

**Town of Rotterdam
Planning Commission
June 20, 2023**

Approval of the Summary of Minutes May 2, 2023

Workshop/Waiver(s) (7:00pm)

1. **Rock + Soul Wellness – 2557 Hamburg Street.** The applicant requests a Waiver of Site Plan review to operate a wellness center in ±725 square feet existing tenant space, formerly Stunning Beauty, on exiting ±0.17 acres.
2. **Paul Corradi - 398 & 404 Princetown Road.** The applicant requests a Waiver of Subdivision review to combine 398 Princetown Road (Tax Map No. 48.19-5-32) and 404 Princetown Road (48.19-5-31) for a combined ±40,210 square foot parcel.
3. **Tuscany Manor Property Owners – Duff Bambury Court.** The applicants request a waiver to modify Condition #16 on the Subdivision known as Tuscany Manor filed 9/25/2020 under Book/Page: MISC/60/527. The applicants would like to modify the condition to allow for the installation of a 6' high solid vinyl fence as opposed to 5' high black chain link fence to be installed at the rear of the lots abutting the NYS Thruway.
4. **Khanda Food Mart Inc. – 330 Becker Drive.** The applicants request a Waiver of Site Plan review to modify existing ±3,000 square foot tenant space (former 7-Eleven) to a convenience store and existing fuel filling station and on a previously approved Site Plan dated June 16, 2020.
5. **Sahr's Meat and Seafood – 2068 Curry Road.** The applicant requests a Waiver of Site Plan review to operate Sahr's Meat and Seafood in an existing ±8,192 square foot building on a ±2.75-acre parcel.
6. **Yellow Brick Yarn – 93 West Campbell Road.** The applicant requests a Waiver of Site Plan review to operate a retail store for handmade items in tenant space B-114, from July 1, 2023 to December 31, 2023 in Via Port Rotterdam.

**Town of Rotterdam
Planning Commission
June 20, 2023**

Approval of the Summary of Minutes May 2, 2023

Agenda (7:30pm):

1. **Prime Rotterdam, LLC – 103 Old Mill Lane.** Final Site Plan/Four Lot Consolidation Subdivision Public Hearing. Consolidate four lots into one ± 5.51 -acre parcel to facilitate the construction of a $\pm 405,040$ square foot self-storage facility. Building A = $\pm 13,605$ s.f., Building B = $\pm 20,315$ s.f., Building C = $\pm 2,410$ s.f., Building D = $\pm 2,773$ s.f., Building E = $\pm 4,227$ s.f., Building F (3 story) = $\pm 361,710$ s.f. Engineer: MJ Engineering and Land Surveying, P.C.
2. **Lecce Senior Living, LLC – 2200 Helderberg Avenue.** The applicant requests a modification to Site Plan approval conditions for Phase #1B dated July 9, 2020 to allow for up to 15 building permits to begin construction of cottage homes prior to completion of the roadway and utilities as outlined in Condition #6 in Resolution PC34-2020. Engineer: ABD Engineering and Surveying.
3. **Poentic Kill, LLC (Lessee) – 635 Mariaville Road.** Final Site Plan/Special Use Permit Public Hearing for the location of a 5-megawatt battery storage facility on a ± 2.23 -acre parcel. Engineer: Empire Engineering, PLLC.
4. **Michael & Catherine McGuire – 2917 Hamburg Street.** Report and Recommendation to the Town Board on a Change of Zone from Retail Business (B-1) and Single Family Residential (R-1) to Retail Business (B-1) for the construction of a two-family residence on newly created $\pm 14,575$ square foot parcel. Surveyor: Raymond A. Koch, P.L.S.
5. **Kimberly & Larry Noyes – Parklawn Avenue.** Sketch Five (5) Lot Boundary Line Adjustment Subdivision: Lot 1 = 17,013 square feet (new lot with proposed single-family residence), Lot 2 = 17,758 square feet (new lot with proposed single-family residence), Lot #3 = 16,388 square feet (existing lot with two-family residence) Lot #4 = 11,020 square feet (existing lot with single-family residence) and Lot #5 = 15,052 square feet (existing lot with two-family residence). Surveyor: Blackstone Land Surveyors.

WAIVER OF SITE PLAN REVIEW

Date: June 20, 2023

PC2023-W18

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

APPLICANT: Rock and Soul Wellness
c/o Nicole M. Miele

ADDRESS: 1008 Valentine Drive
Schenectady, NY 12303

PROJECT ADDRESS: 2557 Hamburg Street

APPLICANT IDENTIFIED AS: Owner ☒ Lessee Contract Vendee

REQUEST: The applicant requests a Waiver of Site Plan review to operate a wellness center in ± 725 square feet existing tenant space, formerly Stunning Beauty, on exiting ± 0.17 acres.

Action Taken by Commission:

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

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

The Commission action on the Waiver application took place at the Planning Commission meeting of June 20, 2023 and authorized the Commission Chairman to execute the Waiver. The issuance of this Waiver is contingent upon the applicant complying with all conditions as stated above. Failure to adhere to conditions may result in revocation of Waiver by the Town of Rotterdam Planning Commission and requirement of a full Site Plan.

Peter J. Comenzo
Senior Planner

Thomas P. Yuille, Chairman
Planning Commission



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

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

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

RECEIVED

PRESENT OWNER(S): DAVID DOUDA MAY 19 2023

APPLICANT(S)/LESSEE: NICOLE M MIELE TOWN OF ROTTERDAM
PUBLIC WORKS

MAILING ADDRESS: 1008 VALENTINE DRIVE

CITY: SCHENECTADY STATE: NY ZIP: 12303

DAYTIME TELEPHONE: 518-461-3789 EMAIL ADDRESS: nicole.miele@hotmail.com

PROJECT ADDRESS: 2557 HAMBURG ST SCHUY NY 12303

APPLICANT IDENTIFIED AS: Owner ☐ Lessee ☒ Contract Vendee ☐

REQUEST: I'm requesting permission to operate my holistic wellness business (YOGA - MEDITATION - REIKI - SOUND HEALING) ROCK + SOUL WELLNESS.

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

SIGNATURE OF APPLICANT Nicole M Miele DATE 05-18-2023

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

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

Rock & Soul Wellness is a holistic wellness business which includes but is not limited to yoga, reiki, sound healing, art classes, meditation, and mindfulness classes. We offer classes and private sessions for adults and summer programs for school aged children that include movement, art, and mindfulness.

