

Town of Rotterdam Planning Commission
Minutes of May 20, 2025 Meeting

The Rotterdam Planning Commission held a meeting on Tuesday, May 20, 2025, at 7:30 p.m. at the Rotterdam Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York 12306.

Present: Kimberly Ricker Scannell, Chairman Lynn Flansburg, Vice Chairman Wayne Calder Joseph Miglucci Joseph Signore Peter Comenzo, Town Planner Courtney Heinel, Attorney Lisa Gallo for Marlo Urowsky, Secretary	Excused: Clark Collins Danielle Ciampino
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Chairman Scannell called the workshop to order at 7:00 p.m.

Waivers:

1. **Ofran Aldhala – 1517 Helderberg Avenue.** The applicant requests a Waiver of Site Plan review to operate a market and deli in the former Little Super, $\pm 2,764$ square feet, on a ± 0.22 -acre parcel.

Motion was made by Mr. Miglucci to approve the Waiver conditioned on the following:

1. Applicant shall obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Inspector/Code Enforcement Officer prior to operation.
2. Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.
3. Owner shall install Knox box for emergency personnel. Please contact Fire District #2 for specifications.
4. Owner shall install a water meter that reads in gallons with an outside reader without a wand to read prior to operation. Please check with DPW for retailers.
5. All parking to occur on-site in area designated on site plan. No parking is to occur on public highway.
6. Applicant shall obtain Schenectady County Health approval prior to operation.
7. Hours of operation up to daily 7:00 am to 11:00 pm.
8. Owner shall remove & block old door on front façade.
9. Owner shall obtain cross easements between 1517 Helderberg Avenue & 1515 Helderberg Avenue for access to parking in the back of 1517 Helderberg Avenue.
10. Owner shall pave, reseal, restripe the parking areas and the access to parking in rear. Handicapped parking shall be ADA compliant.
11. Owner shall block and stucco building.

Mrs. Flansburg seconded the motion and vote resulted in unanimous approval of the motion.

2. **Shouchao Li – 1879 Altamont Avenue (Unit 6).** The applicant requests a Waiver of Site Plan review to operate a Chinese restaurant, in $\pm 2,750$ square feet existing tenant space, former Weight Watchers, in Price Chopper Plaza (± 10.55 acres).

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

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

4. Owner/applicant shall install Knox box for emergency personnel. Please contact Fire District #2 for specifics.
5. Applicant shall obtain Schenectady County Health Department approval.
6. A water meter shall be installed that reads in gallons with an outside reader that does not require a wand to read. Check with DPW for retailers.

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

3. **Robert Mallozzi – 6-8 Montebello Court.** The applicant requests a Waiver of Site Plan review to construct a $\pm 1,000$ square foot attached addition and create a second dwelling unit onto an existing $\pm 3,252$ square foot single family residence on a ± 4.38 -acre parcel.

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

1. Compliance with all NYS Building and Fire Codes.
2. Applicant shall obtain Building Permit(s) and be issued a Certificate of Compliance from the Building Inspector/Code Enforcement Officer.
3. The new $\pm 1,000$ square foot residence shall be connected to the existing residence.

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

Agenda:

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

Ms. Scannell: We need a motion to approve the summary minutes of May 6, 2025. Are there any questions or concerns or comments about that? If not, I would entertain a motion.

Mr. Miglucci: I will make that motion.

Mr. Calder: I second the motion.

Ms. Scannell: Thank you, Mr. Miglucci and thank you Mr. Calder. Lisa, please call the vote.

Ms. Gallo: Mrs. Flansburg?

Mrs. Flansburg: Abstain.

Ms. Gallo: Mr. Calder?

Mr. Calder: Yes.

Ms. Gallo: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Gallo: Mr. Signore?

Mr. Signore: Yes.

Ms. Gallo: Chairman Scannell?

Ms. Scannell: Yes.

Motion carried.

1. **Mark DeMeo (owner) and Dominic Leone (owner and contract vendee) – Willow Drive & Suffolk Avenue. Final Three (3) Lot Major Subdivision with Boundary Line Adjustments Public Hearing:** Lot #1 = ±2.1 acres with proposed improvements to Willow Drive and the construction of single-family residence. Lot #2 = ±24,351 square feet with proposed improvements to Suffolk Avenue and the construction of a single-family residence. Lot #3 = ±5.3-acre boundary line adjustment to consolidate lands and increase the lot size of an existing developed lot. Surveyor: Blackstone Land Surveyors.

Ms. Scannell: All right, first up, we are here tonight with Mr. Blackstone for the project at Willow Drive and Suffolk Avenue. How are you, sir?

Mr. Blackstone: I am fine. My name is Mark Blackstone. I'm the Land Surveyor with an office here in Rotterdam. I'm representing this application here to identify the revisions made since the last time we were here. I'd like to reflect comments from the DPW, the delay "Inaudible", and the concerns or fears that were previously...

What I have provided since the last meeting was a repeat submittal of soil test results from the witnessing of the test by the Schenectady County Health Department, added notes to identify appropriate site size of each of the systems. I have relocated the proposed water service for Lot 2 to provide 15-foot minimum separation for an existing test basin. I have relocated the proposed water service for Lot 1 away from the property line that that should be accommodated.

I've extended the proposed pavement on Suffolk for turnaround purposes as per comments from the Highway. And I've added a 30-foot guide rail at the end of Willow, increasing its width to provide additional safety. And comments were questioning the location of proposed curb box locations for water service.

That was not provided, typically subject to the Water Department's discretion. I'd be happy to obviously show that on the proposed plot plan submitted to the Building Permit applications at the proposed time. But given the unique situation for each of these, I felt as though the Water Department's input would control the location of how they're going to bring water to the lot.

Additionally, I think that more or less that deals with the revisions. Other than that, I believe I've shown in orange here, at the southerly end of Willow Drive, I've added the location of the closest fire hydrant that would provide service to the Lot 1 hydrant location at the end of Willow Drive.

Ms. Scannell: Were you able to have the Water Department come out and review that area and kind of stake it out like Mr. Collins had suggested at the last time you were here?

Mr. Blackstone: That is not something I've done, but it's just a matter of getting to the point of putting an order in for water service and then it's up to their discretion really. It's not a problem, it's just a matter of the feed differs across the road, that's basically it.

Ms. Scannell: Well, I know that there have been some concerns. I know Mr. Collins had gone on the record of saying possibly he would consider discussing with the Water Department if a new hydrant was necessary.

Mr. Blackstone: Well, if I add the existing location of the hydrant that's at the end of Willow, so that the land here, there was ample opportunity for service and preventive fire.

Ms. Scannell: Originally, we had a limited scope TDE back in 2009 with this project. My understanding is that you did meet or Peter had gone out there with Fred Mastroianni, the Town Engineer.

Mr. Blackstone: Yes.

Ms. Scannell: You were aware of that?

Mark DeMeo (owner) and Dominic Leone (owner and contract vendee)
Willow Drive & Suffolk Avenue

Mr. Blackstone: Yeah, I was there and he made comments and that is the driving force behind most of the revisions that have been made, just comments to incorporate different revisions to improve the project.

Ms. Scannell: Right, and you talked with Larry. Someone talked to Larry about the turnaround.

Mr. Blackstone: Yes.

Mr. Comenzo: Yeah, Larry was there as well.

Ms. Scannell: Right, I know, but I was not there sir and no, nobody else was there, so why don't you tell us about that?

Mr. Blackstone: Okay, all these comments are generated out of a meeting we had on site.

Mr. Lamora revised what had previously been suggested by previous highway superintendents, so he enhanced that turnaround situation, so that was revised and reflected. And comments that Fred put together have been added to the plan, so everything is in accordance with their recommendations.

Ms. Scannell: Well, not everything, right? Some of the notes to the plans have not made their way onto the plans.

Mr. Blackstone: Notes regarding?

Ms. Scannell: Prior to the issuance of building permits for lot number one (1), the developers shall construct all improvements as shown on the map entitled proposed grading seven cross section of T turnaround area at north end of Willow Drive, dated August 7th, 2009. There was also a note to the plan for lot number two (2). Those were noted on the DP...

Mr. Blackstone: The cross sections were presented. There's no proposed significant revisions to reflect.

Ms. Scannell: No, there's proposed notes that need to go on the plan though.

Mr. Blackstone: Okay, they weren't given to me.

Ms. Scannell: Okay.

Mr. Blackstone: Is there enough of comments from the committee meeting that we can include those comments?

Ms. Scannell: Sure, absolutely. We will make sure that you get some of those in writing. I know last time you were here we talked about some proposed easements. Have those been provided to you, Attorney Heinel?

Ms. Heinel: I don't believe so.

Ms. Scannell: Do you know if those were provided to our legal team?

Mr. Blackstone: I submitted stuff to the Department of Public Works relative to the existing easements for road maintenance easements which address the snow storage and drainage easements that allow the Town's existing drainage situation to continue. There was a proposed easement language relative to just the turnarounds as far as...

Ms. Scannell: I think it was to the road and to the turnaround if my memory serves me correctly. Regardless, I would like anything that you're submitting to make sure we just run it past our attorney.

Mark DeMeo (owner) and Dominic Leone (owner and contract vendee)
Willow Drive & Suffolk Avenue

Mr. Comenzo: Mark, here's the comments with the notes that Kim is referring to.

Ms. Scannell: I'm going to open this up to the Planning Commission right now. Mr. Calder, I'm going to start with you.

Mr. Calder: Mark, you paid attention. I was over there today. On the end of Willow, going down that big embankment, there's a big... I don't know if it's a creek or it's just because of the high-water table. But there is a lot of water down there. The last part of Willow where it dead ends where he's talking about the turnaround. Somebody's been using that as a dump. According to the neighbors that I talked to, somebody's been dumping in there. So, I don't know how stable that ground is if you're going to make a turnaround, especially with one of those Town highway trucks.

Mr. Blackstone: The extension to create a turnaround there is, let's see, this is significantly, we're not going past the top of the slope. So, it isn't like, fills and dump to create an extension of the top of slope. They are running downhill.

Mr. Calder: There's a big slope. But it wasn't to fill. Somebody's been dumping stuff down in there. I don't know what. It looks like a landfill. Maybe eight (8) or 10 foot of it. I'm just saying what I saw today. And the neighbors did verify to me that somebody's been dumping down there. They thought it was possibly the owner.

Mr. Blackstone: It isn't the owner.

Mr. Calder: I don't know how stable that ground would be with a 10-wheeler going through there trying to push snow.

Mr. Blackstone: The land that the proposed turnaround is being shown as is flat. If you look farther down, maybe someone's going past the top of the slope and filling in that way. But we're not even going as far as the top of the slope. No proposal to go past the top of the slope is part of this plan. I haven't been there in a couple weeks. But the bottom is wet.

Mr. Calder: It's more than wet. There's a pond down there just about. It's really hot. The water table has been high.

Mr. Blackstone: It's seasonally wet.

Mr. Calder: Is it a creek or is it not a creek?

Mr. Blackstone: It's a low spot because it drops down and then goes back up again for the railroad tracks. So, we're maintaining significant separation from that. We're not coming within 18 feet as far as height of the back low point.

Mr. Calder: So, you think there's plenty of room for a turnaround, obviously. Is that why you want to put the 30-foot fence there? Keep people out of there?

Mr. Blackstone: At the end of the straight section a 30-foot-long box beam guide rail will be placed for safety purposes. And that would be also in the area which is still flat. So, if you look farther down, yeah, there is. That's why the plan shows a cross section there. There's nothing to be done in there. If people are coming in and illegally dumping...

Mr. Calder: I don't think it's new. I think it looks like it's been there for quite a while. It's packed. I mean, they tell me that there was stuff brought in and then a front-end loader or something showed up afterwards because they complained. And it spread it out a little bit more. It stopped after that. I was just concerned about the turnaround. That's a pretty heavy vehicle.

Mr. Blackstone: The turnaround is in virgin ground. So, if there's been stuff pushed beyond that, it's not an area that we're proposing to utilize.

Mr. Calder: It's worth it for the TDE to probably...

Ms. Heinel: Stability of the ground would only be affected if it was buried fill. Fill that they would push over the side of the hill wouldn't affect the stability of the ground underneath where they're putting the buried fill. That would be the concern where you don't know what's in the ground.

Mr. Calder: Yeah, because you don't know. It's not sand. It's rubble. Pieces of this and pieces of that.

Ms. Scannell: So, Mr. Calder, I hear what you're saying and that it is kind of a new concern since we're all just kind of finding out about it. And I don't know if Mr. Mastroianni, I don't know if that's something that he had an opportunity to take a look at. But I don't think I've heard anything in any kind of feedback from him. So, that is a question I would like answered as well.

Mr. Calder: Back in 2009 when it came in the last time for a project, one of the stipulations was on the DPW comments that the no stockpiling or buried debris/stumps and construction material is permitted. Since 2009 and now, I don't know. I don't know what went on there. I'm just trying to bring it up and ask you about it.

Mr. Blackstone: Well, last time I was there it looked like people were using it for access for probably ATVs.

Mr. Calder: That's down in the slope that's near the water.

Mr. Blackstone: Going to it and then come up.

Mr. Calder: I don't even know if an ATV could make it down there. It's pretty...

Mr. Blackstone: They can make it down there. We can clarify the location of the proposed turnaround in its relation to any new fill that's been put in there. But the applicant has not done anything. He's been down there trying to keep people from...

Mr. Calder: I saw a sign down there. There's a sign down there that says no trespassing. It looks pretty new.

Mr. Blackstone: People don't always pay attention to the property owner's concerns. So, we can look into that to be able to identify... But the turnaround is completely in virgin ground. If they tried to extend that grade, I don't think anybody's extending the grade for any development purposes because it's just my client that would be doing that. I'm just saying we can investigate the situation to be able to address what you've witnessed and I get the numbers relative to where it is in relation to the proposed turnaround. But we're going to propose a turnaround in there if we couldn't put it in virgin ground because just like you said, what we're talking about is how high we're practicing that.

Ms. Scannell: So, I appreciate your comments, Mr. Calder. I do have more questions now I think than answers regarding any possible dumping that has happened on the premises. I know that dumping could be considered a codes issue and since there's a waterway involved, it could be a Mary Barrie issue. So those bring up some very good questions.

Mr. Calder: That's all I have. Thank you.

Ms. Scannell: Thank you, Mr. Calder. Mrs. Flansburg?

Mrs. Flansburg: Just a couple quick things. You identified the hydrant and that's close enough to service all the rest of to the end of the section.

Mr. Blackstone: Yes.

Mark DeMeo (owner) and Dominic Leone (owner and contract vendee)
Willow Drive & Suffolk Avenue

Mrs. Flansburg: Can you just show me, because I don't have my map out with all of these, where the 30-foot guardrail is where it would be and how? It's probably that tiny black line, right?

Mr. Blackstone: There's a note that says guardrail on the right. We can share. Well before the top of that trying to contain everything.

Mrs. Flansburg: I love when they include minutes from the previous meeting because that's super helpful. We had a little bit of dialogue back and forth about something called Occupation Road through here. It was something that you had mentioned that you would look into.

Mr. Blackstone: So, Occupation Road is basically an easement.

Mrs. Flansburg: Between who and who?

Mr. Blackstone: Originally the railroad who then deeded this land to the Town of Rotterdam. It's never been used. But it's on a map and it provides access. It's not a vehicular access, but it provides access. But it's not anything that's been approved. So, it sits next to the newer apartments that...

Mrs. Flansburg: This is what we were talking about. Yeah, Byron's.

Mr. Blackstone: It's next to his property. Probably being used by the last Asian family on 10th Street as far as I can find. But it's not used for access.

Mrs. Flansburg: But an access or an easement is between two (2) groups, right? So, the railroad deeded to the Town.

Mr. Blackstone: Well, you acquire land and then at the end of the deed usually it's going to say subject to any easements of records.

Ms. Scannell: In addition to any of the proposed easements that you have for the turnaround, could you also please provide Attorney Heinel with a copy of that easement for this Occupation Road?

Mr. Blackstone: That may not be a written easement. It may just be a map.

Ms. Scannell: Okay. I'm sure that she would love a small copy of a filed map.

Mr. Blackstone: Sure.

Mrs. Flansburg: That's all that I have. Thank you.

Ms. Scannell: Thank you, Mrs. Flansburg. Mr. Signore?

Mr. Signore: Mark, rather than to just go over it all again, but personally I share the same concerns that Mr. Calder does.

Mr. Blackstone: Okay, this is something that's very new to me because when we were there with the Town, there wasn't any significant amount of filling happening. So, I'll look into it and certainly address the concerns.

Mr. Signore: Thank you.

Mark DeMeo (owner) and Dominic Leone (owner and contract vendee)
Willow Drive & Suffolk Avenue

Ms. Scannell: Thank you, Mr. Signore. Mr. Miglucci?

Mr. Miglucci: Does that easement still landlock DeMeo's property? Does he have access to that?

Mr. Blackstone: He has potential access over Occupation Road.

Mr. Miglucci: On Occupation Road, okay. And my second question is about that 30 foot, you said after past the 30 feet is where it starts to drop off. We're talking a 28-foot trifold file pushing close to 12 feet of snow. So, I mean it's going to extend over that. It's going to push it past that border. I'm trying to make sure there's enough room there before...

Mr. Blackstone: I sized it according to the input.

Mr. Miglucci: Okay, that's all I have. Thank you.

Ms. Scannell: Thank you, Mr. Miglucci. Mr. Comenzo is there anything that you would like to add?

Mr. Comenzo: No, I have no comments.

Ms. Scannell: Thank you. Attorney Heinel?

Ms. Heinel: None that we haven't already addressed.

Ms. Scannell: Okay. So, I know originally, we talked about a limited scope TDE. That was around in 2009. I know we have been fortunate enough to have Mr. Mastroianni taking a look at things. I think we need to as a group decide if we are comfortable continuing on that path. If we think that we need to have based on any of tonight's conversations if we wanted to go back to having an actual TDE or if we would continue with having our Water Department and our Legal Department and our in-house Engineering Department handle things.

Any conversation about that?

Mr. Calder: I suggest we do a full-blown TDE on this project.

Ms. Scannell: Okay.

Mr. Blackstone: Can I comment on that perhaps?

Ms. Scannell: In a moment.

Mr. Blackstone: Okay.

Mr. Miglucci: Madam Chair, I have a comment on that.

Ms. Scannell: Yes, Mr. Miglucci.

Mr. Miglucci: I believe the Water Department should go out there and see if there's any cattails or anything like that. If there is any standing water, check the whole area out there to make sure there is no wetlands involved.

Ms. Scannell: What are your thoughts on a limited scope TDE or full-blown TDE? Not having in-house engineering.

Mr. Miglucci: Well, my opinion to do it right would be to have a full-blown TDE.

