                                                       |  |                                                                   |                                            |
| 5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)<br><input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):<br><input type="checkbox"/> Parkland                                                                      |  |                                                                   |                                            |

|                                                                                                                                                                                                                                                                                                                                                                                      |                          |                          |                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|
| 5. Is the proposed action,                                                                                                                                                                                                                                                                                                                                                           | NO                       | YES                      | N/A                      |
| a. A permitted use under the zoning regulations?                                                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Consistent with the adopted comprehensive plan?                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?                                                                                                                                                                                                                                                                      | NO                       | YES                      |                          |
|                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/> | <input type="checkbox"/> |                          |
| 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: _____                                                                                                                                                                                                                                                                                                                                                              | <input type="checkbox"/> | <input type="checkbox"/> |                          |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels?                                                                                                                                                                                                                                                                                     | NO                       | YES                      |                          |
|                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/> | <input type="checkbox"/> |                          |
| b. Are public transportation services available at or near the site of the proposed action?                                                                                                                                                                                                                                                                                          | <input type="checkbox"/> | <input type="checkbox"/> |                          |
| c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?                                                                                                                                                                                                                                                                         | <input type="checkbox"/> | <input type="checkbox"/> |                          |
| 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:<br>_____<br>_____                                                                                                                                                                                                                                                                        | <input type="checkbox"/> | <input type="checkbox"/> |                          |
| 10. Will the proposed action connect to an existing public/private water supply?                                                                                                                                                                                                                                                                                                     | NO                       | YES                      |                          |
| If No, describe method for providing potable water: _____<br>_____                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/> | <input type="checkbox"/> |                          |
| 11. Will the proposed action connect to existing wastewater utilities?                                                                                                                                                                                                                                                                                                               | NO                       | YES                      |                          |
| If No, describe method for providing wastewater treatment: _____<br>_____                                                                                                                                                                                                                                                                                                            | <input type="checkbox"/> | <input type="checkbox"/> |                          |
| 12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? | NO                       | YES                      |                          |
|                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/> | <input type="checkbox"/> |                          |
| 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?                                                                                                                                                                  | <input type="checkbox"/> | <input type="checkbox"/> |                          |
| 13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?                                                                                                                                                                                             | NO                       | YES                      |                          |
|                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/> | <input type="checkbox"/> |                          |
| b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?                                                                                                                                                                                                                                                                                  | <input type="checkbox"/> | <input type="checkbox"/> |                          |
| If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____<br>_____<br>_____                                                                                                                                                                                                                                                                 |                          |                          |                          |



|                                                                                                                                                                                                                                                                                                                                                                                                        |                          |                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|
| 14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:<br><input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional<br><input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban |                          |                          |
| 15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?                                                                                                                                                                                                                                 | NO                       | YES                      |
|                                                                                                                                                                                                                                                                                                                                                                                                        | <input type="checkbox"/> | <input type="checkbox"/> |
| 16. Is the project site located in the 100-year flood plan?                                                                                                                                                                                                                                                                                                                                            | NO                       | YES                      |
|                                                                                                                                                                                                                                                                                                                                                                                                        | <input type="checkbox"/> | <input type="checkbox"/> |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources?<br>If Yes,                                                                                                                                                                                                                                                                                          | NO                       | YES                      |
|                                                                                                                                                                                                                                                                                                                                                                                                        | <input type="checkbox"/> | <input type="checkbox"/> |
| a. Will storm water discharges flow to adjacent properties?                                                                                                                                                                                                                                                                                                                                            | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?<br>If Yes, briefly describe:                                                                                                                                                                                                                                                                   | <input type="checkbox"/> | <input type="checkbox"/> |
| _____                                                                                                                                                                                                                                                                                                                                                                                                  |                          |                          |
| _____                                                                                                                                                                                                                                                                                                                                                                                                  |                          |                          |
| 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)?<br>If Yes, explain the purpose and size of the impoundment:                                                                                                                                                            | NO                       | YES                      |
|                                                                                                                                                                                                                                                                                                                                                                                                        | <input type="checkbox"/> | <input type="checkbox"/> |
| _____                                                                                                                                                                                                                                                                                                                                                                                                  |                          |                          |
| 19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?<br>If Yes, describe:                                                                                                                                                                                                                                        | NO                       | YES                      |
|                                                                                                                                                                                                                                                                                                                                                                                                        | <input type="checkbox"/> | <input type="checkbox"/> |
| _____                                                                                                                                                                                                                                                                                                                                                                                                  |                          |                          |
| 20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?<br>If Yes, describe:                                                                                                                                                                                                                                      | NO                       | YES                      |
|                                                                                                                                                                                                                                                                                                                                                                                                        | <input type="checkbox"/> | <input type="checkbox"/> |
| _____                                                                                                                                                                                                                                                                                                                                                                                                  |                          |                          |
| <b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b><br><br>Applicant/sponsor/name: <u>Town of Rotterdam</u> Date: <u>March 15, 2024</u><br><br>Signature: <u><i>Peter Comenzo</i></u> Title: <u>Senior Planner</u>                                                                                                                                   |                          |                          |