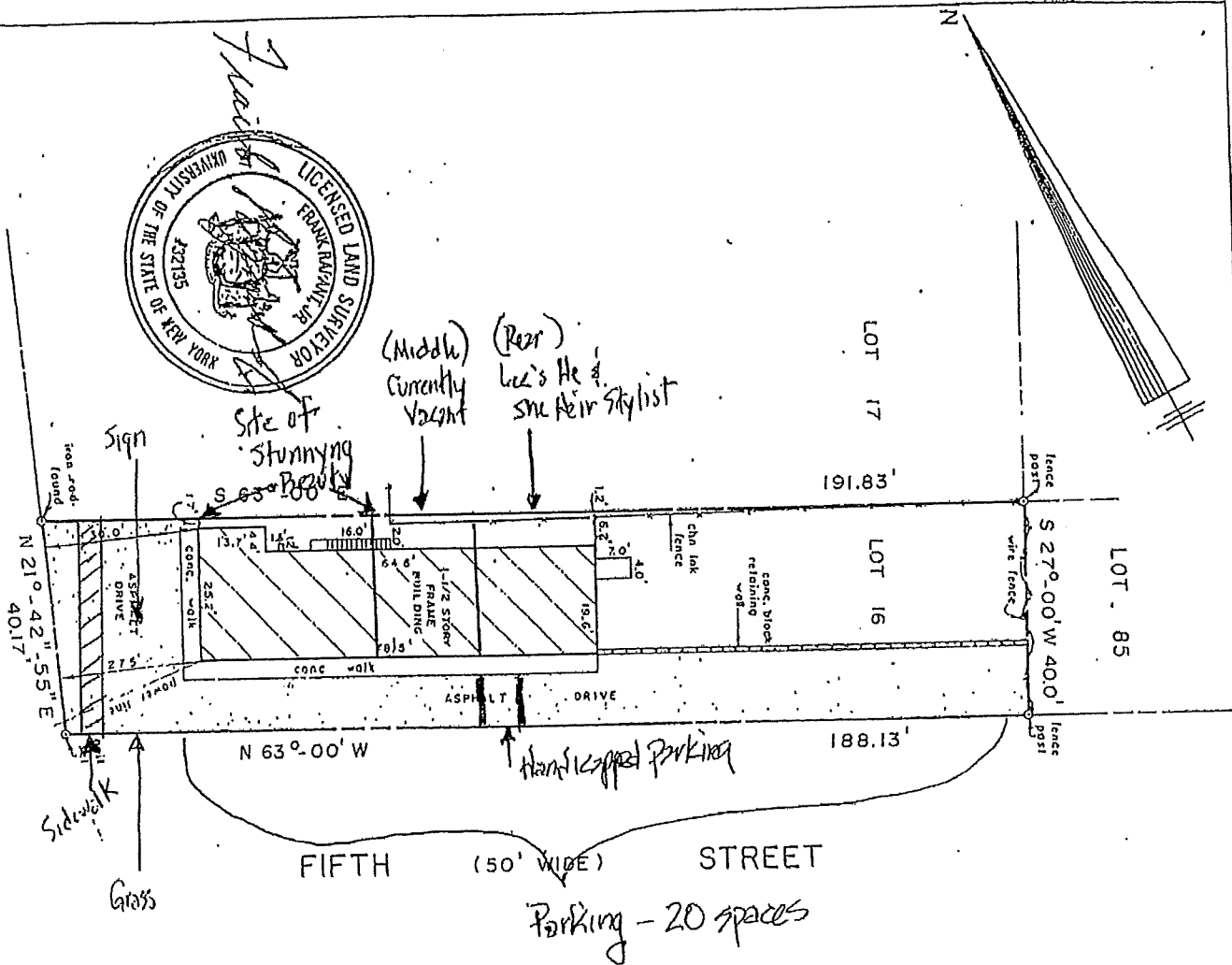
There are 3 separate spaces within the site. The front space will be utilized for classes, while the 2 back rooms will be used for private appointments.

Number of Employees: 1

Number of Independent Contractors (instructors/facilitators): 5 – 10

Hours of Operation: 6 am – 9 pm - Times will vary based on classes and private sessions

Expected number of customers daily: between 2-20 per day – Varies based on classes and private sessions



WAIVER OF SUBDIVISION REVIEW

Date: June 20, 2023

PC2023-SW1

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

APPLICANT(S): Paul Corradi
123 Fox Run Drive
Schenectady, NY 12303

Five Corner Plaza Associates LLC
123 Fox Run Drive
Schenectady, NY 12303

PROJECT ADDRESS: 398 Princetown Road & 404 Princetown Road

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

REQUEST: The applicant requests a Waiver of Subdivision review to combine 398 Princetown Road (Tax Map No. 48.19-5-32) and 404 Princetown Road (48.19-5-31) for a combined ±40,210 square foot parcel.

Action Taken by Commission:

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

1. The final maps (with all necessary changes discussed at the Planning Commission) need to be submitted for signature and filing with Schenectady County.
2. The Planning Commission Chairman will sign up to two (2) Mylar's (One for Schenectady County and one for the applicant).
3. The signed Mylar's need to be filed with Schenectady County Clerk's office within ten (10) days.
4. After signature and filing with Schenectady County six (6) paper copies shall be returned to the Planning Commission office.

The Commission action on the Waiver application took place at the Planning Commission meeting of June 20, 2023 and authorized the Commission Chairman to execute the Waiver. The issuance of this Waiver is contingent upon the applicant complying with all conditions as stated above. Failure to adhere to conditions may result in revocation of Waiver by the Town of Rotterdam Planning Commission and requirement of a full Subdivision.

Peter J. Comenzo
Senior Planner

Thomas P. Yuille, Chairman
Planning Commission



TOWN OF ROTTERDAM
OFFICE OF THE PLANNING COMMISSION

Town of Rotterdam Boundary Line Adjustment Application

100.00 Application Fee

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

Tax Map Number(s) #1 48.19-5-32 #2 48.19-5-31
these numbers will refer to specific questions relating to each parcel

#1 Property Owner's Name: Paul Corradi

Mailing Address: 123 Fox Run Drive

Phone Number(s) and e-mail (518) 366-1440 | pies74@aol.com

#2 Property Owner's Name: Five Corners Plaza Associates LLC

Mailing Address: 123 Fox Run Drive

Phone Number(s) and e-mail (518) 366-1440 | pies74@aol.com

Contractor's/Agent/Representative's Name (if Applicable) Luigi Palleschi - ABD Engineers

Address: 411 Union Street, Schenectady NY 12305

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

q

Parcel Size(s) (acreage or sq. ft): #1: 13,803 #2: 26,407

Location of Property(s) (911 address) #1: 398 Princetown Rd.

#2: 404 Princetown Rd.

Zone Classification & Lot Size: #1: B-2 | R-1 #2 B-2

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

Are the lots presently conforming lots? ☒ YES NO

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

Proposed lot size(s): #1: 40,210 #2 N/A

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

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

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

#1: Vacant

#2: Retail Use

Proposed use (what are you proposing to accomplish with this application): (i.e. merge/sell lot(s) build home etc.)

Merge two lots into one lot.

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

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

Additional data on proposed boundary line adjustment: _____

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

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

SIGNATURE OF PROPERTY OWNER PARCEL #1 [Signature] DATE 5/15/2023

SIGNATURE OF PROPERTY OWNER PARCEL #2 [Signature] DATE 5/15/2023

TOWN OF ROTTERDAM



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

LETTER FROM PROPERTY OWNER GRANTING AUTHORIZATION TO ACT

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

I, Paul Corradi, being duly sworn declare that I am the

(PROPERTY OWNER)

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

Tax Parcel Number(s): 48.19-5-32 & 48.19-5-31

I hereby grant ABD Engineers and/or their agent(s) to act on my behalf.