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Ms. Scannell: Are there any other comments regarding this from the Planning Commission? Mr. Blackstone, would you like to make a comment?

Mr. Blackstone: Sure. In all reality, this Willow Drive is an extension of Willow Drive to provide just a driveway and a turnaround. Not ever having proposed to go beyond or even up to the top of slope. In the comments we got last time we had a TDE on this were erroneously identified and were not applicable and that only cost us \$3,300 which seemed a little bit excessive given that he was incorrect.

The property on Suffolk is just a minor extension of an existing road. The only drainage issues are that the Town's been draining onto what used to be their own property but we addressed that and gave the Town easements to continue that. There's really no engineering issues that I can see that we haven't already dealt with in 2009 and then again upgraded to address Mr. Mastroianni's comments as well as the Superintendent of Highways to bring an engineer in to give me suggestions on how to enhance the size of the map to be able to put in Rotterdam code information on a subdivision map. That's traditionally what you end up getting and then "Inaudible", I have comments about where we're going to be draining our roof drains. It's a 20-foot grade. It's all sand. It's sort of a ridiculous comment.

It's beyond my comprehension how the specifics of a proposal can't take into account when it's 20 feet of sand and once in a while we're going to put our roof drain. It's beyond my comprehension. Without engineering detailed necessity, it just seems as though we're spinning our wheels and spending money for someone just to regurgitate things that we've already addressed. Of course, we'll come up with more but it's such a minor, just because it's one piece of property it becomes two (2) new lots. It's just a driveway extension and a minor extension of an existing dead-end street with upgrades to provide for Town plow servicing. So, to have a TDE doesn't make sense to me.

It isn't just because it's my client. I've dealt with these. I've been appearing before this Board for 42 years. Prior to that, my father had done it for 33 years. We've been here for 75 years and making presentations to the Town of Rotterdam and to turn around and have engineering input where there are no engineering issues is in my mind contrary to what the subdivision Chapter 249 speaks to at least in my mind and obviously the Planning Commission may be of another frame of mind with regard to it. But it seems to me that the Planning Commission is empowered and may vary the regulations so that substantial justice may be done in the public interest secured provided such variations will not have the effect of nullifying the intent and purpose of the official map master plan in the building ordinance.

It may waive requirements subject to the appropriate conditions. On such a minor project of this size it's my impression that these are appropriate conditions when having engineering review non-engineering issues just, it doesn't make sense. I made this argument before, sometimes successfully, sometimes not, but it's two (2) lots and they're not even next to each other and they're both fortified driveway extensions with additional expense to facilitate Highway Department snow storage and plow turnaround. So, to carry on that more is just beyond logic from our perspective.

Ms. Scannell: I appreciate your feedback. I'm sure the members of the Planning Commission also appreciated being able to hear things from your perspective not just as a representative of your client but as a well-respected engineer in your field.

I don't think when we have a TDE we're getting someone to come up here and point their finger and tell an engineer what they're doing wrong. It's because we're not engineers.

Mr. Blackstone: There are no engineering issues.

Ms. Scannell: So, I think that there are questions that we don't have answers to and I think that as a Planning Commission, one of the members, two (2) of the members have suggested that they would like to have a TDE. So, the way that we have to handle that is I have to entertain a motion for that and we're going to vote on it. So, everyone had an

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opportunity to discuss it amongst ourselves here in a public forum and we also took the opportunity to listen to you and I appreciate your feedback.

At this time, I would entertain a motion if one were to be made to have a TDE on this project.

Mr. Calder: I'll make the motion.

Mr. Signore: I'll second.

Ms. Scannell: I have a motion from Mr. Calder and I have a second from Mr. Signore. Lisa, would you please call the roll?

Ms. Gallo: Mr. Calder?

Mr. Calder: Yes.

Ms. Gallo: Mr. Signore?

Mr. Signore: Yes.

Ms. Gallo: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Gallo: Ms. Flansburg?

Mrs. Flansburg: Are we allowed to comment or not?

Ms. Scannell: You can comment.

Mrs. Flansburg: Can we at least specify that the issues that the scope is for? So that it's the turnaround and the fill and potential water in the area? Those are the three (3) things that I had heard, correct?

Ms. Scannell: So those were the three (3) things that we were able to talk about based on Mr. Calder's site visit and conversation this evening.

Mrs. Flansburg: But more could come up.

Ms. Scannell: It is possible that more could come up. I believe that right now Mr. Calder's motion was not for a narrow scope TDE. Was it for a regular broad scope normal TDE?

Mr. Calder: Normal TDE.

Ms. Scannell: So, the motion as being put forth by Mr. Calder is for a regular full-blown TDE.

Mrs. Flansburg: Okay. Yes.

Ms. Gallo: Ms. Scannell?

Ms. Scannell: Yes.

Mark DeMeo (owner) and Dominic Leone (owner and contract vendee)
Willow Drive & Suffolk Avenue

Motion carried.

I'm going to just consult quickly with our attorney. We are scheduled to have the final Public Hearing tonight. Should we open the Public Hearing and keep it open?

Ms. Heinel: You can open the Public Hearing and if somebody wants to keep the Public Hearing open at the end they can move to keep the Public Hearing open.

Ms. Scannell: Okay. All right. I'm going to go ahead and open the Public Hearing. There's lots of folks here. Anybody want to come on up and talk about this project? Okay. Because now's the time. We don't always have Public Hearings for things that folks are here for. So, this is an opportunity for anyone that's interested in this particular project. All right. Going once, going twice. Do I have a motion to either close the public meeting or to keep it open?

Mrs. Flansburg: I would like to make a motion that we keep it open. That way it gives us the ability to have further input.

Ms. Scannell: Thank you, Mrs. Flansburg. We have a motion to keep the public meeting open. Do I have a second?

Mr. Miglucci: Second.

Ms. Scannell: Thank you, Mr. Miglucci. Lisa, could you please call the roll?

Ms. Gallo: Mr. Calder?

Mr. Calder: Yes.

Ms. Gallo: Mr. Signore?

Mr. Signore: Yes.

Ms. Gallo: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Gallo: Ms. Flansburg?

Mrs. Flansburg: Yes.

Ms. Gallo: Ms. Scannell?

Ms. Scannell: Yes.

Motion carried. So, we made a motion that we wanted a TDE.

I think I need to make a motion to enter into an agreement with a TDE. Do I have a motion?

Mrs. Flansburg: I'll make that motion.

Ms. Scannell: Thank you, Mrs. Flansburg. Do I have a second?

Mark DeMeo (owner) and Dominic Leone (owner and contract vendee)
Willow Drive & Suffolk Avenue

Mr. Signore: I'll second.

Ms. Scannell: Thank you, Mr. Signore. Lisa, could you please call the roll?

Ms. Gallo: Mr. Calder?

Mr. Calder: Yes.

Ms. Gallo: Mr. Signore?

Mr. Signore: Yes.

Ms. Gallo: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Gallo: Ms. Flansburg?

Mrs. Flansburg: Yes.

Ms. Gallo: Ms. Scannell?

Ms. Scannell: Yes.

Motion carried.

All right. I think that we're all set.

Mr. Blackstone: And I'll hear from Mr. Comenzo and think it's moving forward. But I'll follow up on what I promised to do.

Ms. Scannell: And we appreciate that. And it would probably be helpful and save time and, you know, for everybody, if you were able to get those easements and stuff together and make sure Courtney gets them, we can make sure that the TDE gets them as well. Any information that you have about that Occupation Road. And I know you said you were going to look into anything with the dumping and the water.

Mr. Blackstone: Great. Okay.

Ms. Scannell: Thank you, Mr. Blackstone.

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Town of Rotterdam
Office of the Planning Commission

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

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

Resolution Number PC 28-2025

Moved by Mrs. Flansburg, Seconded by Mr. Miglucci

Applicant: Mark DeMeo (Owner) and Dominic Leone (Owner and Contract Vendee)

Applicant: Mark DeMeo (Owner) and Dominic Leone (Owner and Contract Vendee)

Project Location: Willow Drive and Suffolk Avenue
Rotterdam, New York

Tax Number or Numbers: 59.06-2-43.1, 59.05-10-1.1, 59.05-8-14.51 & 59.05-8-14.52

Proposed Project: Three (3) Lot Major Subdivision with Boundary Line Adjustments Public Hearing: Lot #1 = ±2.1 acres with proposed improvements to Willow Drive and the construction of single-family residence. Lot #2 = ±24,351 square feet with proposed improvements to Suffolk Avenue and the construction of a single-family residence. Lot #3 = ±5.3-acre boundary line adjustment to consolidate lands and increase the lot size of an existing developed lot.

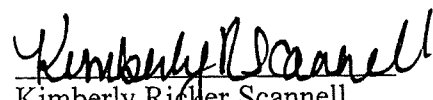
WHEREAS, public meetings were conducted by the Town of Rotterdam Planning Commission on October 15, 2024, October 6, 2009, July 23, 2009, March 3, 2009 and May 20, 2025, to consider the above referenced Subdivision; and,

WHEREAS, Mrs. Flansburg made a motion to hold the public hearing open and Mr. Miglucci seconded the motion.

WHEREAS, the motion passed unanimously; **NOW,**

IT IS HEREBY RESOLVED, that the Rotterdam Planning Commission has held the public hearing open.


Peter J. Comenzo
Senior Planner


Kimberly Ricker Scannell
Planning Commission Chairman

"A Nice Place to Live"

"A Nice Place to Do Business"



Town of Rotterdam
Office of the Planning Commission

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

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

Resolution Number PC29-2025

Moved by Mr. Calder, Seconded by Mr. Signore

Applicant: Mark DeMeo (Owner) and Dominic Leone (Owner and Contract Vendee)

Applicant: Mark DeMeo (Owner) and Dominic Leone (Owner and Contract Vendee)

Project Location: Willow Drive and Suffolk Avenue
Rotterdam, NY

Tax Number or Numbers: 59.06-2-43.1, 59.05-10-1.1, 59.05-8-14.51 & 59.05-8-14.52

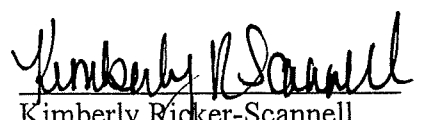
Proposed Project: Three (3) Lot Major Subdivision with Boundary Line Adjustments
Public Hearing: Lot #1 = ± 2.1 acres with proposed improvements to Willow Drive and the construction of single-family residence. Lot #2 = $\pm 24,351$ square feet with proposed improvements to Suffolk Avenue and the construction of a single-family residence. Lot #3 = ± 5.3 -acre boundary line adjustment to consolidate lands and increase the lot size of an existing developed lot.

WHEREAS, the Town of Rotterdam does not employ an Engineer for the review of plans;
and,

WHEREAS, the Rotterdam Town Board approved a list of Town Designated Engineers to be utilized for such plan review at its January 1, 2025 organizational meeting; **NOW:**

IT IS HEREBY RESOLVED THAT on this day, Tuesday, May 20, 2025, the Rotterdam Planning Commission hereby authorizes the Planning Commission Chairman to execute a contract with a Town Designated Engineer (TDE) to assist in Subdivision review for the above referenced project.


Peter J. Comenzo
Senior Planner


Kimberly Ricker-Scannell
Planning Commission Chairman

2. **MRL Ventures – 1900 Altamont Avenue. Sketch/Preliminary Site Plan/Special Use Permit review to convert a former ±2,33 square foot bank with a drive-thru into a fast-food restaurant with drive-thru on a ±0.59-acre parcel. Engineer: Bohler Engineering.**

Ms. Scannell: All right. Next up, we are moving and grooving to 1900 Altamont Avenue. Well, hello.

You're not Caryn Mlodzianowski. How are you, Chris? It's nice to see you again. Okay.

Mr. Boyea: Good evening. For the record, I'm Chris Boyea, with Bohler Engineering. And here with me tonight is Matthew Lane. He is the local franchisee and owner of Arby's. So, he's going to continue to build the Arby's brand in this part of upstate New York, which is not as prevalent as in other areas.

Ms. Scannell: And this is you right here?

Mr. Lane: Hi.

Ms. Scannell: How are you? Where are you coming from?

Mr. Lane: I live in Binghamton.

Ms. Scannell: Oh, wow.

Mr. Lane: But I'm here in Albany all the time.

Ms. Scannell: So, you're going to bring us an Arby's? You're going to bring us a Wegmans, too?

Mr. Boyea: This is going to be an easy project here. What we have tonight is just a 0.6-acre lot on 1900 Altamont Avenue. It's a former bank. It was a Trustco facility. And Matthew is a local buyer. So, he owns one (1) or two (2) Arby's. So, he can't spend Wegmans money here. This is bringing the Arby's brand upstate New York up here a little bit better.

He is familiar with the market as he does operate the one (1) Arby's that is here on Wolf Road. So, this project is appealing because the building is there today. It's the right shape. It's the right size. It's where we had a drive thru. So, this is an easier way for us to enter the market. And it's got a great location. It really is a nice spot right there to revisit and reactivate a dormant building and put it back to good use.

As part of this project, you can see the site is highlighted right here and what it looks like today. And then we rendered this building here and the first thing you're going to notice is that it looks awfully the same because we're not changing anything other than one big concession that was made. And it's at the top of the page. You'll see it right here. There's a dark green area. And part of the comments was to close the main curb cut on the State Highway. Which as you can imagine is a tough decision to make. It's like saying give up one of your kids and you have to decide what to do. So, Matthew has decided to go ahead and make that concession and close the main curb cut and force all access to the side streets that are there. And in doing so the one benefit that we also get here is increased green space.

So, a small lot but we're increasing the green space by a few hundred square feet because of the closure of that. The drive thru window is going to stay in the same general location on that side of the building. We are proposing to bump out that square off a little bit. It's a small maybe two (2) or three (3) feet change. But it definitely has the same flow and the same pattern. And when we close the entranceway on Altamont Avenue, we're actually improving the queuing or the stack of the drive thru that will be there as well. So, we would install a menu Board and then the drive thru would function in the same way that it does today.

So, in this zone we're in a B-2 General Business zone and a restaurant is a permitted use. So, I think all we would need is just basically a change of tenant for this minor use change. But we've been advised that we should get a Special Use Permit as well because the drive thru requires a Special Use Permit and the Trustco Bank has not been in operation for a little bit. So, I think that the Special Use Permit is required to go from that dormant bank to the Arby's restaurant.

As far as parking goes, we have 27 spaces out there today and we're keeping all 27 spaces. We are going to make some improvements. The lot has not been maintained since Trustco had left. And so, it does need some seal coating and some line striping, some patching and repair. And in doing so we'll make sure that the ADA accessible spaces are brought to the current code and the sidewalks are there as well.

But one (1) thing I just want to bring to this Board's attention is that we would be requesting a waiver because 27 spaces are existing today. We're proposing to keep the 27 spaces but per code it would require 47 spaces. I know that we've done a lot of work in Rotterdam and the Code sometimes requires some very hefty conditions and I do think it's a Waiver by this Board to consider. We did receive some comments today from DPW. And if you'd like I can just run through those real quick.

Ms. Scannell: Thank you.

Mr. Boyea: It talks about the proposed elimination of the curb cut on Altamont Avenue and how generally that should be a positive thing. Requesting us to patch and repair, stripe and seal coat the entire lot, which we're able to if that makes sense.

It does talk about decorative fencing across the street with brick pilasters.

On this one our client would prefer not to spend additional money on it because he's going to have to spend a lot of money to close this entrance on Altamont Ave. However, further, it's tough. We don't own the property. We're paved right to the property line so there are spots where we can't even physically put the fence. If the Board really felt that the fence is something that is needed in this area we could probably put a small section where we're closing the access drive that's in there, that green space that would be in there and maybe make a small section of the fence there. It is noted that the new Trustco doesn't have the fence. So, we're hopeful that Trustco's legacy will live on this year, but we will see.

The pedestrian connectivity makes sense. So, what we would do on this plan is we would just extend a crosswalk and a connection to Altamont Avenue so that we would have a connection at that location.

Handicap ramp and island in front of the building should be updated for current codes and we will update it.

Detail. I love this. This is the world's changing. Detail for how we're going to handle Grub, Grubhub, other ordering. This is something that you're seeing more and more at restaurants. And we would be willing to designate two (2) spaces up here with a sign that says mobile to go locations. It's something that's becoming more common for sure and it's something that Matt is seeing at his other locations as well.

A crosswalk to get pedestrians from this parking field to the building. As you can see, we're hatching the area here and if we put a crosswalk here we can tie everything all in together, make one (1) safe crossing across the driveway.

Mr. Signore: That was my concern, number seven (7).

Mr. Boyea: Replace and extend curbing on Tower Street. So, we were hopeful not to work off... So, this would be a second comment. So, the fence is one (1) comment I'd like to talk about. And then doing off-site work. So, Matthew does not own this. This is owned by a larger real estate developer. And Matthew's just going to enter into a lease agreement here and so he'll be a tenant here. So, we could avoid going off over here to do curb work off the site.

I did take a look at it today prior to coming here. There is a curb. It is there. It doesn't extend all the way around the corner. But it stops and there's no more curbing at all down the side of Tower Street. So, it would be nice to have that curb probably. But it's functioned for years and we're just trying not to go off-site and incur cost unless it's something that the Planning Commissioner really feels it should be done.

Add some curbing landscape along the building to keep the stones. So Trustco has some washed river stones. The stone in that problem is going to go away because Matthew's going to re-landscape and freshen things up and he's going to use mulch instead. But regardless, we will be reconstructing a new sidewalk and it's going to be designed to hold back any of the mulch or grass that's there. And then the other thing to be noted is that currently there's air conditioning units mounted behind the Trustco building and those are here. But we're going to relocate those to the green space on the other side. It's a cleaner, drive aisle and it presents a lot better.

And then the final one (1) is the dumpster detail. So, it was specifically mentioned a food competitor of Taco Bell, which we took issue to. So, the Taco Bell trash corral is a masonry block trash corral that's there. And I think the point is that they hold up better than a fence that might get flimsy or fall apart. In this particular case, we have a very nice white vinyl fence that I don't know who installed it. It is on our property and it runs entire length, we have some apartments that were built behind us and so it's a very cohesive, ubiquitous white vinyl fence that's all back there. And so, to build a block wall in front of a white fence, again, Matthew's going, this seems redundant to cost. Why don't we just do one (1) side? So right now, two (2) sides of this are already white vinyl fence. Why don't we just do one (1) side? I guess the side that faces the traffic or those types of things in a rigid, if that's what the Board wants. And it seemed to make sense to me because the white fence is there today and it wouldn't take any more beating than it does today. And maybe we could ...

Mr. Signore: Can you get the same style?

Mr. Boyea: You know what we could do is we could just put the white fence on the block, right? So, I mean, if it's just a rigidity thing that the Town's concerned with, we could probably just, actually, we could probably do it with six inch (6") bollards, right? Tall bollards and then attach the white vinyl fence to that. I don't think it would be any problem with it if they are going anywhere.