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

Signature (Authorized Representative):

Date:

05-15-2023

NOTARY

STATE OF NEW YORK ss:

COUNTY OF Albany

SUBSCRIBED AND SWORN to before me this 15 day of May, 2023

NOTARY SEAL

Notary Signature

Notary Public in and for the State of New York

Residing at:

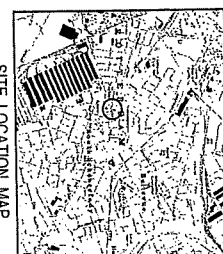
Schenectady, NY

My appointment expires:

2/14/27

Matthew B. DiGesare
Notary Public, State of New York
No. 01D16235559
Qualified in Albany County

Commission Expires February 14, 2023 2027



25

COMPLETED FROM FEBRUARY 1, 2002
ON MAY 8, 2002 AND BECAME
CONTROL ON THAT OCCASION

- ## MAP REFERENCES

ZONE 0-2 BUSINESS (MAIN ST./MILWAUKEE/CLINTON TOWNSHIP)

- 23

A B C ENGINEERS & SURVEYORS
441 Union Street Schenectady, NY 12305
518-377-0315 Fax 518-377-0373
www.abceonline.com

WAIVER OF SITE PLAN REVIEW

Date: June 20, 2023

PC2023-W18

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

APPLICANTS: UrbanCasche (Contact Vendee)
Michele Viscusi (Owner)
BTL Properties (Owner)
Patrick and Marion Bidinost (Owner)

ADDRESS: 310 Curry Bush Road Extension
Schenectady, NY 12306

PROJECT ADDRESS: Tuscany Manor Subdivision – Duff Bambury Court

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

REQUEST: The applicants request a waiver to modify Condition #16 on the Subdivision known as Tuscany Manor filed 9/25/2020 under Book/Page: MISC/60/527. The applicants would like to modify the condition to allow for the installation of a 6' high solid vinyl fence as opposed to 5' high black chain link fence to be installed at the rear of the lots abutting the NYS Thruway.

Action Taken by Commission:

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

1. Fence and associated berm shall be completed to the satisfaction of the building department prior to the issuance of certificates of occupancy for all lots involved in this modification to the conditions.

The Commission action on the Waiver application took place at the Planning Commission meeting of June 20, 2023 and authorized the Commission Chairman to execute the Waiver. The issuance of this Waiver is contingent upon the applicant complying with all conditions as stated above. Failure to adhere to conditions may result in revocation of Waiver by the Town of Rotterdam Planning Commission and requirement of a full Site Plan.

Peter J. Comenzo
Senior Planner

Thomas P. Yuille, Chairman
Planning Commission



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

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

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

PRESENT OWNER(S): UrbanCasche Fabio Urbano & Joe Caschera

RECEIVED

APPLICANT(S)/LESSEE: SAME

JUN 08 2023

MAILING ADDRESS: 310 Curry Bush Road Extension

TOWN OF ROTTERDAM
PUBLIC WORKS

CITY: Schenectady

STATE: NY

ZIP: 12306

DAYTIME TELEPHONE: 518-461-9757

EMAIL ADDRESS: urbancasche@gmail.com

PROJECT ADDRESS: Tuscany Manor Subdivision - Duff Bambury Court

APPLICANT IDENTIFIED AS: Owner ☒ Lessee ☐ Contract Vendee ☐

REQUEST: To install berm and 6' high solid vinyl fence in lieu of 5' high chainlink fence as originally approved on subdivision plat.

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

SIGNATURE OF APPLICANT [Signature] DATE 6/6/23

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

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

908

39

43,556± sq. ft.
1.00± acres

38

44,127± sq. ft.
1.01± acres

25' BUFFER
AREA

FENCE

252.87'

1066.45'

120.45'

80.45'

INV

90

THRUWAY

E OF NEW YORK

16. A FIVE (5) FOOT HIGH VINYL JACKETED CHAIN LINK FENCE MUST BE INSTALLED AT THE REAR OF ALL LOTS THAT ABUT THE LANDS OF THE NYS THRUWAY PRIOR TO THE ISSUANCE OF AN CERTIFICATE OF OCCUPANCY.

17. ALL FIRE HYDRANTS SHALL BE EQUIPPED WITH A 4' GALVANIZED SPRING FLAG WITH REFLECTIVE BANDS

18. ALL DRIVEWAYS SHALL BE PAVED AND WATER LINES SHALL NOT BE INSTALLED UNDERNEATH DRIVEWAYS.

19. NO STOCKPILING OR BURYING OF DEBRIS, SLASH, STUMPS, OR CONSTRUCTION MATERIAL IS PERMITTED.

LEGEND

913 STREET ADDRESS

34 LOT NUMBER

MAP REFERENCES

1. BECKERS CROSSING - PHASE III, SUBDIVISION PLAT, TOWN OF ROTTERDAM, SCHENECTADY COUNTY, DATED SEPTEMBER 23, 1996, LAST REVISED NOVEMBER 29, 1996, AS PREPARED BY INGALLS SMART ASSOCIATES AND RECORDED IN THE SCHENECTADY COUNTY CLERKS OFFICE FEB. 5, 1997, AS MAP NO. 97-5.

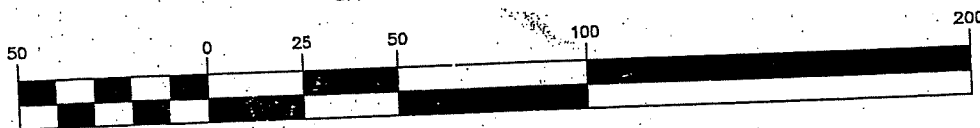
2. BECKERS CROSSING - PHASE IV, SUBDIVISION PLAT, TOWN OF ROTTERDAM, SCHENECTADY COUNTY, DATED NOVEMBER 25, 1998, LAST REVISED JULY 21, 2000, AS PREPARED BY INGALLS SMART ASSOCIATES

3. UPDATED GRADED AREA TOPOGRAPHY BY STEVE WALRATH L.S. 2003.

4. BECKERS CROSSING SUBDIVISION, PHASE IV, ROTTERDAM NY DATED MARCH 2003, LAST REVISED SEPTEMBER 19, 2005 AS PREPARED BY ABD ENGINEERS & SURVEYORS. FILED 2/16/06 BOOK/PAGE: MISC/19/698

5. AMENDMENT TO THE PREVIOUSLY FILED "BECKERS CROSSING SUBDIVISION PHASE IV" DATED MARCH 2003, LAST REVISED 9/19/05, FILED ON 2/16/06, AS IT PERTAINS TO REVISING EASEMENT #2 & #4 AND ELIMINATING EASEMENT #3 PREPARED BY ABD ENGINEERS & SURVEYORS, DATED MARCH 2014 AND FILED WITH SCHENECTADY COUNTY CLERK AS DOC# 2017-7 BOOK/PAGE: MISC/36/90.