And I think that was the last comment. So, with that, pretty much the project, I'll open it up to the Board for questions or comments.

Ms. Scannell: Well, let me start by thanking you, Matthew, for investing in Rotterdam. We're excited to be able to get a beef and cheddar right here in our own hometown. It is exciting that we're having a lot of development and redevelopment over there in the finance district. It's exciting. How long is your lease?

Mr. Boyea: Twenty years.

Ms. Scannell: Wow.

Mr. Boyea: "Inaudible..."

Ms. Scannell: Okay. Are you finding Matthew, a lesser percentage of people eating in at your restaurant than using your drive-thru?

Mr. Lane: Yes.

Ms. Scannell: Can you talk a little bit about that? And the reason I'm asking has to do with parking.

Mr. Lane: Okay. It's part of the entire selection process for the restaurant. The footprint is significantly smaller now than previously. The proposed dining room for this is actually right in line. It's like 26 chairs, 28 chairs, versus Wolf Road has 60 chairs. And the dining rooms are just not, they track dining rooms during lunchtime, during the busiest times and dining rooms are half full, a third full. Our DoorDash, Grubhub, the Order Ahead app is running more than 20% of our sales. So, if you take 20% of your sales plus 65% of your sales through the drive-thru, you're having 15% of your volume come into the restaurant to sit and eat. And typically for fast food, that's a 15–20-minute stop and then they're gone.

Mr. Boyea: So, 26 seats, 28 seats, we have 27 parking spots. It's a very good point.

Ms. Scannell: I'm not sure Chris, when you were speaking, if I was thinking about the beef and cheddar, when you were talking about number 7 and then number 8, we talked about that you maybe don't want every place next to the curbing on Tower Street. Did we talk about number 9 or did we just skip to number 10?

Mr. Boyea: Yeah, we did. That's where I think it's one (1) and the same comment almost. So, they're talking about one (1) is replacing a section of the curb and then the other one is extending the curb that's here. The curb is there today. It has been run over a little bit over the years and that's why I think that the comment was maybe to replace a small section. But it is normal wear and tear. It is off the site and it would be certainly an additional expense in its curbing.

Ms. Scannell: One (1) of the things that we really like to see, and it's not as expensive as curbing, is a bike rack. Because you're going to find that folks in Rotterdam are riding their bikes more than ever. We really are doing a great job with all different modes of transportation and folks enjoy riding their bikes. So hopefully that could be something that could be put in.

Mr. Miglucci, questions, comments, concerns?

Mr. Miglucci: Well, one of my concerns was with the parking because I know pre-COVID a lot of the restaurants have gone to like a 70 inside 30 and now it's switched. I understand that. Another comment that I have, if it goes to you, Matt, I really appreciate you saying how you're going to landscape and everything because what I stand for the Town of Rotterdam is I want people to know that they're in the Town of Rotterdam. I want them, once they leave Schenectady, wherever they're coming from, I want them to know that they're in a nice Town. So, I appreciate that. My only concern is that you still have the horsey sauce.

Mr. Lane: You know they were trying to bait me into trying to break food free yesterday.

Ms. Scannell: We can't have that.

Mr. Miglucci: However, I've been all over the world and let me tell you something, Arby's is a great restaurant. So, I really appreciate you wanting to come to Rotterdam. That's all I have, Madam Chair.

Ms. Scannell: Thank you. Mr. Calder?

Mr. Calder: No, I like the project. The only thing I was concerned with was the dumpster which wasn't on the original thing. It's an exposed area right where you are, which is good for Altamont Avenue traffic for you guys. As long as we can make that as nice looking as possible. But I have nothing else. Thank you.

Ms. Scannell: Thank you. Mrs. Flansburg.

Mrs. Flansburg: Thank you. A few things. If you could, so I used to frequent this Trustco. A couple of things. The drive thru, I don't know if you're making any, super narrow. And I wasn't necessarily scooching out to the right. I was doubling back over into the other neighborhood. And so, I don't know if there's a way, if you look at the white vinyl fencing closely, there's people who have kind of tagged it because they have to come out far enough. I was not one of them. But you have to come out far enough. So, I'm not sure what, if anything, can be done because I think the awning part comes over with brick pillars. Just putting it out there.

Mr. Boyea: First off, the brick portico share, the narrow thing that you drive through, is going to get torn off. So, there will be no covered awning and no more columns on there. We're taking that off. And we're bumping out the side of the building.

Mrs. Flansburg: Where the bank window would be?

Mr. Boyea: And so, what that does is, one (1), it's a wider drive-thru lane because you're not having to go into a tunnel. The columns are gone. And then two (2), when you push your car further from the building, it's easier to turn.

Mrs. Flansburg: To swing the corner.

Mr. Boyea: So yes. Both of those things will be addressed.

Mrs. Flansburg: Okay. And so on to Stuart is just exit only. But I see arrows in both directions down below. So, it's fine.

Mr. Boyea: It is a misprint.

Mrs. Flansburg: Which one?

Mr. Boyea: It should be two-way traffic. So, part of the hurt of closing this curb cut on Altamont is that we need two (2) full accesses on both streets. So, these are smaller. If you think about the Sysco truck, we call it the smaller trailers that are on there. But it is a tractor and it is a trailer. It's just a smaller one. It would navigate here. This is it. And it's off hours. So, breakfast is not a busy part of this. This is not a Krispy Kreme.

Mrs. Flansburg: I had no issue with the parking when you started. And then when you said there was only 26 to 28 seats, that's pretty much a non-conversation.

Ms. Scannell: How many employees? I'm just going to interrupt you for a second because if there's like 100 employees...

Mrs. Flansburg: Then it's really not a good business plan.

Mr. Lane: The staff would be a total of 14 employees. Working per shift is five (5) to six (6).

Ms. Scannell: Okay.

Mr. Miglucci: Can I ask something real quick? You said that your delivery truck, you said it's a tractor but it's a 28-foot truck. Or a straight job or whatever.

Mr. Boyea: That's correct.

Mr. Miglucci: Okay. That's all. Thank you.

Ms. Scannell: Okay. Great. Mr. Signore?

Mr. Signore: My concern was the safety of the patrons that will need to cross through, you've addressed that.

Mr. Boyea: That's correct. We're going to designate a crosswalk with signage.

Ms. Scannell: Okay. Do you think that because we're losing the curb cut, which by the way, that got a heart in my notebook. Folks that used to go there when it was Trustco, do you think they're going to be confused? Do you have any other signage besides what's on the ground? People will probably figure it out that they can't drive over the grass.

Mr. Boyea: We're going to post a landscaping area. Something that's a little vertical, three (3) or four (4) foot type landscaping. So, it'll be grass. Number one (1), it'll be a curb. It'll be obvious. We can plant something that's three (3) feet that's exposed.

One (1) thing I did want to bring up early on in the process, because this is an important part of this approval, DOT is not known to move fast. So even though we're proposing something that everybody wants, we all know DOT's going to be happy closing the curb cut, and we all know that the Town's happy. Everybody wants it. It can still take eight (8) months to get that permit, or longer. So, what Matthew's asked is, is there a way, and we don't have to decide this tonight, but I'm putting it for discussion if it's out there, is there a way that we could have ten (10) months or something to close that curb cut as part of our approval? So that he can actually get open, we can put in jersey barriers or something?

Ms. Scannell: I was going to say, I would suggest a proposal being put together of how we would handle people not coming in and getting trained to go to Arby's and pulling in from Altamont Avenue. Definitely put a proposal together, because you're right, you know, you shouldn't have to wait. What is your time frame?

Mr. Lane: They're going to start paying rent in like a month or two. So, it's fast, and we're looking to get approvals as soon as we can.

Ms. Scannell: So, I think that we're...

Ms. Heinel: What's the time frame for renovations and build out?

Mr. Boyea: As soon as... I mean, they're going to be paying rent. So, if we had an approval today, we would be in for a permit tomorrow.

Ms. Heinel: I'm just saying, time to complete all of the...

Mr. Boyea: Approximately three (3) months.

Ms. Scannell: Well, I think that you're poised. I mean, it's a SEQR type II action, so we don't have to do a SEQR process. That saves us a little time. I will tell you, Matthew, that even though it's not Karen Mlodnowski that's here tonight, Bohler has consistently shown us that they are able to adopt a lot of the feedback that they're getting very quickly, which is great. Hopefully we can help you expedite this time frame. Listen to Peter. Listen to the feedback. If you have any questions, please reach out to us. If you would like to have informal conversations with a couple of us or with Peter, with DPW, so that we can kind of get the ball rolling to help you guys get this up and running. Show us what you're going to bring us with regard to landscape, I think, is probably a smart move, because it might make us forget about the fence if everything else is looking beautiful. I can't guarantee that. I can't guarantee that there won't be a conversation or opinions about that. I think it's a great project, and again, thank you for investing in Rotterdam.

Are you going to move here?

Mr. Lane: I built my house.

Mr. Boyea: Alright. I think for tonight if we can't get an approval, I would like to kind of chart the path to say if a Public Hearing is required for a special permit, if it is required, could we set that Public Hearing? And then the comments are fairly minor, and we agree to most all of them, so we feel comfortable that we could submit updated plans and be ready for that.

Ms. Scannell: Yeah, I think that that's reasonable. Again, I think you know us well enough to bring us your beautiful renderings that we can kind of really get our eyes on what we're going to be looking at and seeing. Answering these questions that you've heard tonight, if there's any gray area, feel free to visit the verbatim minutes or reach out via email or give Peter a call. But I think that this is a great project and we're very excited for you and for Rotterdam.

And if you could put something in writing to kind of submit with regard to the Jersey barriers or what we would do until we can get DOT approval. But I would like it to be in writing, and ideally, I'd like it to be run past Attorney Heinel.

Peter, do you have any comments?

Mr. Comenzo: No, no comments.

Ms. Scannell: Courtney?

Ms. Heinel: None at this point.

Ms. Scannell: All right. Thank you for coming. We look forward to seeing you soon as far as a Public Hearing goes. Peter, could that go on for next month?

Mr. Comenzo: Yes, I mean it's going to depend on the submittal. We do not typically declare a formal Public Hearing date unless we had everything in front of us. The next meeting is in June.

Mr. Boyea: You've got the survey-based site plan, it won't change. The only thing that we're going to ask that we're going to submit additional information is landscaping and some of these minor details. I think there's enough here, but again it's up to the Board. We would lose a month if...

Ms. Scannell: How soon can you resubmit? And let's not even call it resubmit. How can you change? Can you add on? Can you put some stuff on some of your plans?

Mr. Boyea: Absolutely.

Ms. Scannell: What's the time frame for the turnaround for the June meeting, Peter? When do you need everything submitted by?

Mr. Comenzo: Typically, ten (10) days before.

Ms. Scannell: To call for a public meeting?

Mr. Comenzo: Yes.

Ms. Scannell: So, June 7th.

Mr. Boyea: Yeah, we can hit that deadline next month.

Ms. Scannell: Okay.

Mr. Boyea: I think the Board has to schedule a Public Hearing or whether...

Ms. Scannell: No, Peter's going to do it without a vote. He's going to do it when you submit. By June 7th.

Ms. Heinel: June 6th technically because the 7th is a Saturday.

Ms. Scannell: Yeah.

Mr. Boyea: Okay.

Ms. Scannell: And then that way we'll get the ball rolling and maybe proactively reach out to DOT.

Mr. Boyea: We will. For sure. Thank you.

Ms. Scannell: Sounds good. Thanks for coming tonight.

Ms. Scannell: Thank you very much. And thank you, Matthew. Have a safe trip back.

3. **RMB Mechanical Inc. – 1442 Fern Avenue. Final Site Plan review to construct a ±9,600 square foot addition onto an existing ±7,280 square foot commercial building located on a ±4.65-acre parcel. Engineer: ABD Engineers LLC.**

Ms. Scannell: All right. Next up, RMB Mechanical, 1442 Fern Avenue. And it's Luigi.

Mr. Palleschi: Thank you. My name is Luigi. I'm one of the engineers and surveyors here representing RMB Mechanical located at 1442 Fern Avenue.

This Board has seen the process here with an expansion of their existing facility to install a 9,600 square foot storage building located here. Since the last meeting we've done test pits out here for the storm water. We found sand, which is what we expected. We did infiltration testing and the two (2) dry wells that we're proposing for the parking lot runoff as well as the front half of the rooftop runoff. We'll go to those two (2) dry wells. We've also added some key gravel diaphragms and stone trenches on both sides of the additional parking lot on the west side of the building as well as the east side of the rooftop for the new building. All the storm water runoff will infiltrate back into the ground.

We've also added a few additional hemlock trees along the eastern boundary line. That was a discussion that we had last time.

I made note that these first two (2) residential properties have chain link fences with slats. And then there is an opening here for Ms. Cornetta. So, when we came before the Board for the previous 7,200 square foot building, we added additional trees there.

So, this time around when we were doing our test pits, I looked at this area along the easterly property line. And because of the gap, we're proposing three (3) hemlocks five (5) to six (6) feet in height. We think that will help close the gap. And what I also did was I showed the existing trees that are out there as well. So that provides a lot of vegetation along the easterly side. We think that this new storage building will actually help buffer the residents from the heavy industrial use at the industrial park for Galesi. Blocked a lot of their lighting. I know we talked about lighting last time. The existing light poles will remain other than the ones that we have to take away from the parking lot. But a couple building-mounted lights will be added for the time again on the west side of the building away from the residents. We had a chance to look at the DPW comments. I'll quickly go through those.

Fees will be paid. The additional plantings should be added to the entryway along the eastern property boundary, which I had mentioned. Additional trees have been added.

Ms. Scannell: I'm not sure if that's the entryway.

Mr. Palleschi: Well, the entryway is here as you come in. This is a one-way. All these trees that are there today will remain.

Ms. Scannell: But I think the suggestion was maybe because we're, I think really that suggestion for additional plantings might have something to do with the green space that we're losing for the parking.

Mr. Palleschi: Yeah, this will stay the same. You're not going to see the loss of green space from any of the sides. The loss of green space is facing the industrial park. I think it is pretty green as you come into the site.

Ms. Scannell: I understand your perspective. I was just clarifying that comment.

Mr. Palleschi: Yes, so that was number two (2).

Number three (3), architectural elements need to be added to the eastern side of the building, 180-foot wall. So, this building is 160 feet and it will be gray metal siding, which will match this building exactly.

Ms. Scannell: Did you do these? Who did this?

Mr. Palleschi: I have no idea.

Ms. Scannell: This was not you, Luigi?

Mr. Palleschi: No, it was provided to us. I think that picture is deceiving.

Ms. Scannell: What, this big gray rectangle that doesn't have a breezeway next to it, that doesn't have another building next to it, that doesn't show me anything? Okay, so let's talk about what the building is really going to look like because these renderings that we have are not...

Mr. Palleschi: This is going to look, like I said exactly like the existing building that's there.

Ms. Scannell: But the doors are on the other side.

Mr. Palleschi: It's a lighter gray tone than what you see in that picture. With the doors on the west side, yes. Like I said that picture is deceiving. I do think that the landscaping, the existing trees and the new trees are provided along the eastern residential boundary line will help soften the look of that building. They're looking at a bigger building right now in the industrial part. But again, closing this gap when things get in full bloom, it will help block and soften that new building.

Ms. Scannell: You and I have both been there. I have not been there since the springtime. I will go that far. I was there before the last meeting. Nothing was blooming. Nothing was filling out and blocking much of anything. We will have to agree to disagree that the folks that are looking at the industrial area right now are looking at grass and trees. There's nothing there. Now they're going to be looking at something that looks similar to this that's also kind of taking daylight, for my non-scientific, non-engineering way of saying it. You used to have this big open green space and now we have a rectangle that we're looking at. I mean, I don't think that the DPW comments are terrible to break that up a little bit just in life in general.

I understand that nobody's looking at it, but there's what six (6) neighbors there?

Mr. Palleschi: Yeah, they need to realize that their backyard is an industrial park. If I showed you pictures of that backyard, I think you would realize that...

Ms. Scannell: I have visited the site, Luigi. Thank you. I think many of us have. I'll let you go through and then we're going to have Mrs. Flansburg talk to you.

Mr. Palleschi: The ground cover, obviously, whether it's not pavement, it will be grass. And then add additional notes to the final plans and a pre-construction meeting, which we're all in agreement to. So, I guess I'll turn it over to the Board for additional comments. I'll bring back to the applicant. I think the Board can agree that it can be looked at the time of the building permit.

Ms. Scannell: Mrs. Flansburg?

Mrs. Flansburg: This didn't help your submission other than to have me circle it and write something. And I thought it was this project. Did we not talk about how Marcello's did the big, giant, long warehouse and then DuPont?

Ms. Scannell: No, that was Floccuzio's, the other one.

Mrs. Flansburg: Well, we should have. Because now I'm going to bring it up here. The hemlock trees that you're talking about are five (5) to six (6) feet in height. I'm sure your building is much higher than that. Maybe a compromise of people not pushing to add additional green something to the way in could be offset by having whatever it's called, architectural fake window looking things. So, it breaks up the 140 feet long gray wall. And that's literally the only comment I have.

Ms. Scannell: Thank you, Mrs. Flansburg. Mr. Calder?

Mr. Calder: I don't really have too much. We covered a lot of what you just said, Luigi, earlier, last meeting. I could never figure out how those two (2) buildings wound up in between Fern Avenue and that's old stuff, so it doesn't matter anymore. That's kind of a crazy place. But it's there. So, I have no comments other than thank you.

Ms. Scannell: Thank you. Mr. Signore?

Mr. Signore: Number five (5), comment number five (5). This building is going to be solely for storage purposes only, and that would be the material that will go to the other building for manufacturing.

Mr. Palleschi: It's the opposite, yeah. So, the other building is the manufacturing where they put these together, and then the finished product will be stored there. And again, if you've been out to the site, all of those products are stored along this area and the whole idea is to get that out of the residence and put it in that building. And the more windows we put on this building, the less wall space you're going to have. And, you know, I don't know if I would agree with windows, but...

Mrs. Flansburg: Oh, I meant not windows, fake windows, whatever, some architectural thing that looks nice on the outside and doesn't impact your wall space on the inside.

Mr. Palleschi: Yeah, we'll have to work with that. But yeah, just storage.

Ms. Scannell: Okay, and that'll be a note that's on the site plan.

Mr. Miglucci, questions, comments, concerns?

Mr. Miglucci: I like the building. It's nice and square and neat and modern. But I agree with Lynn. There could be something to break up the middle. You're talking 140 feet of building, you know what I mean? Even a false window, you know, or a Christmas tree, anything.

Ms. Heinel: I thought it was 160.

Ms. Scannell: How long is it?

Mr. Palleschi: One hundred ad sixty feet.

Ms. Scannell: One hundred ad sixty feet, alright. Even longer gray.

Mr. Miglucci: So, you're talking maybe about 130 or 120 between either door. So you're talking about almost 120 feet. Yeah, just put something there, like a fake window or something. Yeah, I agree with her. Or a different color. You know, a bench to smoke on. Other than that, I think it's a pretty good-looking building. And that's all I have.

Ms. Scannell: Mr. Calder, did I? You already weighed in, right?

Mr. Calder: Yes.

Ms. Scannell: Okay. Yeah, I mean, I think we need a little more than what we have. I appreciate the three (3) trees that you added, and I know exactly where you added them, and it makes sense. I think we can also agree that those trees that are there, you know, I don't think they get a lot of water, just in life in general. They're kind of scraggly looking.

Mr. Palleschi: Yeah, the trees that we put in before are actually crowded. Like that whole area, when it does get full bloom, you can't crowd too many things, or they're not going to grow. I think that's what you're seeing from the last plan. So that's why I only added the three (3) hemlocks in that gap, and then we're keeping the other trees, which are, you know, everything looks good right now. And yeah, I'll certainly take the architectural comment back to the applicant and his builder. I'm sure, you know, if we could get conditional approval tonight, we can work that out, and you can show Peter, you know, prior to the building permit, I think, you know, that's something that's the last item here.

Ms. Scannell: So, I like how you're thinking, Luigi. So, we would maybe make that final site plan conditioned on DPW review of the building and any architectural elements or whatever that you're adding and appropriate, adequate, acceptable green space.

Mr. Palleschi: Can you clarify that last?

Ms. Scannell: I'm going to clarify it by what's already in the DPW comments. I think we can also, all of us will probably say maybe we don't need some planting at the entryway, but let's make sure that there's enough grass that's being planted everywhere else to DPW satisfaction that we're keeping things green. We're losing a lot with the parking spots, and I understand that the neighbors don't directly see it, but we're taking green space away. I'd like to add some as well.

Mr. Palleschi: Fair enough.

Ms. Scannell: Okay. Peter? What do you think about all this?

Mr. Comenzo: Yeah, I mean, I guess I think there is probably some low-cost things that can be done to add some variation to the wall, which I think was the concern that came up at DPW, which made it into the comments. So, I think with some minor changes to the elevations.

Ms. Scannell: Do you think conditioning our final site plan approval on that would be sufficient from your perspective?

Mr. Comenzo: Yeah, I think so.

Ms. Scannell: Courtney?

Ms. Heinel: I'm good with that.

Ms. Scannell: Okay. So, first I need to entertain a motion to adopt the SEQR neg dec that was prepared by the Town Planner.

Mrs. Flansburg: I'll make that motion.

Ms. Scannell: Thank you, Mrs. Flansburg. Do I have a second?

Mr. Signore: I'll second that.

Ms. Scannell: Thank you, Mr. Signore. Lisa, could you please call the roll?

Ms. Gallo: Mr. Calder?

Mr. Calder: Yes.

Ms. Gallo: Mr. Signore?

Mr. Signore: Yes.

Ms. Gallo: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Gallo: Ms. Flansburg?

Mrs. Flansburg: Yes.

Ms. Gallo: Ms. Scannell?

Ms. Scannell: Yes.

Motion carried.

Now I would entertain a motion on a conditional final site plan, the conditions being what we just put on the record with regard to architectural elements that need to be addressed to the eastern side of the building and possible identification of ground cover and see where grass will be reestablished as per Town Planner and DPW feedback.

Mr. Miglucci: I'll make that motion.

Mrs. Flansburg: I'll second.

Ms. Scannell: Mr. Miglucci made the motion, Mrs. Flansburg seconded it. Lisa, could you please call the roll?

Ms. Gallo: Mr. Calder?

Mr. Calder: Yes.

Ms. Gallo: Mr. Signore?

Mr. Signore: Yes.

Ms. Gallo: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Gallo: Ms. Flansburg?

Mrs. Flansburg: Yes.

Ms. Gallo: Ms. Scannell?

Ms. Scannell: Yes.

Motion carried.

And we are very excited that your client's business, and I told them this when I was out there, is doing as well as it is, but they need to build this whole big giant rectangle of a building. We're excited.

Good things are happening in Rotterdam.

Mr. Palleschi: Thank you.

Ms. Scannell: Thank you.



Town of Rotterdam
Office of the Planning Commission

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

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

Resolution Number PC30-2025

Moved by Mr. Miglucci seconded by Mrs. Flansburg
Applicant: RMB Mechanical Inc.

Applicant: RMB Mechanical Inc.

Project Location: 1442 Fern Avenue
Rotterdam, New York

Tax Number or Numbers: 58.-1-6.1

Proposed Project: Final Site Plan review to construct a ±9,600 square foot addition onto an existing ±7,280 square foot commercial building located on a ±4.65-acre parcel.

WHEREAS, public meetings were conducted by the Town of Rotterdam Planning Commission on April 15, 2025 and May 20, 2025 to consider the above referenced Site Plan: and,

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

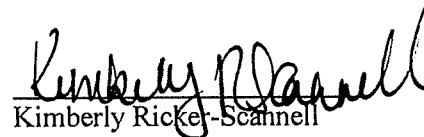
WHEREAS, the Town of Rotterdam Planning Commission after careful consideration of the application, testimony of the applicant and/or representative and members of the public in attendance at the hearing, and all other materials of record **HEREBY APPROVES THE SITE PLAN; NOW**

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

- | | | |
|-------------------|------------------|-----------------|
| 1. Final Fees Due | <u>Site Plan</u> | <u>\$350.00</u> |
| | Total | \$350.00 |
2. Additional plantings should be added to the entryway and along the eastern property boundary.
 3. Architectural elements need to be added to the eastern side of the building. A 180-foot-long wall of sheet metal facing residential is not desirable.
 4. Identify ground cover. With the removal of substantial greenspace for this addition and parking area, grass should be reestablished where possible.
 5. Add note to Final Site Plan: "this building shall be utilized for storage purposes only. No manufacturing, assembly, or fabrication will be permitted in this structure. This type of activity is limited to the main original WMHT building only."
 6. Add note to site plan: "Owner/applicant shall install a Knox Box for emergency personnel onto the building. Check with Fire District #6 for specifications."
 7. Add note to site plan: "Sign permits shall be obtained for the proposed project identification signage including any proposed pylon or monument signage."

8. Add note to plan: "Outdoor equipment and material storage is limited to the west side of the building."
9. Prior to the issuance of Site Development and/or Building Permits by the Town of Rotterdam, the applicant shall attend a pre-construction meeting with the Building Inspector and DPW staff.


Peter J. Comenzo
Senior Planner


Kimberly Ricker-Scannell
Planning Commission Chairman

"A Nice Place to Live"

"A Nice Place to Do Business"



Town of Rotterdam
Office of the Planning Commission

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

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

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

Date: May 20, 2025

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

SEQRA Status:

Type I	☐
Type II	☐
Unlisted	☒

Conditioned Negative Declaration:

Yes	☐
No	☒

Owner:

RMB Mechanical, LLC
1442 Fern Avenue
Schenectady, NY 12306

Location:

1442 Fern Avenue
Schenectady, NY 12306

Tax Map Number(s): 58.00-1-6.1

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

Action: Site Plan to construct a $\pm 9,600$ square foot addition onto an existing $\pm 7,280$ square foot commercial building located on a ± 4.65 -acre parcel.

Reasons Supporting This Determination:

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

This project was conducted as a SEQR coordinated review. The site plan was sent to all interested/involved agencies on April 16, 2025. The applicant has supplied an Environmental Assessment Form and the Planning Commission has or has caused to complete Part 2 of this checklist.

The applicants have requested a Site Plan review to construct a ±9,600 square foot addition onto an existing ±7,280 square foot commercial building located on a ±4.65-acre parcel.

This is an existing industrial site that was formerly used by as a studio and offices for a public radio station with storage. It is now used as a light manufacturing facility for an HVAC company. The applicant is proposing to construct a ±9,600 square foot addition onto an existing ±7,280 square foot commercial building. The building will be utilized for storage purposes only and no manufacturing, assembly, or fabrication will be permitted in this structure. This type of activity is limited to the main original WMHT building only.

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

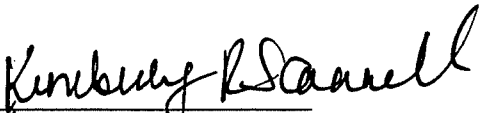
- (i) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) the removal or destruction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

- (xi) changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or
- (xii) two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision.

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

- (i) included in any long-range plan of which the action under consideration is a part;
- (ii) likely to be undertaken as a result thereof; or
- (iii) dependent thereon.
- (3) The significance of a likely consequence (i.e., whether it is material, substantial, large or important) has been assessed in connection with:
 - (i) its setting (e.g., urban or rural);
 - (ii) its probability of occurrence;
 - (iii) its duration;
 - (iv) its irreversibility;
 - (v) its geographic scope;
 - (vi) its magnitude; and
 - (vii) the number of people affected

The environmental effects of the above-described action were discussed at regularly scheduled Planning Commission Public Hearing held on May 20, 2025 at the Rotterdam Town Hall, 1100 Sunrise Boulevard, Rotterdam, NY 12306. Adoption of this Negative Declaration was moved by Mrs. Flansburg, seconded by Mr. Signore, and approved by the Rotterdam Planning Commission.



Kimberly Ricker Scannell
Planning Commission Chairman

4. **Lecce Senior Living Phase II – 2200 Helderberg Avenue/Helderberg Avenue. Preliminary Site Plan review for the construction of Phase II of Whispering Pines Senior Living consisting of 119 independent living units, 108 memory care units and 144 assisted living units on a 13.71-acre parcel. Engineer: Steenburgh Consulting Engineering, PLLC.**

Ms. Scannell: Next up, we've got Lecce Senior Living Phase II, 2200 Helderberg Avenue. And here's Brett. How are you?

Mr. Steenburgh: Good, how are you?

Ms. Scannell: I am well, thank you. And also, we have Attorney Teresa Bakner and we have the man of the hour, Lou Lecce. How are you?

Mr. Steenburgh: Good evening. Brett Steenburgh, Steenburgh Consulting Engineer.

I'm here on behalf of Lecce Development for the Phase II senior housing portion of the current time. We were here back in October to review the plan with the Planning Board and at that time it kind of popped on the Planning Board that there would be some changes to the footprints of the buildings. The changes were good. We really hadn't detailed the plans. We just had found out that they were able to scale back the footprints a little bit. These plans represent that reduction in the footprint mostly in this area here and the area in the assisted living on the west side.

The reduction allowed us to provide a much more comprehensive and sensible parking plan and parking layout for the site. It also increased the parking spaces to 325 parking spaces where by code 305 parking spaces is required for the entire development build up. I think prior to that we were in the neighborhood of about 250 parking spaces and we were going to be applying for a waiver. That is no longer necessary. We meet the code. We meet the requirements.

Even more importantly we feel as we Phase through this project we meet the requirements in each Phase of the project. You'll see on the cover sheet of the plans as well as here. The first Phase the first section of Phase II Phase IIA will be the independent living units which are 119 living units which require 1.5 parking spaces per unit requiring 179 parking spaces.

The proposed development would be to construct this main side road through the site as well as the adjacent parking lots along the side and the parking garages providing 248 parking spaces at the culmination of Phase I. Meaning there are more than enough parking spaces for the residents. More than enough parking spaces for the staff that will be included in that Phase as well. The Phase IIB would be the construction of the assisted living and memory care portion of the site.

As part of that construction we would be required to construct the loop road around the building for fire department access and those parking spaces totaling out at 325 spaces that would be all the parking on the site would be constructed after Phase IIB which would require 255 parking spaces. And then moving through Phase IIC and IID we increased the parking to 283 and 305 effectively but as I stated we're already at the 325. And then if you look at it from a functionality standpoint just in this area here to this main spine area in front of the independent living unit we have more than 119 units.

We have more than 119 spaces in that area. Most of these residents in independent living units sometimes they come with two (2) cars but usually they downsize to one (1). It doesn't take long. They don't need the vehicles. They have public. They have the transportation provided by the facility. One parking space per residential unit is more than enough. Plus, then you have staff. There will be a certain amount of staff associated with the independent living units which would be parking in areas over on this side, possibly in the back here and I'll go through that a little bit further later as we get to the comments.

We feel that the parking layout under this design is far better than what we had originally proposed prior to the last meeting. We think it's a lot more functional. We feel that the residents will have adequate places to park and it's spread out accordingly.

Lecce Senior Living Phase II
2200 Helderberg Avenue/Helderberg Avenue

Ms. Scannell: Can we, since we are talking about parking and I know that back in 2023 that this was there was conversation and I know that you guys kind of revised a lot. Can you walk us through where a typical resident who is living in independent living, that's Phase I, correct? And then moving on to the next Phase II, where their parking spot would be, where they're going to be walking from the parking to the piazza, into the main entrance. How are they getting four (4) bags of groceries and a jug of water in with them?

Mr. Steenburgh: There's a couple different things going on. What you're referring to is the bags of groceries and the water. Most of these facilities have people that help them in and out. There will be shuttle service throughout the parking lot.

Ms. Scannell: I could live there in independent living if I wanted to, right? So where would I park and bring my groceries?

Mr. Steenburgh: You can either pull up in the portico, there's plenty of room for a pull off, that's 24-foot wide one way road, so there's plenty of room for the pull off as you unload the groceries and come in through the main area, go to your room and then park your car. Your car could be parked anywhere along here or in here, or even along the front portion here, wherever is most convenient for you based on where your apartment is within the facility. If you choose to, you know, I'm again 55 or older, I could live there.

Personally, if I live in one of these units, I'd probably park here, walk across the sidewalk, go to my unit, and in. But there will be the services for those who don't want to park. The other thing...

Ms. Scannell: So just, I'm sorry, I don't mean to be rude or keep interrupting, but I think that it's very important that the Planning Commission all understands, so if you're going to park, you don't have to walk through the piazza to get in through the main entrance to go to your individual unit.

Mr. Steenburgh: That's correct, there are other entrances to the building.

Ms. Scannell: Could you please highlight those entrances?

Mr. Steenburgh: There will be entrances inferior to these courtyards through here into this area, as well as here and the ends of these buildings as well to provide access. This particular area, there aren't any access, there isn't any access because that's the maintenance and mechanical area, trash, kitchen, that type of stuff. So, there wouldn't be any apartments in that particular location. But there are several entrances for the residents to actually enter the building and find convenient parking, you know, in relation to their...

Ms. Scannell: Right, now I think that that's really important and also, God forbid there was an emergency or something and you know, the ambulance doesn't have to go right through the piazza, the ambulance has other alternative entrances it could go to.

Mr. Steenburgh: That's correct and as we go through and as you move through the independent living is the primary generator for the parking. The people in the assisted living and memory care they don't have vehicles. The majority of the vehicles that would be parking for those facilities are either A, visitors or B, employees. We anticipate visitor parking would be along the front of the building in here, which is, you know, pretty heavy with the accessible parking spaces you know, and for obvious reasons.

We also, you know, anticipate that, you know, the employee parking we are looking at highlighting these areas in red and I'm going to talk a little bit more about that in a minute because I did talk with Peter about some other things we'll be adding to his plan.

Lecce Senior Living Phase II
2200 Helderberg Avenue/Helderberg Avenue

Ms. Scannell: Visitors can come, Mrs. Flansburg, when I move there she's going to come visit me, she can park in the parking area and walk to my, what convenience, where is a convenience entrance for my unit?

Mr. Steenburgh: Independent living or memory care?

Ms. Scannell: Independent living.

Mr. Steenburgh: Independent living, yes. She could walk to a convenience location for your unit. Memory care and assisted living, we would be asking them to walk in the front door to get to what would be considered the nurse's station or the control point especially for memory care. So, you know, that's why we were heavy on the parking in the front of those facilities for that visitor parking access.

The parking in the rear, along the rear of the site would be reserved for employees because these are entrances along the back. There are emergency egress, you know, you need to meet certain codes for vacating the building in the case of an emergency. But employees would be able to go in and out of those access points with their key card.

Ms. Scannell: And they're going to park back there? Where is the fire truck going to go?

Mr. Steenburgh: The fire truck has the full access to the road and there will be parking back there. Now, it is a full 24-foot-wide fire road. The one (1) thing, and this is what I was going to get to that I talked about with Peter, is I think one (1) of the things I'm considering doing is creating these as employee parking and creating a couple of pull-ups in the back for emergency vehicles. I'm thinking more ambulance, paramedics to be able to pull off the road there should they need to get a person in or out of this.

Mr. Signore: Is there a place for them to turn around?

Mr. Steenburgh: Actually, the road loops around so they wouldn't need to turn around. So, it would give them an ability to pull off and eliminate some of these parallel parking spaces.

Ms. Scannell: There has to probably be a breakup in those parking areas to allow that.

Mr. Steenburgh: And the one (1) thing I did know is we did add a few parking spaces in the front which are short term, 15-minute parking for people, again, people with groceries, people making deliveries, GrubHub, Amazon. I don't anticipate we need more than a few because they are short term. But we did add a few of those directly in front near the entrance so that, you know, I do anticipate you're probably going to get a lot of GrubHub and...

Ms. Scannell: Flowers.

Mr. Steenburgh: Flowers, yes, another one (1) that would be popular. Again, and I conveyed this to Mr. Comenzo today, I think there might be a little over-parked on the site with 325 spaces. From my experience with numerous senior housing facilities in the Capital District that I've been involved with, the Glen Eddy I've been involved with, Beaverbrook I've been involved with, Highland Meadows, very, very closely. I've always loved Beachwood, a lot of the Eddy properties. I will say that I think we might be, you're going to find that even though the code, we're meeting the code and we're going to continue to meet the code requirements, I think we might be a little heavy on the parking.

So, I think as operations progress through management, they may want to say, hey, listen, we've got a lot more deliveries than we thought. We may want to put a delivery over here, make a short-term parking space. I think there's going to be some dynamic aspect to how that's going to play out through time and how operations continue.

We have the spaces to do that. We are going to have adequate ability for them to move spaces around. And again, with the transportation being provided from the facility for residents, parking, if they have to park a distance away, or the garages are somewhat of a distance away. But they are something that is desirable for a lot of residents in these facilities.

Ms. Scannell: Do you see the garages being used for cars or for storage?

Mr. Steenburgh: Cars, absolutely. And that would be noted. I saw that as one of the DPW comments, and that would have to be a lease agreement type of restriction. We don't want, we're not in the business of providing self-storage for the residents. We have to seek that elsewhere. These are for vehicles. But you know, a lot of residents do like having the ability to go in and have their car not get snowed on.

Ms. Scannell: Or work on it.

Mr. Steenburgh: Or work on it. Yeah. I mean, you know, exactly.