GRAPHIC SCALE



(IN FEET)

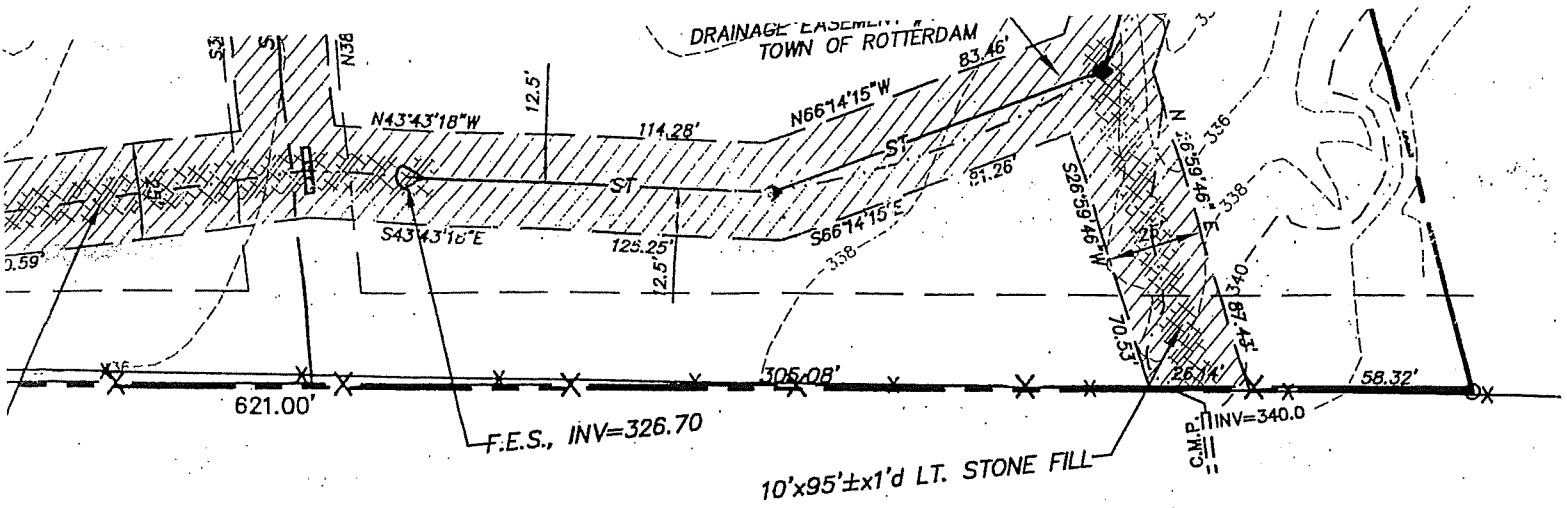
1 inch = 50 ft.

OWNER/A

BTL PR
BK. 1582

90 CAMP
SCHENEC

13.	UPDATES PER LOT 42 & LOT 49	JKL	7/16/20
12.	ADJOINERS & LOT OWNERS	JKL	6/26/17
11.	B & L COMMENTS	JKL	8/14/13
10.	TUSCANY MANOR UPDATE	JKL	8/8/13
9.	MOVED CULVERT	RLT	3/7/12
8.	DELETED DRY SEWER	RLT	12/14/10
7.	NO CHANGES	RLT	9/19/05
6.	TOWN COMMENTS	RLT	8/3/05



BUILDING DEPT. ASSESSOR APPLICANT

DISTRIBUTION
ENGINEERING DEPT. PLANNING

PROJECT
SITE PLAN OR SUB DIVISION: MINOR MAJOR

SKETCH HEARING HELD _____
PRELIMINARY HEARING SCHEDULED _____
PRELIMINARY HEARING HELD _____
FINAL PH SCHEDULED 8/18/20
FINAL PH HELD _____

TOWN PL

**SCHENECTADY COUNTY, NEW YORK
HEALTH DEPARTMENT**

that the proposed arrangement for water supply and for this realty subdivision in accordance with plans on file with the County Health Department are approved. Consent is hereby given to the filing of the map on the basis that the arrangement appears in the office of the County Clerk in accordance with the provisions of Section 1117 of the Public Health Law and Section 1505 of Environmental Conservation Law.

PLANNING COMMISSION

John J. Bianchini
CHAIRMAN, ROTTERDAM PLANNING COMMISSION



9/24/20
DATE

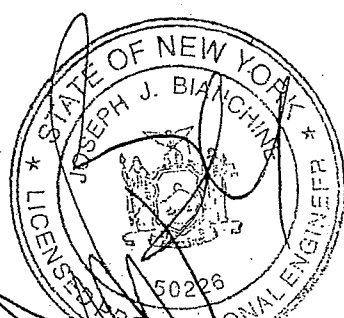
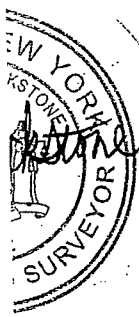
ALTERATION OF THIS DOCUMENT EXCEPT BY A LICENSED PROFESSIONAL ENGINEER IS ILLEGAL

TUSCANY MANOR
FORMERLY BECKERS CROSSING SUBDIVISION
PHASE V - TAX MAP #: 57.12-1-40.12
SUBDIVISION PLAT
ROTTERDAM, NEW YORK
AMENDING FILED SUBDIVISION -
BECKERS CROSSING SUBDIVISION PHASE IV
FILED 3/5/14 BOOK/PAGE: MISC/36/90, DOC.# 2014-7

TOWN OF ROTTERDAM

STATE OF NEW YORK

ABD ENGINEERS & SURVEYORS
411 Union Street Schenectady, N.Y. 12305
518-377-0315 Fax. 518-377-0379



JOSEPH J. BIANCHINI, P.E.
N.Y.S. LICENSE NO. 50226

ONE, P.L.S.
NO. 49542

DATE: MARCH, 2003

SCALE: 1" = 50'

DWG. 2954-IV&Vplot_combo5

SHEET

TOWN OF ROTTERDAM

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



LETTER FROM PROPERTY OWNER GRANTING AUTHORIZATION TO ACT

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

I, Patrick or Marion Bidinost being duly sworn declare that I am the
(PROPERTY OWNER)

owner of the properties located at Duff Bambury Court involved in a proposed Waiver to modify Condition #16 on the Subdivision known as Tuscany Manor filed 9/25/2020 under Book/Page: MISC/60/527 to modify the condition to allow for the installation of a 6' high solid vinyl fence as opposed to 5' high black chain link fence to be installed at the rear of the lots abutting the NYS Thruway request before the Town of Rotterdam for property known as parcel number (s):

57.12-1-56 - 912 Duff Bambury Court

I hereby grant UrbanCasche and/or their agent(s) to act on my behalf.