Ms. Scannell: Some people, yeah, I mean not me, but some people do really enjoy that. Now we are feeding the people, right, in the assisted living, and we feed the people that live in memory care. Where, like "Inaudible" brings the food, or you know, like the big... Where are those trucks going to park?

Mr. Steenburgh: They will be pulling off in the front. There is, again, a substantial pull-off in the area. Much like you heard from Bohler Engineering regarding it will be the smaller, you know, the smaller box trucks that will be offloading the food. There also is going to be a kitchen and independent living and dining in there as well. So, they will have, you know, they'll be required to utilize that in both locations.

Ms. Scannell: So, the food deliveries are going to come to the piazza?

Mr. Steenburgh: The food deliveries will come to the piazza. Everything is fed off of that central courtyard. It's the closest proximity to everything. Again, off hours, you know, that type of stuff.

Ms. Scannell: Well, if you had in the back where you have the employee parking, if you're going to have room for fire trucks, I mean, would it make, and again, I don't know, to me, personally, it's a little less disruptive not to have, you know, 12 cases of applesauce go marching by.

Mr. Steenburgh: I understand that. I think most of the food preparation would be in the independent living area and brought across the bridge to the memory.

Ms. Scannell: Oh, okay.

Mr. Steenburgh: The main... I do anticipate there is a loading dock here as well.

Ms. Scannell: So, the trucks could stay out of the piazza and go there?

Mr. Steenburgh: Yeah, I apologize. Likely they'll probably utilize that loading dock in the main area.

Ms. Scannell: Well, and I think the reason, I don't think, I know the reason I'm asking all these questions is to try and get a better sense of, I wasn't here in 2023, but I did read everything and I was sitting in the audience as a resident. The piazza is supposed to be a place where people gather. It's where they come together. It's where they can have their families. Everybody can kind of be there. And I love that idea. So having us be able to walk through the deliveries aren't all going to be in the piazza. And if the carbon monoxide detector is going off, they can go from the back and enter the building.

You know what I mean? There are places for Amazon to park. So, that's not distracting from the purpose of the piazza, which was getting a little muddled for me.

Mr. Steenburgh: You're absolutely correct. And again, that is typical for a lot of "Inaudible" houses. They'll have one dock loading area where they bring in goods and that type of stuff. That also will be the trash area where they bring out the trash. I mean, the parking changes we did make, a substantial amount of stormwater changes. For those of you who were here on this Board, there was an under-pavement Stormwater Management area located where the two (2) garages are. By reducing the size, we were able to add the garages and create an open infiltration basin. I know Mr. Treers is reviewing the Stormwater Management Plan. We're still awaiting his comments. But that's a little, I feel more comfortable with the open infiltration basin than the under-parking infiltrators. Just from a, you see it, you know what's there, you know what's going to happen. Great infiltrating sources are highly infiltratable sands. We don't anticipate any issues with either one (1) of those basins that are over-designed.

But moving through, some of the other stuff that has items that have changed based on the DPW comments. We did show easements over all the water and sewer lines. We added the DEIS and FEIS approval dates to the plans. As I stated, the parking increased from 263 spaces to 325 spaces because we know that was a concern and we wanted to make sure that that was taken care of.

The parallel parking spaces along the back are 10 by 20, which is MUDC standards for a parallel parking space. All buildings will be guttered with drip along the drip edges. As stated, we have three (3) parking spaces in front of the ALU designated as short-term parking for GrubHub, et cetera, Amazon.

We did include a pretty detailed phasing plan, which has each Phase being broken out, how many parking spaces, and the number of parking spaces for your reference in the plan. We also did include a 10X Muffin Monster on the gravity sewer before it goes into the pump station. And basically, what that is, is a grinder that grinds up any solids.

Ms. Scannell: What's it called a...

Mr. Steenburgh: A Muffin Monster. That's exactly what you'd think. That is the actual name of the product. I've been asked to install one because you can get a lot of muffins, let's say muffins, flushed out of the toilets that could potentially clog pump stations and we certainly don't want anything happening to the pump station or the brand-new constructed pump station at Whispering Pines. We will be grinding those prior to entering either one of those pump stations.

There's adequate space around the site. We're still working on the MEP plans to determine where the emergency generators will be located. We did, you know, with Ron Treers, we did discuss that. There's adequate place and we will make sure that they're adequately screened in accordance with what you typically see with, you know, some sort of elevated parking lot or an elevated pad, which is preferable.

We did make some changes to the parking lot aisles.

The sidewalks along Helderberg Avenue have already been installed. They were installed not too long ago. We did identify some snow storage and a signage plan was included.

The bridge will meet the height requirements for the fire trucks and box trucks and signage will be added too stating the height of the bridge so that nobody's hitting it. We hope we've all seen that in Glenridge Road.

Landscaping plan. We did do an entirely new landscaping plan and beefed up the landscaping throughout the site. We would ask that members, if they have any concerns, we're happy to, you know, look at it. I know Ron and Phil will be taking a close look at it, but we beefed up the landscaping around the site to meet the standards of what typical construction jobs are there.

Looking at, I know there's been a lot of discussion over number of employees. I think we're being actually a little conservative with the amount of employees that we're specifying, but we figure for the first Phase, the independent living unit, probably 20 employees in the max shift between chefs, cooks, and maintenance people, you know, just people on the site. And then adding an additional 25 employees with this assisted living. That might be a little heavy, but we want to make sure that we have enough parking and everything for everyone. And then the other two (2), we're looking at about 15 and 10. Those numbers might drop down even more because there's kind of an economy of scale. You know, these employees will be shared between the facilities. As I stated, you know, food tends to be prepared in the ILU and brought over to the assisted living. I would assume that there's going to be just increased workloads that will be shared between the facilities, totaling out at about 70 employees in the max shift. Obviously at night time the number of employees drops significantly, but that's what we would be anticipating for the maximum number of employees. When you think about 70 employees, I think they all have their own power. I do anticipate some of them taking public transportation.

You're looking at, if you assume 70 vehicles, 119 single family independent living units, you're at about 180 parking space requirements without talking about visitors to the memory care ILU and the assisted living. So, to kind of get, you know, kind of thinking about that from a parking standpoint, I think we've got more than adequate parking spaces, even if, you know, you do have the 1.5 spaces for each one (1) of the ILUs, which I really don't anticipate is an experience.

Ms. Scannell: Being that you're, I mean, it's such a nice little campus, is there an area for golf carts to park and are there bike racks? I could see like, you know, your husband goes to, hopefully he doesn't go to independent living, but if you're living in the community and, you know, you want to go visit somebody over there. If you are living in one of those houses, you might take your golf cart. You might take your bike.

Mr. Steenburgh: That is an excellent question and it's the first time it's been brought up to my attention and something I would love to take some consideration to when looking at, you know, revamping some of those parking for the employees. I think, you know, bike racks you can certainly put, you know, in the piazza area. They actually almost become an amenity but also in some cases even decorative bike racks and stuff actually look nice. But as far as the golf cart parking, I do want to take a look at the plan to provide because you're absolutely right with the paths throughout the Whispering Pines community.

You know, you have friends and residents that are living in single-family houses and I think that's an excellent question and something we should be looking into.

Jumping in briefly to the latest comments from "Inaudible". We have already initiated we're going to be working on setting up a meeting with the Fire District on the Emergency Management Plan. That will be taken care of within the next few weeks but it is scheduled to validate with the Fire District too.

We do have the Emergency Management Plan and it has been prepared and has been submitted to this Board and to the Town back in October. So, I think everyone has had a chance to review it. It is quite detailed but we have requested the Board review that with the Fire District too.

And moving on to number three (3), we did talk a little bit about it but providing some access for emergency vehicles while we're here at the assisted living, we will be providing that and some pull-offs back there for ambulances and other services. EMS along the back and eliminating a few parking spaces like I said, we're over a thousand parking spaces from what's required by code. We can heat up some of those parallel parking spaces with some pull-offs and make it a little bit.. make those areas a little more accessible.

Mr. Signore: You may have several fire trucks, not just one (1).

Mr. Steenburgh: That is a 24-foot-wide access road on the back. It's not just a fire access road. That road is designed to actually have a fire truck and still allow a fire truck to go past it and pull off in front of it as well, ahead of it. So, it is like any road in the Town of Rotterdam in the same way. So, we will also have those additional pull-off areas that allow them to appear loading and especially for ambulances and emergency services.

Mr. Signore: We have to get there with no obstruction.

Mr. Steenburgh: Correct.

Ms. Scannell: So, I just want to jump in for a second because these are verbatim minutes and it does sometimes get confusing. And if I'm getting confused and I'm sitting here, I don't want it to be confused in the minutes. You have referenced October two (2) or three (3) times now. Just for the record, the October meeting was on October 3rd of 2023.

Mr. Steenburgh: Yes.

Ms. Scannell: I just want to make sure we all understand that.

Mr. Steenburgh: I didn't realize it was that long ago.

Ms. Scannell: Yeah, it's been a bit.

Mr. Steenburgh: And as far as the updated floor plans and updated architectural plans, the plans are, the elevations that we provided thus far are generic in a sense that they're to give you the idea as the plans are developed by the architect, we will be providing them to the Town. I'm not sure when that will happen but it's quite a costly venture for Mr. Lecce but understand that what we've provided would be the general architectural and give you the idea of bulk and scale of the buildings and size. We do need to update the "Inaudible" lighting plan for this new layout that will be taken care of before we meet again.

The proposed garage structures. We likely will have to eliminate two (2) garage spaces and shift the one (1) garage down slightly because it's within the 50-foot setback. Although in the Town of Rotterdam many times garages are permitted up to within five (5) feet. There's an interpretation, some of us have the interpretation that this is considered parking which is under the within 10 feet of the property line. We're happy to provide spaces but if this Board doesn't see that that is an issue we'd be happy to move forward with them as designed as well.

Ms. Scannell: Courtney, can you weigh in on that for those of us that...

Ms. Heinel: Parking to me would be a parking space on pavement, not a structure surrounding where your car is going to go. That's to me different when you have a structure versus a non-structured area. I wouldn't count that as parking. Yes, you are parking a car in a garage but your garage is very different from just an open pavement space.

Mr. Comenzo: So, I think that being said too, the setback is from the Thruway so you could also apply for a variance too if you wanted to go in that direction just because the 50-foot setback is from the Thruway property. Not the Thruway itself but the property.

Mr. Steenburgh: I think we can talk about that with the applicant but I think right now I think probably keeping it clean and moving forward. I think probably eliminating those two (2) garages spaces is a good process moving forward.

Lecce Senior Living Phase II
2200 Helderberg Avenue/Helderberg Avenue

We are again we are developing that plan for resident staff making sure that it's adequate we will continue to develop that from a finance standpoint based on the Board's comments as we move forward. Again, the garage spaces, looking at number 8, the garage spaces will be for vehicles only, not for storage. Again, that will in the lease agreement and will be provided by the management of the facility.

Number 10 it will be tough significantly this evening talking about the various entrances that the residents can take. I feel comfortable that there's adequate parking, adequate co-op space for residents to be able to get to their particularly independent living areas noting that the piazza is a main entrance and there is a lot of room to share their drop-off residence and unload their vehicle if necessary. We will be looking at the SWPPP and the staging on that.

As far as the bollards, we can certainly work with the County to select a decorative bollard, concrete bollards throughout the site to match the existing brick pavers that will be there and to try to keep them in harmony with coloring and matching but if this Board would like to see something different we can certainly entertain that. We did add no parking signs as part of the last submission along the inferior roadways, no parking and standing for the MUTC standard for their space and signage. We did add some signage details with wayfinding signs on the site and submitted that.

Irrigation for landscaping around the building we will talk about that with the owners. Vegetation to be protected in the adjacent fill plant. We did identify this area being the primary area with the large Evergreen trees to be protected with a large construction fence to prevent them from being cut down during construction and we did minimize grading in that location to make sure that those trees are preserved.

One of the things I did want to mention too that I don't, you know and I know we discussed this in our meeting when we get through this process with the Planning Board and the Town, understand that these plans the building plans, the site plans, the emergency management plans all of that goes to a whole other set of rigorous review from the Department of Health. This is something that will be taken into consideration. There may even be changes that would be heard through the Department of Health review. So, you're not the final agency to, and not to minimize what you're doing, but you won't be the final agency to review and comment on this. There's going to be another series of review and comment and scrutiny from the Department of Health as part of this. I think what I'm trying to point out is feel comfort that there will be a lot of oversight from people who do this every day a lot more than you and I look at these senior housing developments and may have suggestions and changes, especially when it comes to emergency management and ingress/egress and that type of stuff. So, there is a whole other round of review that will be completed after the culmination of the review.

Ms. Scannell: Phase I would not really have any additional oversight?

Mr. Steenburgh: Not a lot. The independent living does not have a lot of additional oversight. Obviously, the food preparation and that type of stuff would have oversight. But the memory care and assisted living will have a lot of Department of Health oversight. Not as much as the skilled nursing, but still significant part of the Department of Health oversight.

Ms. Scannell: Well, I think that you guys have done a great job listening to the comments back from 2023 and addressing many things. I think that there's, I'm sure, things that are going to come up tonight. I'm sure that you saw the DPW comments and we kind of talked about a lot of things here, right? Things that make a whole lot of sense to you because this is what you're doing every single day. And things that make sense to the developer but that we have questions about because it doesn't necessarily make sense to us. But hearing things like, oh, well, there's a loading dock where they're going to bring in all the food. Well, okay. Well, that's good. But that's going to keep some trucks away from the piazza.

Oh, you're going to have designated parking spots for Amazon and Chinese food and whatever else, Instacart. Oh, good. Less cars away from traffic away from the piazza. The same with finding out that just how many ways that the independent living compound is accessible.

I think that that was, for me, the best thing that I learned tonight was that the piazza is not going to be as much of a fugazi. There's a good word to go with piazza. It's not going to be as much of a fugazi there, which is good. Which is very good. I'm going to open it up to the Planning Commission to get some feedback and also Peter and Courtney. So, let's start with Mr. Signore.

Mr. Signore: You did a great job. And I've been through the site several times and it's coming along very nice. And I think I can speak for myself, it's far along now that we've just got to keep right on going and get it done and certainly not have any delays to get the people in there and get the developers' project done. So, I'm okay with this. I think you've done a great job. Really. Like you say, there'll be other agencies with oversight. My concern is always for fire trucks, ambulance, that kind of thing that they can go in there unimpeded and get out. So, it looks like you got that covered.

Ms. Scannell: Thank you. Mr. Miglucci?

Mr. Miglucci: Yeah, I agree with Joe and I agree with the rest of the Board. It's been mentioned; the jewel of Rotterdam and it is. You've done a good job on it. My question was about the very top up there. We're talking about Fire District 2 will respond. Go right there to that corner. Go down to your left to that corner right there. If District 1 has to be called in on a second alarm, we have a brand new 48-foot straight aerial truck that has to turn that corner. Will it make that corner? Could a tractor trailer, a 53-foot tractor trailer get around that corner?

Mr. Steenburgh: Yes.

Mr. Miglucci: Okay. Thank you.

Mr. Steenburgh: I would ask that if we can get, if you have access to the turning radius, we'll make sure of that.

Mr. Miglucci: That truck will get around it.

Mr. Steenburgh: I want to make sure.

Ms. Scannell: Thank you, Mr. Miglucci. Mrs. Flansburg?

Mrs. Flansburg: Just bridge height. When you think you're high enough, just go a little higher. You don't want to be in the news.

You keep saying a lot about I think you're heavy on the parking and you already are over code. We have banked parking in the past. I'm just wondering as you're going through the process and it starts, like you said, the main spine would be built in this section here before you go to that. Maybe you'll have a better indication on what you're really going to need. You know this Town loves green space. You don't want to have gray space where you don't need it.

Mr. Steenburgh: You are absolutely correct as after that first Phase, the independent living, we will have a much better handle on what we have for excess parking because that is the main purpose of the independent living. You can kind of gauge what you're going to have based on neighboring facilities. At that point, I think we would come back and request we'd like to bank this parking because we don't think it's necessary.

Mrs. Flansburg: And then it's there if you need it and if you don't.

Mr. Steenburgh: We would like to have that flexibility. I appreciate that.

Mrs. Flansburg: Just circling back golf cart parking and I think he's got it in other areas of the other spots. So, it makes sense that people would go from one side to the other. I'm hearing a lot about the piazza and today was a lot of things seems safer with what you have talked about tonight. Like the Chairwoman had said, that was the only thing that seems mystical to us because we don't have anything like this yet. So just be mindful in all of your time on the flow of that area and what it looks like at the end. We want it to be exciting but not scary.

Ms. Scannell: Exactly. Thank you. Mr. Calder?

Mr. Calder: I'm surprised you don't have laryngitis by the time you're done with today. I've been through the project quite a bit. I go down there every once in a while. It's coming along nicely. You know, you're going to win the prize for the biggest project in the Town, I think. Also, with the biggest maps. I like the project very much. I'm hopefully still on the Board by the time we finish. That's all I have.

Ms. Scannell: Thank you. I just asked Courtney a question because I didn't really know the answer. Are we in doing kind of three (3) Phases for this, are we approving this in three (3) Phases?

Ms. Bakner: You're approving the site plan which shows all the Phases but it's going to be built in Phases. Sort of like you do with sections of the subdivision.

Ms. Scannell: We can all rest assured that if we don't have all the answers to what's going to happen in Phase II and Phase III, I guess I just want to make sure that we're all putting things into perspective here. That we understand that I don't need to be so focused on the fact that maybe something bad is going to happen in the memory care unit which is going to have oversight from other agencies because we're really not there yet. We're just kind of going to be agreeing that there's going to be a memory care unit and it's going to be in Phase III and then we'll still have an opportunity to revisit the Phase III fundamentals at that time.

Ms. Bakner: I don't think that's, so let me explain.

Ms. Scannell: I will and then I'm going to let you stand on up and then I'm going to let Courtney chime in.

Ms. Bakner: Well Courtney can chime in now. It'll take me that long. So, the way it works with the certificate it needs for the Department of Health for the memory care and the assisted living is they want to see that the plans have been approved by the local municipality first.

Not to say that it won't be changed but they don't want to spend their time reviewing something unless they know that there's local approval for it. So, when we did Phase I, Phase I was approved in its entirety. So, the way we're looking at this Phase II, which is broken into sections, will be approved but we're only building it in Phases, in sections. So that's why Brett went through and laid it all out so it would be clear what parking went with what Phase, what was being built at each point. So just like when, and this was a long time ago, this was pre-COVID so you'll have to be patient with me, but back in 2020 when the Planning Board approved the project, they approved Phase IA, which was the golf course redo, and Phase IB, and Mrs. Flansburg probably remembers better than me and they approved that. So, all of that was approved and there were certain conditions that had to be met before we could move forward and get building permits.

So similarly, here, we would expect that there will be conditions, but unless there's a change, whether occasioned by the market or a change required by the Department of Health review for memory care and the assisted living, we wouldn't expect to come back to the Planning Board again to have you guys, you know, recommence review on it, unless there's a change. Okay. So that's very similar to how it was done with Phase IB.

Mr. Comenzo: Yes and we'd be approving the whole project.

Ms. Heinel: Yeah. Phase II is approving of their construction build out Phase II.

Mr. Comenzo: Just like the Townhouses are approved. If you wanted to come in and get a building permit for the Townhouses, you could do that. You don't need to come back to the Planning Commission. So, it's the same thing with this, but I think what Terresa and what the Chairman's saying too is that there may be some little tweaks that are going to occur when they go to the health department and there's some, there'll be some potentially some minor changes or somebody will come up with an idea. I want to do this. And then they'll come back. But it would be a minor amendment. So, the whole project itself would be approved, I think. And that's kind of where we're going with this, with this Phase II.

Ms. Bakner: I think Courtney and I agree.

Ms. Heinel: Yeah, no. This is Phase II though all, since, when did we first read on this? Was it 2022? I think so. When we first broke it out where Phase II the Planning Board's approving all of what you're seeing on that map there. They're showing you how they're going to Phase it when they build it out. So first is independent living. If I remember correctly from 2022, that's Phase IIA and IIB is dependent upon a capacity being hit I think within the independent living center and that pushes and drives starting Phase IIB and then starting Phase IIC and I think there was a Phase IID if I'm not incorrect related to that. Now I do also remember I think in 2023 there was a floating idea of solar panels on the garage roofs at some point or something. I thought you guys came in for something related to that but I can't remember. But anyways, what the Planning Board's looking at is the entirety of this project. Whatever conditions you're going to put on it, whatever you're going to say about the project you've got to do now because it's likely not coming back unless the health department has major changes or there's a major change to the project.

Ms. Scannell: Okay, so we all understand that even though we're calling this Phase I, Phase II, Phase III with regard to how Whispering Pines Senior Housing Community is going to build itself out, we are looking at the entirety. That's fair to say?

Ms. Heinel: That is fair to say.

Ms. Scannell: Okay. Well, that's good.

Mr. Lecce, did you want to say something?

Mr. Lecce: Just the way these are built out is you are trying to get the independent living folks to reside there and they create the additional space needed for the memory care and assisted living. You have to build those first to get them to go to the next Phase of life.

Ms. Scannell: What is your time frame? How do we get through this best-case scenario from your perspective?

Ms. Bakner: Well, I think what we are hoping is that you'll set the Public Hearing on this Phase of the project for the next Planning Board meeting because I know you go to one (1) meeting a month at some point in July and August.

Mr. Miglucci: June.

Ms. Bakner: Okay. And what month are we in?

Ms. Scannell: Believe it or not, we're still in May.

Ms. Bakner: So, it would be great if we could do the Public Hearing in June and I believe we're, Peter would know this for sure, but I'm assuming you'd refer to County Planning as well because of our proximity with the Thruway?

Mr. Comenzo: Yeah, County Planning on the way in and really the biggest thing too was part of the DPW comments was to make sure that Fire District 2 was comfortable with the project because there's been folks who've stopped in and asked about the project and there's some concerns and I think sitting down with the engineer rolling out the plans and saying okay this is what we're doing and we had done that previously with the fire hydrants in that location and we looked at some of the radiuses so I think making the District 2 Fire Chiefs comfortable with the project and having them review the emergency response plan, I think that would go a long way to finalize it.

Mr. Lecce: We got this whole thing approved initially, even though we weren't getting this department approved, we had to go back, we had to get the approval of the Fire Chief for access to the building. So we'll do it again when we had a meeting with them originally.

Mr. Comenzo: Yeah, I think we're getting to know that we have the final engineering put together.

Ms. Scannell: Alright, so best case scenario for you, the Public Hearing would be at the next meeting. Now it's like when you ask dad for something, then you have to ask mom, except mom is going to be Peter. Peter, is that realistic or is it too lofty or ambitious?

Mr. Comenzo: I think it's really going to depend on the comments from the TDE and Brett's ability to turn that around to his satisfaction I think and for District 2. I mean it's either June or the July meeting, I think. If you're looking for one additional meeting, I believe we haven't seen this project since October 2023, at least for most of the folks here. I know there's two (2) members that are absent, but I think getting those comments from Ron, and I know Ron's been working with Brett on that, so I think there were some comments based on I think the fact that he switched the drainage to surface drainage instead of under the parking lots.

So, it's really going to be dependent on the engineers and getting that all together and I think additionally in terms of working on proposed conditions of approval with the attorney. Well, we're just talking about the Public Hearing.

Ms. Bakner: We're not expecting any approvals until after the Public Hearing, but what we'd like to do is kind of get that out of the way.

Ms. Heinel: Well, I think the problem with that though is once we close the Public Hearing we have a very limited amount of time to make the actual determination afterwards, so if there's outstanding items, we only have 45 days, so.

Ms. Bakner: It's alright Courtney, because we can agree, mutually agree to give you more time for that stuff. It's just that to move it forward and to give the public an opportunity to comment on it I know they've had probably six (6) opportunities to comment on the project over the years, but it's been a couple of years and you know I know Ron Treers and the woman who's assisting him in the review is looking at stormwater and stuff and generally that's not a particular issue for the public because it's so technical but I mean I think given all the work that Brett's done on this and our commitment to meet with the fire guys as soon as we meet with them and the fact that all the escrow payments have been made, we'd just kind of like to move forward on that.

Ms. Heinel: I didn't get the checks from you yet.

Ms. Bakner: Peter has them. In his hands.

Ms. Bakner: Change of plan.

Ms. Scannell: Alright, so I'm going to ask Peter and Courtney this question. So, if, Peter, do you think that in the event we ambitiously were able to have just a Public Hearing at the next meeting, are you comfortable with just a Public Hearing and not a final? Knowing that there could be a 45-day clock ticking that Teresa has said maybe they could...

Mr. Comenzo: I don't know necessarily, I mean I guess it depends how the Public Hearing goes and you can keep the Public Hearing open potentially.

Ms. Bakner: We can wait and see what happens. That's life.

Ms. Scannell: Okay Planning Commission, what do you guys think? What's your feedback on do we want to see if Brett can check all his boxes and we can at least have a Public Hearing at the next meeting? What are your thoughts?

Mr. Calder: I'd like to see it move ahead as soon as possible.

Mr. Miglucci: I agree.

Ms. Scannell: Okay, well, let's go on the record of trying to do that to the best of our abilities and we can agree that Brett needs to be submitting things and we're going to go to our plan that we had, a very good plan everything should go through Teresa and Courtney, okay? You're our point people. So, if Brett is going to send something to Ron, CC Teresa and Courtney on it please. That way we can keep tabs on things and nobody says well I didn't know, well, no, because Peter cannot, we have a lot going on, good things are happening in Rotterdam, so we really need to be able to have Teresa and Courtney keep tabs on this.

I like this idea, let's shoot for the moon and hopefully we will be back here. Will we need a submission of anything Peter before that meeting?

Ms. Heinel: Responsive comments I think, right?

Mr. Comenzo: Yeah, I think, I believe CHA will be able to get us the comments next week, I know Ron had some family issues that he was dealing with this week. Brett and Ron had worked together previously on the technical comments and I'm sure they will continue to do that.

Ms. Bakner: Peter, do you remember the lady he was working with on this?

Mr. Comenzo: I can't off the top of my head.

Ms. Scannell: So, okay, and Brett you think that's realistic?

Mr. Steenburgh: I think that's realistic. I have yet to see the comments so it's difficult for me to say what we can do but we will certainly try our best, but one (1) thing we will make sure that we can do provided they're available to meet with Fire District 2 and address as much of the technical comments as possible and if we don't have them all specifically addressed, at least have an answer for the Public Hearing that is, hey, this is what we're going to do, we're going to, you know.

Ms. Scannell: Sounds good. I think that we're in good shape. Am I missing anything, Courtney?

Ms. Heinel: At this point, I can't think of anything that we're missing. I like the redesign on some of it. It looks nice.

Ms. Banker: Thank you very much.

Mr. Steenburgh: Thank you. Appreciate your time this evening.

Ms. Scannell: Thank you. We look forward to seeing you next month.

5. BW Solar Holding, Inc. – Putnam Road. Conceptual Site Plan/Special Use Permit to develop two (2) 5-megawatt solar energy facilities on approximately 53 acres of property. Engineering: Fisher Associates.

Ms. Scannell: Okay Next up, we have B.W. Solar Holding, Inc. on Putnam Road. A conceptual site plan to develop two 5-megawatt solar energy facilities on approximately 53 acres of property.

Mr. Huntington: Alright, thank you for having me.

You guys have quite the agenda tonight. My name is Dan Huntington. I am the Director of Development for B.W. Solar. I'm based in Rochester, New York. That's where our U.S. office is. We also have an office in Toronto. The lead developer for this project, could not be here today. He is actually an Albany native. He lives here in Albany with his family. He's been living in Albany for about 5 or 6 years now, so he'll be heading up this project. He handles most of our projects in New York on the eastern side. I handle most of the stuff on the western side along with four (4) other states that we operate in. I want to just explain as to how we got here and how we found this site.

For solar projects, we are really dictated as to where we can go based on the policy. In our industry, capacity is king. So, what we do is we scour the publicly available information for the utilities...

Break in Audio due to having to change the batteries in the recorder.

...where we didn't have any kind of guarantee that our system wouldn't be completely turned off for an undisclosed amount of time. So that's why we were utilizing this curb cut here, snaking underneath the pipeline and then popping out over here in what is already a cleared field sloping about southeast. So, these two, Kyle here and Norma. Norma actually donated the field across the power lines, which I believe is turning into a park. So, we don't have any residents there and we did already reach out to the residents up here and made them aware because they have the most direct line of sight to the project. So, we're already working with them to figure out what type of screening they would like, how we could, you know, make it visually better for them. Their home is right here. It does face south. This slopes down.

So, typically what we do is we screen along the northern side and as it slopes down, as long as you have trees that grow in, eventually it will block their view. So, we're working with them to make sure we're planting trees that they feel are appropriate for the area but are also something they like to look at. That's the project in a nutshell.

The combination of these three (3) parcels is technically about 92-93 acres. The fenced-in area we are legally required to have all of these fenced in is going to be about 44-45 acres. To address the wetlands and the tree clearing, I know we follow the moratorium closely. We understand that a lot of the moratorium was run on a project that had like 100 acres there for the clear cut. We also try to avoid tree clearing as much as possible. We do focus on the dbh of a tree. We try to avoid anything over six inches. I believe in your Town law it says something to the effect of three. So, we will not beat around the bush or the tree, so to speak. We do have a larger amount of tree clearing in this area. We are actively working on a tree survey so we can identify how many trees are above that three-inch dbh. And then if we are allowed a variance from that or a permit around it, we have in the past, and I don't know if the Town has this, but made a donation to a Town tree bank where we pay x amount per tree. If we're cutting down 50, we pay \$100-\$200 and we replace 2x the trees, which the Town can then use to go plant trees on their property so that it's not a complete loss of trees. With that being said, I would be happy to answer any questions. I know this is very preliminary.

We've submitted some of the materials. We are working on some Phase I work, as I mentioned before, a geotechnical study. We've recently wrapped up our draft SWPPP, so you'll be getting a copy of that very soon. We also have a decommissioning and an operation and maintenance plan that will be coming to you, I would imagine, by next week, but we hope to have basically every portion of the application completed by early next month.

Ms. Scannell: Great. Well, I think it's very well-situated location-wise. I think, you know, you have seen that there will be limited impact based on the natural trees that are already there. You know, the residents are not going to be disturbed visually, which is very nice. They have a lovely, you know, a lovely view in many instances there.

I do want to mention that something that you said about there was one (1) specific project that was going to clear-cut 100 acres and that's why we had a moratorium. That's not why Rotterdam had a moratorium. It had nothing to do with any one (1) particular project. It had to do with the fact that we did not have adequate solar code to address projects like yours. We have found with a similar project on the other, well, it's only five (5) megawatts, I believe, on the other side of Putnam Road that you'd probably drive by to get to this project. The landowners learned a lot. The Town has learned a lot. We've learned a lot. There was really not substantial solar code in place at the time. That being said, we will be having a Town-designated engineer assisting us on this for obvious reasons. This is highly technical types of stuff. I'm pretty sure that who we'll end up with was actually the TDE for the Energy Committee.

So, he knows what he's doing because he had to do a lot of review for it. So, I'm going to open it up to the Planning Commission. I'm going to start with Mrs. Flansburg.

Mrs. Flansburg: Okay. I was on the Board for the project that you were referring to and I have a hard time wrapping my head around a limb in clear-cutting trees, which is, you know, part of nature, to then put a different form of something. So, when I was reading this one, I flagged it and highlighted it, and I'm not sure if this splits Schenectady 1 and Schenectady 2 when it's referencing the amount of acreage that's being removed, but it stood out to me that the forested area, the current acreage was 31.8 and acreage after the project is completed would be zero, like there'd be no forest.

And then meadows and grasslands would also become zero. So, I'm thinking my impression was this is another project where we're eliminating a whole bunch to put a solar farm. Having said that, I'm open to having a TDE, reviewing it with us, and working within what our code is now. When that project came before us years ago, we didn't have a code.

I'm intrigued to hear what Peter and/or our attorney can say with regard to the tree bank, because if my issue is with trees, and I'm not a tree hugger by any stretch of the imagination, and the location of where this is quite different than where the other one was, it is along a highway. And you have three (3) property owners that are willing to work with you. So, if that tree bank thing is a thing, I know we have parkland fees that we assess for subdivisions and things like that. So, if that's something that can become a part of this, that would be something I would be interested in.

Ms. Scannell: And we do have public benefits.

Ms. Heinel: There is a public benefit fee in this code as well, which mimics parkland fees for subdivision. Tree bank, I mean it would really be determined on whether there's a Town property, as in owned by the Town of Rotterdam, that we want the trees on necessarily. I'm not sure we do have one (1) off the top of my head.

Mrs. Flansburg: I don't think that we would necessarily need one (1), but if there's an offset to this built into the new code that we have, then that would be helpful.

Ms. Heinel: And it could go towards the public benefit fee or something of that nature. There's a lot of leeway written into the code for things like that. And really it'll come down to what their tree survey says and how many trees are going to come down, how many are going to stay, where they, I mean that's also going to be important for them, where are the trees that are over the limit that we want them to stay. So, until we have that information, it's not, we can't really speculate what the final result is going to be at that point. The farms and field, I mean that will still be there. It will just be, there'll be a solar panel on top of it. Are they going to be directional panels as in they move on that hinge towards the sun or not? Do you know?

Mr. Huntington: These are going to be fixed tilt.

Ms. Heinel: Fixed tilt.

Mr. Huntington: So, they, as you see, they're oriented east to west. If they were trackers, they would be orientated north-south. Because of some of the topography here, typically if you get to certain slopes, the trackers just are less.

Ms. Heinel: Yeah, but my only concern was for that one (1) house that you pointed out, because if they were trackers and then they started pointing towards their house, all of a sudden you get a big old house.

Mr. Huntington: And we are going to do a clear analysis as well. And just a side comment, it is not only the environmental aspect, right? We are doing a renewable energy, so cutting down trees is counterproductive to that. But also, as a business case, it is expensive. We have to go through permitting. If we want to take out a stump, we have to have a permit for stumping. So, it is counterintuitive to cut down trees.

Ms. Heinel: We should get a DEC permit for de-stumping, particularly large areas. And soil and erosion sediment controls go into that because de-stumping disturbs the whole area. If you're on a slope, you can have slope slough, which is its own big nightmare for them because then they have to regrade the whole slope. And there's wetlands involved.

Mr. Huntington: Right. I get it. So, it truly is counterintuitive to what we want to do. But in this area, there are very few pieces of land and willing participants that want to do it that are along the utility infrastructure that allow us to do it. So, it is really like you have to check all these boxes. And thankfully, we have a landowner who she didn't want trees cut down. And then when we articulated how we could push it back because of the wetlands and try to save as many as we could along the northern part for visuals, she started coming around with the idea. But she was also apprehensive to it. We had to sell her on the idea over most of 2024. So, it's been a labor of love. They've been involved the whole way. Both Kyle and Norma have also participated. And because of that neighbor to the north and their direct line of sight, we were able to get them involved early, let them know what was coming, and then try to offer some solutions. Because in the past, we have found that screening is one thing, but if you could find something they'd like.

Ms. Scannell: And take a page from Stewarts. Trust me, it's very smart. Talk to the neighbors. We tell every developer that comes here, whether you're building a Stewart's or you're building a utility-scale solar facility.

Ms. Heinel: And bear in mind, you could reverse tree bank it in the sense that if they have to take a significant portion in that southerly portion that we talked about earlier, and there's room on the northerly portion that's more open field there, to plant trees.

Mr. Huntington: "Inaudible..."

Ms. Heinel: I was talking more south than that on the northern portion of that green one (1) you're pointing at there. That's all wetland.

Mr. Huntington: So, we're actually not going in that. In the green area, we completely avoided that. And it kind of has a jigsaw look to it.

Ms. Heinel: Okay, because my thought was if you have to take from a southerly, you could try replanting and the other available spaces on the other side.

Mr. Huntington: All the green is staying forested. All of that is because it's also wetlands.

Ms. Heinel: Now, do you know if those wetlands, are they actually designated by Army Corps in any way? Does Army Corps have them on their maps?

Mr. Huntington: They did not. So, Army Corps is getting a little bit trickier and trickier to deal with.

Ms. Heinel: You're going to have to get a determination letter.

Mr. Huntington: And they don't want to do that anymore unless you're impacting the wetlands. We are impacting over here where it's already an open field.

Ms. Heinel: Yeah, but with that tree cutting and possible de-stumping, I'm definitely going to want a determination letter on the property too before I say go for it.

Mr. Huntington: My financiers would not let us move forward without a determination letter.

Ms. Heinel: That's just a heads up for you. Yeah, I'd get that started now.

Mr. Huntington: We've already submitted to DEC and Army Corps. They moved everything out of the Buffalo office down to the DC office. We are staying on top of that. So, we would definitely be pursuing that. And if we get any notification, we'll pass it on.

Ms. Scannell: How large is your organization, B.W. Solar Holding?

Mr. Huntington: So B.W. Solar Holding is relatively small in comparison to our parent company. So, we right now have 17 employees. We've been around for about five (5) years. But all of our employees came from different solar companies or different renewable companies. Our CEO right now came from Nextera. He has over 20 years of experience building all across the US. I, myself, have been in the industry going on seven (7) years now. I've built projects all over New York. But we've been working in Pennsylvania, Maryland, Virginia, Ohio. Illinois is a little bit tough. We haven't built anything there yet. But we have a lot of land positions out there.