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

Signature: Marion Bidinost

Date: 6/15/23

NOTARY

DONNA LEVASSEUR
Notary Public, State of New York
Certified Schenectady County
#01LE6388331
Commission Expires: 3-4-2027

STATE OF NEW YORK ss:
COUNTY OF Schenectady

SUBSCRIBED AND SWORN to before me this 15 day of June, 2023

NOTARY SEAL

Donna Levasseur
Notary Signature

Notary Public in and for the State of New York
Residing at: 1100 Rockwood Ln, Schenectady NY
My appointment expires: 3-4-2027

TOWN OF ROTTERDAM

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



LETTER FROM PROPERTY OWNER GRANTING AUTHORIZATION TO ACT

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

I, Michele Viscusi being duly sworn declare that I am the
(PROPERTY OWNER)

owner of the properties located at Duff Bambury Court involved in a proposed Waiver to modify Condition #16 on the Subdivision known as Tuscany Manor filed 9/25/2020 under Book/Page: MISC/60/527 to modify the condition to allow for the installation of a 6' high solid vinyl fence as opposed to 5' high black chain link fence to be installed at the rear of the lots abutting the NYS Thruway request before the Town of Rotterdam for property known as parcel number (s):

57.12-1-52 - 904 Duff Bambury Court

I hereby grant UrbanCasche and/or their agent(s) to act on my behalf.

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

Signature (Michele Viscusi): Michele Viscusi

Date: 6/12/2023

NOTARY

STATE OF NEW YORK) ss:
COUNTY OF Schenectady

SUBSCRIBED AND SWORN to before me this 12th day of June, 2023

NOTARY SEAL

Nadia Viscusi
Notary Signature

Notary Public in and for the State of New York
Residing at: 1000 John Alden Ln. Schenectady, NY 12306
My appointment expires: 7/3/2025

NADIA C VISCUSI STANNERS
Notary Public - State of New York
No. 02VI6361195
Qualified in Schenectady County
My Comm. Expires July 3, 2025

TOWN OF ROTTERDAM

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



LETTER FROM PROPERTY OWNER GRANTING AUTHORIZATION TO ACT

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

I, Robert Iovinella being duly sworn declare that I am the
(Property Owner)

owner of the properties located at Duff Bambury Court involved in a proposed Waiver to modify Condition #16 on the Subdivision known as Tuscany Manor filed 9/25/2020 under Book/Page: MISC/60/527 to modify the condition to allow for the installation of a 6' high solid vinyl fence as opposed to 5' high black chain link fence to be installed at the rear of the lots abutting the NYS Thruway request before the Town of Rotterdam for property known as parcel number (s):

57.12-1-53 - 906 Duff Bambury Court

57.12-1-54 - 908 Duff Bambury Court

57.12-1-55 - 910 Duff Bambury Court

57.12-1-57 - 914 Duff Bambury Court

RECEIVED

JUN 08 2023

TOWN OF ROTTERDAM
PUBLIC WORKS

I hereby grant UrbanCashe (contract vendee) and/or their agent(s) to act on my behalf.

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

Signature (Authorized Representative - BTL Properties Inc.): [Signature]

Date: 6/8/23

NOTARY

STATE OF NEW YORK ss:
COUNTY OF Schenectady

SUBSCRIBED AND SWORN to before me this 8th day of June, 2023

NOTARY SEAL

Tammy L. Whelan
Notary Signature

Tammy L. Whelan
Notary Public, State of New York
Certified Schenectady County
01WH6261330
Commission Expires 5/17/24

Notary Public in and for the State of New York
Residing at: 226 Duff Fords Ch Rd, Schenectady, NY 12306
My appointment expires: 5/17/24

WAIVER OF SITE PLAN REVIEW

Date: June 20, 2023

PC2023-W19

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

APPLICANT: Khanda Food Mart Inc.

ADDRESS: 330 Becker Drive
Rotterdam, NY 12306

PROJECT ADDRESS: 330 Becker Drive

APPLICANT IDENTIFIED AS: X Owner Lessee Contract Vendee

REQUEST: The applicants request a Waiver of Site Plan review to modify existing $\pm 3,000$ square foot 7-11 to a new fuel filling station and convenient store on a previously approved Site Plan, June 16, 2020, on ± 3.37 acres.

Action Taken by Commission:

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

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

The Commission action on the Waiver application took place at the Planning Commission meeting of June 20, 2023 and authorized the Commission Chairman to execute the Waiver. The issuance of this Waiver is contingent upon the applicant complying with all conditions as stated above. Failure to adhere to conditions may result in revocation of Waiver by the Town of Rotterdam Planning Commission and requirement of a full Site Plan.

Peter J. Comenzo
Senior Planner

Thomas P. Yuille, Chairman
Planning Commission



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

RECEIVED

JUN 08 2023

TOWN OF ROTTERDAM
PUBLIC WORKS

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

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

PRESENT OWNER(S): RPK PROPERTY LLC.

APPLICANT(S)/LESSEE: KHANDA FOOD MART INC.

MAILING ADDRESS: 330 BECKER RD

CITY: ROTTERDAM STATE: NY ZIP: 12306

DAYTIME TELEPHONE: 8455912544 EMAIL ADDRESS: POMPY2034@GMAIL.COM

PROJECT ADDRESS: 330-BECKER RD ROTTERDAM NY 12306

APPLICANT IDENTIFIED AS: Owner ☒ Lessee ☐ Contract Vendee ☐

REQUEST: NEW OWNERSHIP

has station convenient store

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

SIGNATURE OF APPLICANT [Signature] DATE 6/8/23

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

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

SUBMITTAL / REVISIONS			
No.	DATE	DESCRIPTION	BY
1	3/17/20	TOE TOWN DRY COMMENTS	APV
2	3/25/20	TOE COMMENTS	APV
3	6/2/20	INSIDER SUBMISSION	APV
4	6/2/20	DRIVE THRU REVISION	APV
5	6/15/20	DEC TOE COMMENTS	APV

DATE	DATE	DATE	DATE
3/17/20	3/25/20	6/2/20	6/15/20
DESIGNED BY: JME	DESIGNED BY: JME	DESIGNED BY: JME	DESIGNED BY: JME
DRAWN BY: JME	DRAWN BY: JME	DRAWN BY: JME	DRAWN BY: JME
CHECKED BY: JME	CHECKED BY: JME	CHECKED BY: JME	CHECKED BY: JME