Ms. Scannell: Tougher than Rotterdam?

Mr. Huntington: Illinois is very tough on the interconnection side because there's no publicly available interconnection information. So, New York is very unique in that they have publicly available hosting capacity maps. Most other states don't. That's why New York is a pretty mature market. It's kind of getting towards the end of what you're going to see for a lot of new solar development. You're going to see a lot of older approved projects start to get built. And our goal is to have this one (1) built and energized before 2028 because there are some new pieces of legislation coming out saying they're going to sunset some of the incentives and programs if you are not energized by 2028.

Ms. Scannell: Are you getting NYSERDA money?

Mr. Huntington: We are going to apply for it. Right now, the NYSERDA New York Sun program is actually closed out. So, they have block incentives. They just recently filled out block incentive 21. They had a mandate to release the rest of the funds. There's a little bit of politics going on right now where they might be reducing the amount of funds available for the New York Sun incentive. But we cannot apply for those until we have paid 100% of our interconnection and gotten site plan approval from the Town.

Ms. Scannell: Where is the closest project that BW Solar Holding has done?

Mr. Huntington: The closest? I would say in Montgomery County, the Town of Mohawk. Probably the closest which we got approved and is actively being built right now.

Ms. Scannell: How large?

Mr. Huntington: Five (5) megawatts. Most of the projects we do in New York, we have one large utility scale project built up in Potsdam. A lot of those just aren't doing well today because they take five (5) to ten (10) years and the economics of them are very difficult. So, we typically stick with the community solar program which is independent five-megawatt programs. If you can co-locate them like this, the cost of construction goes down. Obviously, it's a scale of economy. But in theory these are technically considered small projects in the grand scheme of things. I know at the Town level, you're talking 40 acres. It doesn't seem small but in comparison to some of the other large ones in Potsdam, what we're doing is 58 acres.

Ms. Scannell: Yeah, well we had an onus. Well, before the RAPID Act was passed, we had an onus project coming our way. Residents had been notified. So, that's a lot bigger than this one. So, we like it and I think that our code speaks to the smaller projects, the five-megawatt projects. It's attractive. Where's your electricity going? Are you community-based solar? Are you just putting it up into the grid and selling it? What's the deal with the electricity you'll be generating?

Mr. Huntington: Sure. So, this stays local on National Grid infrastructure. Community solar projects have to stay local. Now when I say local, I mean it has to stay on the National Grid infrastructure. So, when we generate electricity, it goes on the grid, they give us credits. We can sell those credits to anyone within the National Grid territory. There are other incentives that are out there. LMI incentives, low to moderate income, that goes more towards the long-term owner-operator. And whether or not we decide we want to facilitate that, it is very administrative heavy when you're going to individual residents as billers.

A lot of these projects you can get more incentive if 40 to 60 percent of it goes to residential. You can get additional incentives on top of that. But just for business purposes, it's easier to sell to larger companies. Buyers like Dollar General will buy, you know, the power that's produced here and apply it to all of their meters that are in National Grid. Then you have one (1) customer. But you lose out on a lot of those incentives if you have 40 to 60 percent of all the generation here going to National Grid residential customers. There's additional money that goes.

Ms. Scannell: So, Rotterdam residents are not going to see, because we have these two (2) projects happening, they're not going to see like an option to sign up to get like some community solar projects?

Mr. Huntington: There is. We'll be doing that? It's based on, at the end of the day, what the incentive structure looks like when this is built. As I mentioned, we're going to try to have it built by 2028. And the incentive structure could be totally different at that time. They could get rid of the residential credits for LMI, low to moderate income. So, I can't say today what that will be. It all depends on when we energize, how quickly we can. But if that's available to us and we have the resources to devote 40 to 60 percent of this to local residents, we can literally knock on doors of our neighbors and say, it's completely free to sign up. You save 10 percent on your electric bill just by signing up. It's a month-to-month thing. We go through the utility. So, if you decide not to do it, you can end that option. But basically, all you're doing is signing up to get it. And once we hit the full subscription, unfortunately, it's not unlimited. So, there is a small number that we can give it to. But yes, local residents that live right next to the project could sign and be a part of it. But there could also be residents that are outside of the Rotterdam area as well. As long as they're in the National Grids network, they can participate in a program like this.

Ms. Scannell: Mr. Signore, questions, comments?

Mr. Signore: Yeah, what are your plans for some type of escrow account for decommissioning costs?

Mr. Huntington: Yeah, so we'll follow the Town's guidance. We do have a decommission agreement already in place or a structure that we use for basically every project. I think it runs about \$258,000 to \$260,000 to decommission. We would have either a letter of credit or a bond that we would renew with the Town every calendar year. We would ask that that is a condition of the special use site plan approval that we have to have that in place before building permit.

Mr. Signore: Okay, here's my concern. Let's say BW Solar isn't here in 10 years and you have all these panels up there, right? Okay, so you're gone. So, this is when we rely on an escrow account somehow to hire somebody or a bond, whatever, to take these out. Okay, so the cost in five (5) years or ten (10) years is going to be greater than the cost of decommissioning in five (5) years. So, therefore, that bond has to be added to, to allow for the increase in cost of decommissioning.

Mr. Huntington: Yes, so we build in a 2% escalator. So, every single year it is compounding. We add 2% to it. I know that doesn't match inflation.

Ms. Scannell: Does it match our decommissioning suggested plan?

Mr. Huntington: I believe so. We will, if it doesn't, we will tailor it accordingly.

Ms. Scannell: Right, I mean you're talking about your decommissioning plan, which is great, but we have a plan. So ideally you would be following our plan, not we're going to just follow your plan.

Mr. Huntington: No, yes, of course. We tailor it to each Town's requirements. So, we do, we have a standard plan that we bring in and then we tweak it according to what the Town is requesting. So, if there's provisions in there that aren't in ours, we'll adopt yours and move forward with it. To the point of if the company's not here, I would compare that to any company. If any company builds a facility and is not here, that is an asset that can be taken over by someone, right? There's massive companies that go bankrupt or go away.

Mr. Signore: So, somebody else picks up BW Solar, but my point is never say never.

Mr. Huntington: Correct. My only reason for bringing that up is the opportunity for the landowners, the most financial benefit, is once we are built, right, they're getting paid a lease rate on a per acre basis. So, it would actually be detrimental to the landowner if the Town stepped in and decommissioned it prematurely before someone else was able to purchase it and continue to operate it. So, there are some unique provisions in solar that aren't in other lease agreements where the Town actually has a controlling interest in something that is privately operated. So, it gets a little bit interesting as to if that was ever to happen. It is a catastrophic situation for the company, but the asset would either be taken over by the financier, like a bank taking over a house, or could be resold to another solar company that would operate it and take up that lease because they're going to want to be able to sell the credits.

Mr. Signore: But let's assume that doesn't happen. I mean, you said two (2) percent. I mean, wages probably go up more than two (2) percent.

Mr. Huntington: Sure, but there are companies that are out there that do the decommissioning that we've worked with pretty closely, that do the engineering of the decommissioning plan. There is a significant amount of scrap metal also. The panels are the single most valuable piece of it. So, there are recycling companies that will take panels off. But again, worst case scenario is if a company, a solar company, goes bankrupt, another solar company will come in to purchase that asset.

Ms. Scannell: That's not necessarily true, sir, and I mean no disrespect, but we have a lot of dead solar facilities here in the Town of Rotterdam that nobody has taken over, okay, that are not producing electricity, that are tied up in bankruptcy, that nobody can take care of. So, to Mr. Signore's point, it's a great question. It's a great concern. This Planning Commission is going to be asking you questions similar to that as we move forward because we are going to want to see backup plans for everything. Our law is going to provide that we ask those questions.

Mr. Huntington: For sure, and I'm not, we can talk hypotheticals all night.

Ms. Scannell: This isn't a hypothetical with all due respect. We have a solar company.

Mr. Huntington: And we fully intend on.

Ms. Scannell: But we have projects in our Town, if you drive around, there are "Inaudible" sites, there's at least three (3) of them, that are not producing electricity that we can't go in and touch. So, it's one thing to tell us what you're telling us. It's another thing for us to be dealing with the reality of what's going on that has been going on in our Town.

Mr. Huntington: And we will have a decommissioning plan in place based on your law and signed off on by you guys and the Board. And we're totally fine with that. I'm not arguing that we're not going to have that. We will 100% have it and make sure it passes all the rigor of the review and make sure it's in place and up to code every single year.

Ms. Scannell: Right. It's not a hypothetical though. We are, we have encountered it here in our Town with projects that is a reality. So, it's not a hypothetical.

Mr. Huntington: I apologize. didn't realize that.

Ms. Scannell: Right. Well, you're in the solar business. I would think you would drive around and see all the solar fields that we have that aren't fenced in, that aren't producing electricity and say, huh, what's going on with those? Mr. Calder, questions, comments, concerns?

Mr. Calder: I think by now you probably understand that this is not going to be an easy project for you. We had a neighboring community not this long ago before Rotterdam met the problem where a solar company walked away and really hurt the taxpayer. So, we're going to be, at least I'm going to be, and I know the rest of the Board, I think feels the same way. It's not going to be easy for us to deal with, from your perspective. That's just my opinion, one point.

Mr. Huntington: And I can appreciate that and I don't want my comments to sound like we are dismissive.

Mr. Calder: No, I understand.

Mr. Huntington: I think my goal will be to show you that we will rise to the occasion, meet the Towns and only exceed them. We do have every intention of following through on those agreements. To the Chairperson's question earlier, yes, BW is, BW Solar is a smaller company. Our parent company is BW Group, which is a 22-billion-dollar oil and gas shipping company that's been around for roughly 80 years. So, we are one (1) subsidiary of them. They have about 17 or 16 other subsidiaries. They're in water. They're in data centers. We have a battery storage company that operates in Europe that is extremely successful over the last three (3) to four (4) years. So again, I completely understand your point. There are some fly-by-night companies that have come and gone.

Mr. Calder: Well, you mentioned battery storage. That's another area where I am a little skittish of.

Ms. Heinel: He's not proposing that.

Mr. Calder: I understand that. I totally understand that. I just want you to know this is conceptual. This is only the beginning. It's going to be probably a long project to get through here. So just so you know that it's early yet, so we've got plenty of time. But I also know that there's a lot of money being made in solar. And in your perspective, I don't blame you. Somebody's got to make money to have a company, they make money. But it's our job to look out for the taxpayers. So that's where we're at.

Ms. Scannell: Thank you, Mr. Calder. Mr. Miglucci?

Mr. Miglucci: I have several things. If there was to be an inverter fire or like a runaway fire, how long would it take for one (1) of your people to respond and get to this location?

Mr. Huntington: So, we'd actually work directly with the fire department. We would give them keys.

Mr. Miglucci: So, there'd be a knock box. So, if we have to, that fence is coming down and our first responders are going in there. Correct?

Mr. Huntington: Yes, in a nutshell. The first thing we would do is work with you guys to have a comprehensive plan as to what happens.

Mr. Miglucci: Well, absolutely. That's all part of our solar plan.

Mr. Huntington: And typically, what the guidance is, is you shut the power off, you let whatever panel or inverter is burning in place. But yes, we would work directly with the fire department to make sure they had every access.

Mr. Miglucci: Okay. And of course, I just want to interject here. Our fire departments, there's three (3) actual fire departments that would probably respond to that fire. Their tankers only hold 3,500 gallons of water. Now, if you have runaway panels, stuff like that, it takes a lot more than 3,500 gallons of water. So that's another thing I'd look at as far as any type of emergency situation.

Another thing is, if there are any security lights and stuff like that, we'll get into that too. Of course, there's wildlife concerns. The inverter sounds is proven. Since you know about solar, I know plenty about solar. I know plenty about energy. That's what I did in the military. That's what I did for the government. And it drives wildlife. It does a lot of stuff like that. So, there's a lot of things to take into consideration. But the main thing I want to get to is we do have a solar code here that was unanimously passed by our Town Board and everything. And we don't, here in Rotterdam, we have a certain style of life. We have a thing that's called Rotterdam, a great place to live. We have rules. You're talking about a five-megawatt plant, which usually takes about 40 acres of panels. Of course, we all know that. But you're putting them right next to each other.

First of all, there isn't enough setback from the Thruway to where your panels are at. We have more of a 500-foot setback. Second of all, we don't allow anything in our code over five (5) megawatts within 2.5 miles from another plant. Another thing is all of our big projects like that have to be anti-reflective. Our panels do not go higher than 15 feet. And we have a strict code that we stand by. And of course, this will never, ever, I'll never approve anything that's hooked up the best because we're not on municipal water supply out there. And you're just talking, you're talking danger. So that's all I have. I mean, you know, we can work around a lot of things, but I'm going to stick by the Town of Rotterdam's code. I'm going to protect the people of Rotterdam. And I'm going to stick by the code. So, thanks for your answers. But that's my opinion of everything.

Ms. Heinel: Just to be clear, at no point did he ever say that this was being hooked up to BESS.

Mr. Miglucci: Okay.

Ms. Heinel: All he said was that one of the subsidiaries of the parent company has a successful BESS company in Europe.

Mr. Miglucci: Well, I wasn't accusing him. I'm just saying I won't support anything that will be hooked up in BESS out there where there's no municipal water supply.

Mr. Huntington: We do plan on following the code as closely as we can. We know that there's a two (2) percent reflective restriction. We have the panels under 15 feet. I think we can follow 99 percent of that. I really do. And that is our intention. We incorporated 100-foot setbacks everywhere we could. I think we did it everywhere. Some of the things I was mentioning about variances was along certain corridors, like do we need screenings along here? If you say yes, we'll do it. If we could get it, it would reduce the amount of impact we have. Simple things like that.

Mr. Miglucci: I understand that. I'm just reiterating what the Chairman said. We have a lot of bad projects here in Rotterdam. In my opinion, I don't put up with any more. So, this has to be 100 percent to our liking. Because you drive down the Thruway and all you see is the solar panels. You know what I mean? You're driving down the Mohawk Valley. You should be looking at wildlife and trees and miles over that. And all you're seeing is solar. You go down Highway 29 from Johnstown all the way to Amsterdam and it's nothing but miles and miles and miles of solar panels. And I mean, that's just my opinion of it. I want the people of Rotterdam to feel like they have the lifestyle they deserve. And you know, it's, you know, that's all I have to say. You know, we're going to stick, I'm going to stick to what the people of Rotterdam, what they want.

Ms. Scannell: Thank you, Mr. Miglucci.

Mr. Miglucci: You're welcome.

Ms. Scannell: Hopefully BW Solar Holding Inc. is going to be a success story here in the Town of Rotterdam. That's going to be the goal for all of us. I guess the first thing we need to do tonight is to declare lead agency.

Mrs. Flansburg: I'll make a motion that the Rotterdam Planning Commission declare lead agency for this project.

Ms. Scannell: Thank you. Do I have a second?

Mr. Calder: I'll second.

Ms. Scannell: Thank you, Mr. Calder. Lisa, could you please call the roll?

Ms. Gallo: Mr. Calder?

Mr. Calder: Yes.

Ms. Gallo: Mr. Signore?

Mr. Signore: Yes.

Ms. Gallo: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Gallo: Ms. Flansburg?

Mrs. Flansburg: Yes.

Ms. Gallo: Ms. Scannell?

Ms. Scannell: Yes.

Motion carried.

And I also need a motion to allow me to enter into an agreement to hire a TDE to provide engineering services to the Town.

Mr. Signore: I'll make that motion.

Mr. Miglucci: I'll second.

Ms. Scannell: Thank you, Mr. Signore. Thank you, Mr. Miglucci. Lisa, could you please call the roll?

Ms. Gallo: Mr. Calder?

Mr. Calder: Yes.

Ms. Gallo: Mr. Signore?

Mr. Signore: Yes.

Ms. Gallo: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Gallo: Ms. Flansburg?

Mrs. Flansburg: Yes.

Ms. Gallo: Ms. Scannell?

Ms. Scannell: Yes.

Motion carried.

Very good. Well, we look forward to seeing you again soon, Dan.

Mr. Huntington: Thank you. I know we'll have an uphill battle. I take everything you've said. I will bring this back to the team. We will put our very best foot forward. It's all right. We will be ones that you can look back on and smile and say we put them through the ringer and hold on to it. So, I appreciate you.

Ms. Scannell: You've already done a whole lot better than many of your predecessors.

Mr. Miglucci: We want it to work out. We want it to work out right.

Ms. Scannell: Thank you very much. Safe travels back home.

"A Nice Place to Live"

"A Nice Place to Do Business"



Town of Rotterdam
Office of the Planning Commission

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

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

Resolution Number PC31-2025

Moved by Mrs. Flansburg seconded by Mr. Calder

Applicant: BW Solar Holding, Inc.

Applicant: BW Solar Holding, Inc.

Project Location: Putnam Road
Rotterdam, NY

Tax Number or Numbers: 47.-5-13.11, 47.-5-13.2, 47.-5-14.2 & 47.-5-22

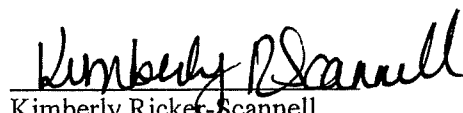
Proposed Project: Conceptual Site Plan/Special Use Permit to develop two (2) 5-megawatt solar energy facilities on approximately 53 acres of property.

WHEREAS, pursuant to 6 NYCRR Part 617 State Environmental Quality Review the above referenced project is an Unlisted Action; and,

WHEREAS, the Rotterdam Planning Commission desires to establish itself as lead agency on this project; **NOW:**

IT IS HEREBY RESOLVED THAT, on this day, Tuesday, May 20, 2025, the Rotterdam Planning Commission hereby declares itself lead agency and authorizes the Rotterdam Town Planner to prepare, file, publish, and distribute all documents as necessary to comply with 6 NYCRR Part 617 (State Environmental Quality Review).


Peter J. Comenzo
Senior Planner


Kimberly Ricker Scannell
Planning Commission Chairman

"A Nice Place to Live"

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Town of Rotterdam
Office of the Planning Commission

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

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

Resolution Number PC32-2025

Moved by Mr. Signore, Seconded by Mr. Miglucci
Applicant: BW Solar Holding, Inc.

Applicant: BW Solar Holding, Inc.

Project Location: Putnam Road
Rotterdam, NY

Tax Number or Numbers: 47.-5-13.11, 47.-5-13.2, 47.-5-14.2 & 47.-5-22

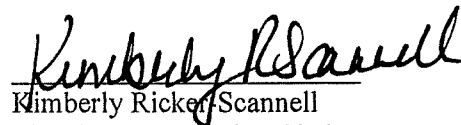
Proposed Project: Conceptual Site Plan/Special Use Permit to develop two (2) 5-megawatt solar energy facilities on approximately 53 acres of property.

WHEREAS, the Town of Rotterdam does not employ an Engineer for the review of plans; and,

WHEREAS, the Rotterdam Town Board approved a list of Town Designated Engineers to be utilized for such plan review at its January 1, 2025 organizational meeting; **NOW:**

IT IS HEREBY RESOLVED THAT on this day, Tuesday, May 20, 2025, the Rotterdam Planning Commission hereby authorizes the Planning Commission Chairman to execute a contract with a Town Designated Engineer (TDE) to assist in Site Plan review for the above referenced project.


Peter J. Comenzo
Senior Planner


Kimberly Ricker Scannell
Planning Commission Chairman

6. Peter Road, LLC – 759 Peter Road. Conceptual Site Plan Review to construct 16 condominiums (four buildings containing 4 units each) on a ±2.41-acre parcel. Engineer: Steenburg Consulting Engineering, PLLC.

Ms. Scannell: Next up, we've got Peter Road, LLC, 759 Peter Road. Hey, you look like a guy that was here not too long ago.

Mr. Steenburgh: Good evening, Brett Steenburgh from Steenburgh Consulting Engineering. I'm here representing Peter Road, LLC on the proposal for the project along Peter Road.

I apologize. It was our intent to mail out letters to the neighbors. The Planning Department got us actually on the agenda much faster than both the client and the attorney.

Break in Audio due to having to change the batteries in the recorder.

Mr. Steenburgh: They do draw visitors and such, and you do have to have those spaces, as we've shown, five (5) spaces along the entrance road. The site will be on a septic system. It's great soil on the site. We've done test pits and percolation tests on the site. We anticipate on utilizing porous asphalt for green infrastructure throughout the site to minimize any runoff off the site. All of the roof runoff will be captured in gutters and put into either dry wells or infiltration along the property.

Obviously, all of that will be developed when we develop the stormwater pollution prevention plan, which hopefully will be reviewed by a Town-designated engineer. Over here this evening, obviously, we'll be providing the necessary screening as required in the R3 code, because it is pretty specific, along residential properties. So, we'll be providing the necessary screening, although we will be leaving quite a bit of natural vegetation along the rear of the property, and along the south boundary line here.

That was one (1) of the things we're being able to do, to leave some of this existing vegetation in this location, which actually is imported in that location.

Just moving forward to the DPW comments, we're here this evening hoping that this Board will honor the TDE agreement, so we can move forward with engineering on the project. We will be discussing the sidewalks with the applicant and showing those on the plan.

The radiuses, asking to increase the size of them for the emergency vehicles. We did design the radiuses, of course, with the fire code for "Inaudible" turnaround, with the 28-foot radiuses, which actually allow for fire trucks, but we could increase those if this Board sees fit.

Asphalt coverage, we are proposing that in accordance with the New York State Fire Code.

We are not proposing any basements. Each of the units will have two (2) bedrooms, for a total of 32 bedrooms on the site. We will get you floor plans and building elevations, and we're happy to hear any feedback as far as landscaping and move through that process.

But this plan is 100% compliant with the R-3 zone. We are not requesting any variances. We're exceeding all of the setback requirements.

We meet the density requirements, and we're here to initiate the process.

Ms. Scannell: Well, thank you. I'm happy to see you here tonight for the second time.

I appreciate that I have heard a phrase a few times, which is being a good neighbor. I think being a good neighbor is a very important thing with this project, and I have seen already, with a change from five units to four units, that you have, and the developer has listened to the neighbors, you've shrunk the project down in size. I have seen a change since the last time we saw a concept plan, that there was a lot more greenspace than there was before, and that your setbacks are greater than they were before.

I understand that we got you on the agenda pretty quickly. We tried to do that because we switch next month to once a month. So, that's why it was like, hurry up, everybody get in here. And so, I can understand why you haven't been able to get out to talk to the neighbors, but I think that sending letters and talking is definitely a step in the right direction. I'm going to open it up to the Board, again, we're at a concept here. We're looking at it. It's a concept that I like. Of course, I'm going to want to dress it up.

Clark could not be here tonight. One (1) of the things that he mentioned, and I've got to tell you, I love his idea, is to kind of do something along the front that would match Stewart's and what they're doing with regard to that. It's like a stone kind of a wall. Building off of that and looking at what they're doing, I think it can be a magnificent entryway to that section of Town. Yeah, I'm not asking you to pinky promise or anything tonight. But yeah, actually, who's, was it, Luigi, was that you? Who's doing Stewart's?

Mr. Comenzo: The TDE, that was GPI.

Ms. Scannell: Okay. Might be a consideration then.

Mr. Comenzo: Stewart's actually has their own engineering outfit.

Ms. Scannell: That's right, it was Chuck.

Mr. Comenzo: Yeah, we can share the plans.

Mr. Steenburgh: "Inaudible..."

Ms. Scannell: Well, and it might not be such a terrible idea for Peter to consider for our TDE purposes for this project. GPI knows a lot about them. They know a lot about what's going on.

Mr. Comenzo: Yeah, they are familiar with it.

Ms. Scannell: Yeah, and the soils and everything else. So, it could probably be helpful. But yeah, I think, you know, I think it's a great step forward. It's no surprise that this project has been controversial from the day it was purchased, pretty much the property. Again, these are not apartments. These are condominiums. I love the idea, by the way, of the visitor parking area. I recently visited some condominiums myself, and I found that to be pretty easy. You know, it was like, oh, I just parked right here. This is great. It worked out well.

Mrs. Flansburg, questions, comments, concerns?

Mrs. Flansburg: No, and it's late. I'm doing my best. I wrote my comments down. Probably just easier to just stick with what I had. So, I was not in favor of this project when it came before the Board for the recommendation of the change of zone. It's not the project. It's the location. I appreciate that you went from five (5) to four (4) and 20 to 16 to have it not be as dense. So, the first thing I say is I'm not in favor of this level of development on the property. But really it's more the location of it.

The difficulty with the traffic on Peter Road anyway is historic, and I'm sure why many of the people are here. And I just have always felt like this is probably, in all my time on the Board, at least the third time. If not, there's been more that this property has come before us with someone. And I just feel like you guys can't get, it's not possible to get the curb cut far enough away from where Peter Road meets Highbridge that you can't avoid contributing even further to the traffic problems that are already there. So, it's not feasible for an owner to say, well, sure, I'll just put two single-family homes there. I get it. It's not a financial, it wouldn't be financially lucrative to do that. My issue is the traffic and the location. That's all.

Ms. Scannell: Thank you. Mr. Signore?

Mr. Signore: Initially, I voted against the zone change, like the majority of the Planning Commission did. And I also know from experience that once the owner receives a zone change, he can build what he wants in accordance to that zone change. So, the Planning Commission voted no, which is us here, the majority, and the Town Board voted yes. But I, myself, initially was not in favor of the project. Just thought I would tell you. And that's why it's being built, because they were granted the zone change. And you cannot stop them from doing what's in the zone for building now. Because if you were to prevent this, there's thousands of other zone changes where buildings would be arbitrary and capricious. So, once he received, and I wanted to mention this to the people here, once he received the zone change, he can now do what that zone change permits.

Mr. Steenburgh: Which also could be apartments and could be buildings and such. He is sticking with...

Mr. Signore: I know under the circumstances now, he seems to be working.

Ms. Scannell: Well, I think he more than seems to be. I understand that the majority of this Board voted against giving a positive report and recommendation to the Town Board. That being said, the Town Board did make their decision. The developer could do whatever he wanted to do. And in fact, he's downsized. He's tried to listen to what the Planning Commission already has provided feedback for. So, at some point, we don't have to like something, but we do have to try to make the best of it. And so hopefully, our residents will understand that as well as the Planning Commission.

Anything else, Mr. Signore?

Mr. Signore: No.

Ms. Scannell: Mr. Miglucci?

Mr. Miglucci: I haven't, I'm going to be honest, I haven't heard enough from the public, from the neighbors and that. I think they live in their homes for many years. And, you know, they see some concerns.

Are we going to, is there going to be a Public Hearing on this?

Ms. Heinel: As this progresses, there will be a final and all of that, which includes a Public Hearing, yes. And as the engineer pointed out, he's going to be sending out the resident letters.

Mr. Comenzo: There's no required Public Hearing.

Ms. Heinel: No?

Mr. Comenzo: No. I think the Chair, well, it is going to be up to the Chair to allow public comment.

Ms. Heinel: I'm not saying tonight, there's going to be a Public Hearing. At some point in this process of approval, isn't there a Public Hearing on the final site plan?

Ms. Scannell: I don't think there needs to be.

Mr. Comenzo: No.

Ms. Heinel: Well, the engineer either way stated that he will be sending out letters to residents. The residents can submit comments, emails, and otherwise to the Board if there isn't a Public Hearing. And you can certainly go out and do your own due diligence, Mr. Miglucci, and go out into the neighborhood and speak to them on your own.

Mr. Miglucci: Okay. Well, that's all I have for now.

Ms. Scannell: Thank you. Mr. Calder?

Mr. Calder: Well, I resided over there for many years, so I know the problems. And I was on the Town Board when we shot it down, and I haven't changed my mind. So, when it comes to me to vote for this project, I'm going to vote no.

Ms. Scannell: Thank you, Mr. Calder. I would certainly hope that everyone up here keeps an open mind and understands that every project that comes in front of this Planning Commission is different than the ones that may have come before it in the past or in front of Town Boards that some of us may have been on.

I would entertain a motion for a TDE at this point.

Mr. Miglucci: I'll make a motion.

Ms. Scannell: Thank you, Mr. Miglucci. Do I have a second?

Mrs. Flansburg: I'll second.

Ms. Scannell: Thank you, Mrs. Flansburg. On the question, Lisa, please call the roll.

Ms. Gallo: Mr. Calder?

Ms. Heinel: This is just for the TDE.

Mr. Calder: Yes.

Ms. Gallo: Mr. Signore?

Mr. Signore: Yes.

Ms. Gallo: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Gallo: Ms. Flansburg?

Mrs. Flansburg: Yes.

Ms. Gallo: Ms. Scannell?

Ms. Scannell: Yes.

Motion carried.

Very good. We will work on getting a TDE on our end. SEQR was completed by the Town Board during the Change of Zone process. So other than that, we look forward to seeing you back here soon.

Mr. Steenburgh: Thank you very much.

Ms. Scannell: If you could please document the interactions with the public so that we have something that we can all look at and talk about when you submit the plans again.

Mr. Steenburgh: Any comments that this Board receives from the public, we'd be happy to take a look at so we can do our best to address it.

Mr. Calder: I have one (1) more question, if it's okay.

Ms. Scannell: Sure.

Mr. Calder: You mentioned, it didn't come up about cellars or no cellars. He's not planning on putting cellars in there, is he?

Mr. Steenburgh: No, there's no basements.

Mr. Calder: Yeah, because I just, the water table on that St. Jude Drive and such is, that whole area is very high. Water table's very high there.

Mr. Steenburgh: We're down about seven (7) feet with no water on that side.

Mr. Calder: Well, I lived over there. If I almost tripped on my backyard, I had water. I'm exaggerating, but every house on St. Jude back then had a hose running to the road. So, just to let you know that.

Mr. Steenburgh: Thank you very much.

Ms. Scannell: Thank you.

Mr. Steenburgh: All right, take care.

Ms. Scannell: We'll let you go home and go to sleep.

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Town of Rotterdam
Office of the Planning Commission

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

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

Resolution Number PC33-2025

Moved by Mr. Miglucci, Seconded by Mrs. Flansburg
Applicant: Peter Road, LLC

Applicant: Peter Road, LLC

Project Location: 759 Peter Road
Rotterdam, NY

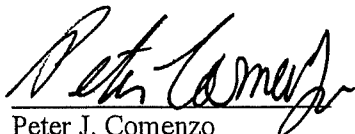
Tax Number or Numbers: 59.20-1-1

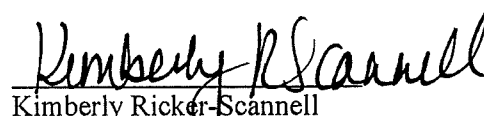
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Peter J. Comenzo
Senior Planner


Kimberly Ricker-Scannell
Planning Commission Chairman

7. Thomas Beliveau – 813 County Line Road. Concept/Sketch Two (2) Lot subdivision: Lot #1 = ±4.78-acres (proposed single-family residence) and Lot #2 = ±5.30-acres (existing single-family residence). Engineer: ABD Engineers LLC.

Ms. Scannell: All right, what you got for us, Luigi?

Ms. Heinel: Hey, I'm just going to ask if everybody's having conversations, can you head out the door for me? Sorry, Luigi, I just want to hear you when you speak.

Ms. Scannell: If you could please excuse yourselves from this room to have conversations out in the hallway, that would be greatly appreciated. It is not time for you to speak right now. Thank you, ma'am. Go ahead, Luigi.

Mr. Palleschi: Luigi Palleschi with ABD Engineers and Surveyors, I'm here representing Tom Beliveau. He owns this property. It's about ten (10) acres on County Line Road, address 812. The ten (10) acres, you can see his existing home here, several barns and buildings throughout the property. There's a pond that sits over to the west.

What he'd like to do is subdivide this parcel, creating two (2) lots, lot number one (1) being the proposed new residential home. That lot size is about 4.78 acres, and that lot number two (2) would remain at 5.3 acres. You can see the division line kind of follows the existing tree line that's there now. This area to the west is fairly open with some trees sprouting around the pond. Driveways come off of County Line Road, which is County Road. There is a division line between two Townships. On the south of this line here is Guilderland, and to the north here is Rotterdam.

There is municipal water on County Line Road. So, this existing home is connected to it, and the proposed home is also supposed to be connected to it. But no sewers, of course, so a septic system would be proposed. This was sort of the first location that Mr. Beliveau wanted to propose the home. He felt that with this 4.7-acre parcel, being further away from County Line Road would be the best for positioning the home. But after walking the property and looking at some of the comments, him and I had a discussion, and we can move the home anywhere within that 4.7 acres. We are aware that there are DEC wetlands as part of the Helderberg Meadows subdivision. DEC wetlands has a 100-foot buffer to that, so we are aware of that.

We don't know exactly where those lines are, but as part of the comments here, we can certainly get a biologist involved. But again, after discussing with the owner, what we could do is we could move the home further away from the DEC wetlands, providing more than 100 feet of buffer to any wetland body. We know septic systems obviously have to be outside of the 100-foot DEC buffer, as well as the ponds. Those have to meet certain geological requirements. But again, I think we have plenty of room. I know we proposed a septic here, but we can put it up to the right side, which is higher and drier.

So yeah, I wanted to present this two-lot subdivision. There are a couple other comments. I think we talked about the septic area. We can move those. Number three (3), coordinate with Town of Guilderland for access to this County Line Road, which we don't think is an issue. And number four (4), we want a site adjacent to an active railway and safety testing should be considered as a condition of approval. So yeah, so over to the west side is the railroad tracks. We can, you know, I don't know if it would be up to this current owner if he were to sell it. It would be up to the new buyer to put up the fencing. But we could certainly add notation to this subdivision plan if it came to that.

So yeah, so I'll turn it over to the Board for any additional questions. But I think with the first set of comments here, if there's anything more we'll address that and move on to the next step.

Ms. Scannell: Yeah, I mean, obviously, if there's anyone up here that would like to comment on this project, I will certainly provide that opportunity. Yeah, we're going to need you to get the determination from DEC on wetlands and soil information and then come back. Address the comments from DPW.

Other than that, if the project, you know, if it can fly on whatever wetlands are or are not there, super. Sounds great. Mrs. Flansburg, do you have questions, comments?

Mrs. Flansburg: No, I agree wholeheartedly as long as the wetlands issue is addressed. And you said, I mean, it looks like it's 79 feet from the property line and you have plenty of room before you're at the 100 feet for septic just to move everything over, whatever engineering magic you guys want to work.

Once you know, we have a determination that the wetlands are not going to be impacted or whatever it is, and that your subject would be fine wherever it is that you choose to put it around it. I think I'm perfectly fine with it.

Ms. Scannell: Very good. Thank you.

Mr. Palleschi: We will follow suit with Schenectady County Department of Health and go through the test pits and perc tests.

Ms. Heinel: Yeah, your soils there. You might need a raised bed. I'm not sure.

Mr. Palleschi: It's possible. Yeah, I know they're saying higher water table, but if I keep it to the right, you know, we may be able to get the same sort of effect.

Ms. Heinel: Pick the highest spot you can find.

Ms. Scannell: Mr. Signore?

Mr. Signore: I'm good with it.

Ms. Scannell: Thank you. Mr. Miglucci.

Mr. Miglucci: Ditto.

Ms. Scannell: Mr. Calder.

Mr. Calder: No questions.

Ms. Scannell: All right. So, do I have a motion to declare lead agency?

Mrs. Flansburg: I'll make the motion.

Mr. Signore: I'll second it.

Ms. Scannell: Thank you, Mrs. Flansburg. Thank you, Mr. Signore. Lisa, could you please call the roll?

Ms. Gallo: Mr. Calder?

Mr. Calder: Yes.

Ms. Gallo: Mr. Signore?

Mr. Signore: Yes.

Ms. Gallo: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Gallo: Ms. Flansburg?

Mrs. Flansburg: Yes.

Ms. Gallo: Ms. Scannell?

Ms. Scannell: Yes.

Motion carried.

Ms. Heinel: I have to ask you, what is the loop that he's got going on there? Is it a dirt bike trailer?

Mr. Palleschi: This used to be part of, they owned White Birch.

Ms. Heinel: I was thinking something more fun, like a little race car track.

Mr. Miglucci: Yeah, the DeLuke's on that years ago.

Mr. Signore: Yeah, Gary DeLuke.

Ms. Scannell: I would entertain a motion to adjourn.

Mr. Calder: I'll make that motion.

Ms. Scannell: Thank you, Mr. Calder.

Mrs. Flansburg: I'll second.

Ms. Scannell: Thank you, Mrs. Flansburg. All in favor.

Planning Commission Members: I.

Meeting adjourned at 11:04 p.m.

Next meeting scheduled for June 17, 2025.

Respectfully Submitted,

Marlo L. Urowsky
Planning Commission Secretary

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Town of Rotterdam
Office of the Planning Commission

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

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

Resolution Number PC34-2025

Moved by Mrs. Flansburg seconded by Mr. Signore

Applicant: Thomas Beliveau

Applicant: Thomas Beliveau

Project Location: 812 County Line Road
Rotterdam, NY

Tax Number or Numbers: 70.-3-23.1

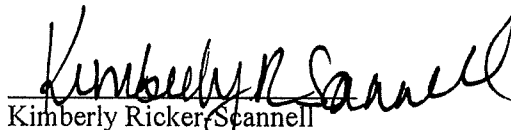
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