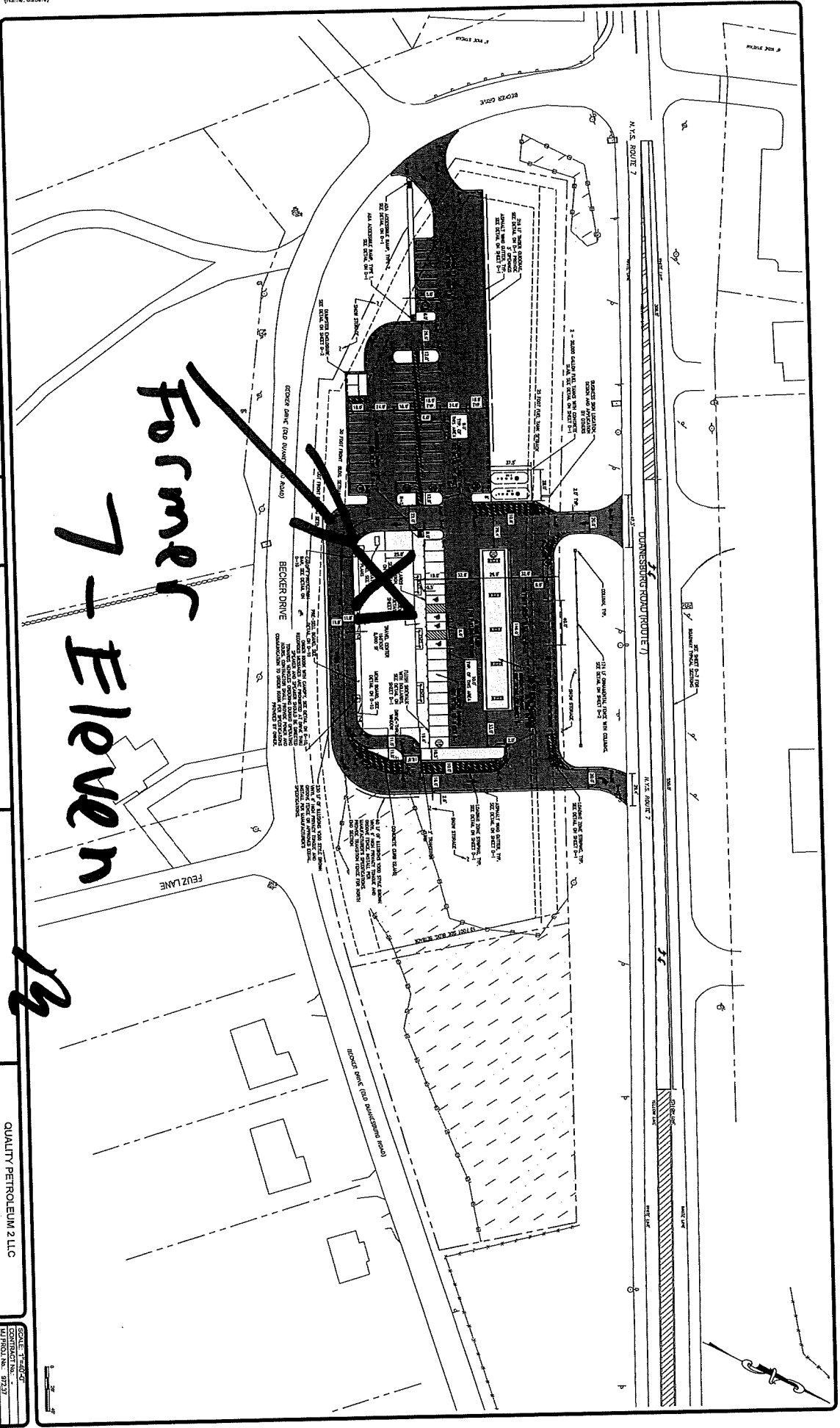
THE ATTENTION OF THIS MATERIAL, IN ANY WAY, UNLESS DONE UNDER THE DIRECTION OF A COMPETENT PROFESSIONAL, THE ARCHITECT OF THE NEW YORK STATE EDUCATION LAW, OR A VIOLATION OF THE NEW YORK STATE EDUCATION LAW, OR A VIOLATION OF THE NEW YORK STATE EDUCATION LAW, OR A VIOLATION OF THE NEW YORK STATE EDUCATION LAW.



Engineering and
 Land Surveying, P.C.
 1535 Clarendon Road - Clifton Park, NY 12065

QUALITY PETROLEUM 2 LLC
 LAYOUT PLAN
 330 BECKER DRIVE AND ROUTE 7
 NEW YORK

SCALE: 1"=40'-0"
 CONTRACT NO. 18-27
 DATE: DECEMBER 30, 2018
C-4



WAIVER OF SITE PLAN REVIEW

Date: June 20, 2023

PC2023-W20

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

APPLICANT: Sahr's Meat and Seafood – c/o Richard Fazzone
ADDRESS: 144 Fasula Boulevard
Schenectady, NY 12303

PROJECT ADDRESS: 2068 Curry Road

APPLICANT IDENTIFIED AS: Owner ☒ Lessee Contract Vendee

REQUEST: The applicant requests a Waiver of Site Plan review to operate Sahr's Meat and Seafood in an existing ±8,192 square foot building on a ±2.75-acre parcel.

Action Taken by Commission:

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

1. Approvals are contingent upon compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Safety Inspector and/or 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 specifications.

The Commission action on the Waiver application took place at the Planning Commission meeting of June 20, 2023 and authorized the Commission Chairman to execute the Waiver. The issuance of this Waiver is contingent upon the applicant complying with all conditions as stated above. Failure to adhere to conditions may result in revocation of Waiver by the Town of Rotterdam Planning Commission and requirement of a full Site Plan.

Peter J. Comenzo
Senior Planner

Thomas P. Yuille, Chairman
Planning Commission

RECEIVED

JUN 14 2023



TOWN OF ROTTERDAM
PUBLIC WORKS

Town of Rotterdam
Waiver of Site Plan Review Application

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

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

PRESENT OWNER(S): Joe Masleanni

APPLICANT(S)/LESSEE: Richard Fazzone

MAILING ADDRESS: 144 FASULA BLVD

CITY: Rotterdam STATE: NY ZIP: 12303

DAYTIME TELEPHONE: 518-926-0412 EMAIL ADDRESS: rfazzone@gmail.com

PROJECT ADDRESS: 2068 CURRY RD.

APPLICANT IDENTIFIED AS: Owner ☐ Lessee ☒ Contract Vendee ☐

REQUEST: Name Change from Little Lamb Chop to SAKS

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

SIGNATURE OF APPLICANT Rif Fazzone DATE 6/14/23

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

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

S 18°25'00" E
225.00' (SURVEY & DEED)

fence post
(on line)

S 77°09'00" W
583.47' SURVEY (587' DEED)

Area = 2.99± Acres
R-1 Zoned

To remain
R-1.

B-2

577-56' SURVEY (587' DEED)
N 77°11'55" E

GENERAL SCHOOL DISTRICT No. 3
(764 d 461, 779 d 323, 782 d 132)

pavement

225.00' (SURVEY & DEED)
N 16°54'15" W

CURRY ROAD (R.O.W. Varies)

LANDS N/F A. & B.B. HORVATH
(765 d 004)

(765 d 004)

IRON ROD FOUND AT
FENCE CNR.

E CNR. 7

blacktop driveway & parking area

utility
pole

2

Figure 1

4

15

F

TITLE:

SURVEY OF PREMISES LOCATED AT

2068 CURRY ROAD
 BELONGING TO JOSEPH & NANCY CHAN

TOWN, VILLAGE, CITY OF:

ROTTERDAM

**COUNTY OF
SCHENECTADY**

STATE OF NEW YORK

SCALE: 1" = 50'
DATE: 10/28/94

SCHEENECTADY
NEW YORK 12309



LAND SURVEYOR PLS # 47416

6/15/23

Jaki's
2068 Curry Rd.
Rottterdam N.Y. 12303

We are re-opening Jaki's as a
meat and seafood plus etc items.
We are opening as a S.B.A.

Rit and Debbie Fazzone are the
owners and part-time employee will
be Natasha Fazzone / daughter-in-law.
and possibly one son in the future,
Matt Fazzone.

Hours will be 9-5 M-F
9-1 Sat.
Closed Sunday

Rit Fazzone
Debbie Fazzone

WAIVER OF SITE PLAN REVIEW

Date Reviewed: June 20, 2023

PC2023-W21

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

APPLICANT: Yellow Brick Yarn
c/o Jody Monroe
ADDRESS: 93 W. Campbell Road
Schenectady, NY 12306

PROJECT LOCATION: 93 W. Campbell Road

APPLICANT IDENTIFIED AS: Owner ☐ Lessee ☒ Contract Vendee

REQUEST: The applicant requests a Waiver of Site Plan review to operate a retail store for handmade items in tenant space B-114, from July 1, 2023 to December 31, 2023 in Via Port Rotterdam.

Action Taken by Commission:

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

Conditions imposed, if any, are as follows:

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

The Commission action on the Waiver application took place at the Planning Commission meeting of June 20, 2023 and authorized the Commission Chairman to execute the Waiver. The issuance of this Waiver is contingent upon the applicant complying with all conditions as stated above. Failure to adhere to conditions may result in revocation of Waiver by the Town of Rotterdam Planning Commission and requirement of a full Site Plan.

Peter J. Comenzo
Senior Planner

Thomas P. Yuille, Chairman
Planning Commission



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

RECEIVED

JUN 13 2023

TOWN OF ROTTERDAM
PUBLIC WORKS

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

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

APPLICANT(S): JODY MONROE (YELLOW BRICK YARN)
ADDRESS: 1128 CHRISLER AVENUE SCHENECTADY NY 12303
DAYTIME TELEPHONE: (518) 937-5865 (FAX) N/A

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

REQUEST: Retail Store within Viaport Rotterdam

LICENSE AGREEMENT DATE: July 1, 2023 AREA: _____

TERM: FROM 7/1/23 TO 12/31/23 KIOSK OR TENANT SPACE #: B-114

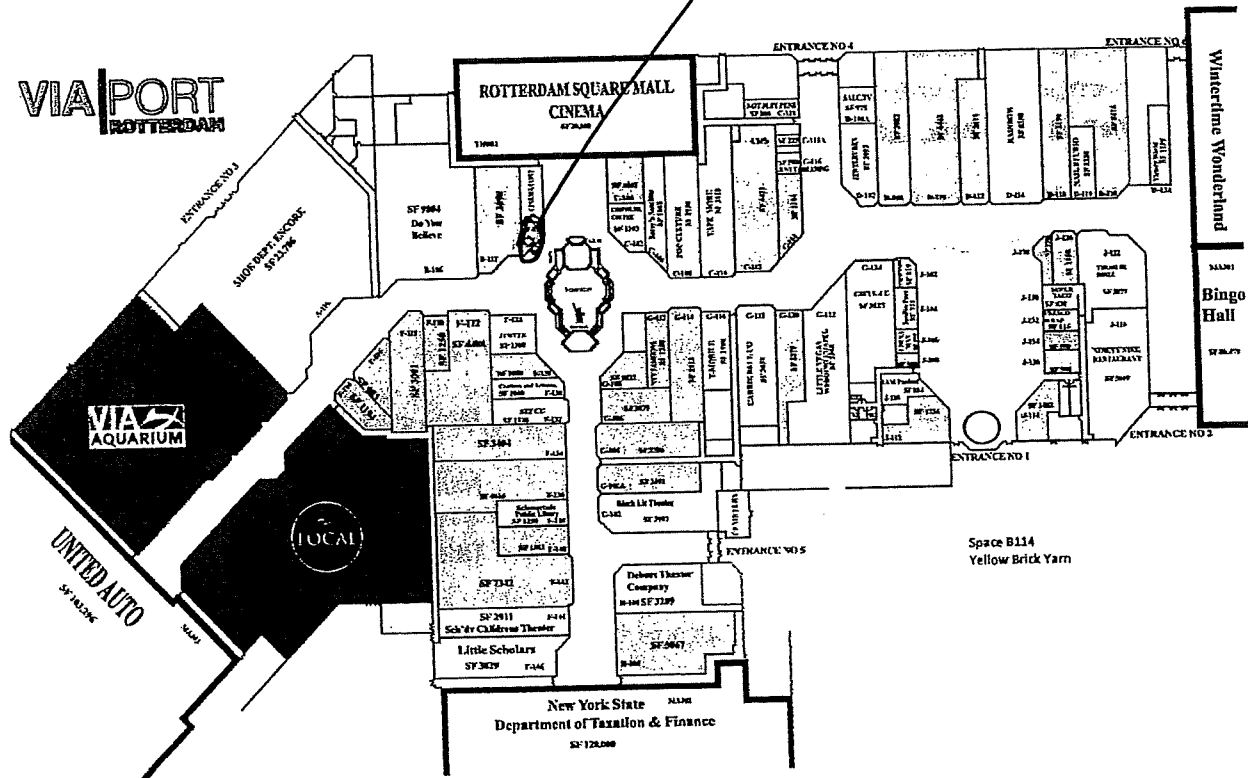
By signing the application, it is understood by the applicant that he/she must fully comply with the Town Code and obtain any required permits.

SIGNATURE OF APPLICANT Jody Monroe DATE 07/01/2023

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

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

Site Map



June 6th, 2023

To whom it may concern,

This letter serves to inform you of my intention to set up and operate a retail store within Viaport Rotterdam located at 93 W. Campbell Road Rotterdam, NY 12306. I am in process of setting up a lease for space # B-114. It is my intent to sell handmade items that I personally crochet. I make a variety of items such as stuffed animals, blankets, sweaters/wraps, hats, scarves, decor items, baskets, and bags/purses. I am not planning any type of construction to the space. I will use stand alone type shelving, tables and display racks. I will not have any outdoor signage. I also will not have any employees, it will be me alone that makes the items, and mans the store. My operational hours will generally be Tuesday thru Saturday 11am-7pm and Sunday/Monday by appointment. It is my understanding there is already an approved Knox box at the location.

Please feel free to reach out to me if you have any other questions or concerns. I can be reached via phone at 518-937-5865 or email at YellowBrickYarn@gmail.com.

Thank you,
Jody Monroe @ Yellow Brick Yarn
1128 Chrisler Avenue
Schenectady, NY 12303

DPW Comments
June 20, 2023

Agenda (7:30pm):

1. **Prime Rotterdam, LLC – 103 Old Mill Lane.** Final Site Plan/Four Lot Consolidation Subdivision Public Hearing. Consolidate four lots into one ± 5.51 -acre parcel to facilitate the construction of a $\pm 405,040$ square foot self-storage facility. Building A = $\pm 13,605$ s.f., Building B = $\pm 20,315$ s.f., Building C = $\pm 2,410$ s.f., Building D = $\pm 2,773$ s.f., Building E = $\pm 4,227$ s.f., Building F (3 story) = $\pm 361,710$ s.f. Engineer: MJ Engineering and Land Surveying, P.C.

1. Final Fees Due:	Final Site Plan	\$350.00
	Legal Notice	\$42.70

2. See response letter from MJ Engineering dated June 8, 2023 responding to the TDE letter from GPI dated May 24, 2023. Prior to Chairman's Signature on the Final Site Plan, the applicant must receive full and final approval by the Town Designated Engineer on all current and potential forthcoming technical comments on the project documents.
3. Applicant met with Town DPW staff and Fire District #6 on-site May 17, 2023 and agreed to install a fire hydrant that is fed from Burdeck Street as part of the Phase #1 construction.
4. Approval is conditioned upon applicant addressing all Rotterdam DPW and TDE comments and full and final approval of the DPW.
5. Prior to issuance of permits for building construction, the applicant must receive highway work permits from the Rotterdam Highway Department.
6. Prior to the issuance of site development permits, the applicant shall file a Notice of Intent with the New York State Department of Environmental Conservation in order to gain coverage under the SPDES General Permit for stormwater discharges from construction activities for the project. Proof of permit coverage must be submitted to the Town prior to site work. Weekly SWPPP inspection reports will need to be sent to the Town Stormwater Manager. A schedule for when land disturbing activities will commence is required and notification to the Town Stormwater Manager when land disturbance begins. A deed covenant for the property is required for the for post-construction maintenance of the stormwater management facilities in accordance with the approved Operation and Maintenance guide. These documents need to be established and submitted to the Town before Certificate of Occupancy (CO) is issued.
7. Add note to plan: "One water meter shall be installed on the service connection. Final type and location to be approved by DPW."
8. Add note to plan: "Owner/applicant shall install Knox Box for emergency personnel." Check with Fire District #6 for specifications.
9. Add note to plan: "All existing water lines shall be terminated at the main and decommissioned in accordance with town standards. This work shall be approved and coordinated with the Town of Rotterdam DPW."

DPW Comments
Prime Rotterdam, LLC
June 20, 2023
Page 2

10. Add note to plan: "Sign permits shall be obtained for the proposed project identification signage including any proposed pylon, monument and/or building mounted signage."
11. Add note to plan: "Building design shall be in substantial conformance to the proposed architectural elevations dated December 7, 2022 and prepared by RKAA Architect's and presented to the Planning Commission on December 20, 2022."
12. Add note to Landscaping Plan: "Landscaped planting area along Burdeck Street shall contain a sprinkler system."
13. Add note to Landscaping Plan: "Landscaping shall be maintained in perpetuity and dead/dying plant materials shall be replace in-kind."
14. Add note to plan: "No stockpiling or burying of construction debris, slash, stumps, or construction material is permitted."
15. Final approval is contingent upon the applicant receiving permits (site development and building) from the DPW Building Inspector.
16. Final approval is contingent upon Town DPW, Water and Sewer Department review and approval of the proposed water supply for the project.
17. The applicant shall provide the Town of Rotterdam DPW paper and electronic AutoCAD file copies of the utility "As-Built Record Drawings" upon completion and testing of the utilities.
18. Prior to the issuance of building permits for construction, the applicant shall file the 4-lot final consolidation subdivision with Schenectady County with proof of filing provided to Town DPW.
19. Prior to the issuance of Site Development and/or Building Permit(s) by the Town of Rotterdam, the applicant shall attend a pre-construction meeting with the Building Inspector and DPW staff to confirm the completion of the above stated conditions.

DPW Comments from April 4, 2023

1. See agency comments from NYSDEC and Schenectady County Economic Development and Planning.
2. Applicant has revised the application and is now proposing to combine all four (4) lots into one parcel. A phasing plan needs to be provided. Is existing tenant (towing company) on Lot #5 being eliminated during Phase #1?
3. Stormwater easement to the Town of Rotterdam must be established across northeastern portion of existing Lot #4 from existing Lot #2.
4. Revised plans and resubmittal comments received on March 28th need to be reviewed by the TDE, Highway Superintendent, Fire District, and DPW.

5. Old Mill Lane is in poor shape and substandard. Substantial proposed construction utilizing the existing roadway may be problematic. The Town may require additional studies to address this concern.
6. Turning Movement Plan C-180 needs to be updated to reflect the largest responding fire vehicle HP/HPS100 PLATFORM 425 (see attached).
7. Proposed bollard locations should be better defined and symbols updated to match symbol shown on C-001.

DPW Comments December 20, 2022

1. A TDE has been assigned to the project. Review comments on this latest submittal will be forthcoming.
2. A proposed expansion of the existing storage facility located at 102 Old Mill Lane is also under review by the Planning Commission. The Planning Commission should look to coordinate these reviews regarding signage location, stormwater, and access to these facilities.
3. Buildings B and C are located too close to the watermain and may be in a town easement. Access will be an issue.
4. Building E is very prominent along Burdeck Street and lacks any architectural features. Revise type and/or look of building to resemble Building F more and possibly utilize this building for project signage.

DPW Comments September 20, 2022

1. The Planning Commission should authorize the Chairman to enter into an agreement with a TDE to assist in the review of this proposal.
2. Provide building elevations and office/leasing area.

SEQR Requirement: 6 NYCRR 617 Unlisted Action. Rotterdam Planning Commission declared lead agency on September 20, 2022. Site Plan has been circulated to involved/interested agencies. A Draft Negative Declaration has been prepared by the Senior Planner and is attached for your consideration.

Involved/Interested Agencies

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



Engineering and
Land Surveying, P.C.

1533 Crescent Road
Clifton Park, NY 12065
Phone: 518.371.0799
mjelspc@mjels.com
mjels.com

June 8, 2023

Peter Comenzo, Senior Planner
The Town of Rotterdam
1100 Sunrise Blvd.
Rotterdam, NY 12306

RECEIVED

JUN 12 2023

TOWN OF ROTTERDAM
PUBLIC WORKS

Re: 103 Old Mill Lane – Rotterdam Storage TDE Review

Dear Mr. Comenzo,

MJ Engineering is in receipt of comments dated May 24, 2023, regarding the Rotterdam Storage project. We offer the following responses to additional comment in *blue italics*:

Plan Comments:

1. Previous Comment #12: General: The project is proposed to be built in two phases and the applicant has indicated there could be several years between construction. A phasing plan should be prepared to show what's included in the Phase 1 work and any temporary measures required between phases of construction (removals, pavement limits, E&SC, security fencing, utilities, etc.). Also the GP-0-20-001 permit requires an NOT to be submitted if 2 years of shut down, please add note to the plans.
Original Response: Comment acknowledged; Refer to revised plan set.
Additional Comment: A separate plan/view needs to be provided to show the E&SC measures (perimeter filters, perimeter security fencing, temporary grading, etc.) required for the Phase 1 work before the Phase 2 work has been initiated. This plan/view should not contain any of the proposed buildings/driveways beyond the phasing line on the plans except for what is needed to blend the Phase 1 work into the existing conditions adjacent to the phase limits.
Additional Response: Additional comment acknowledged; Refer to revised plan set.
2. Previous Comment #31: Material Plan: The accessible route to access the office in Building A requires visitors to walk along the travel lane and then cross the travel lanes. This is not a desirable layout for accessible routes. Additionally, the storage unit access to Building A does not have any accessible route due to the fence crossing the sidewalk.
Original Response: Comment acknowledged; Refer to revised plan set.
Additional Comment: A site visit with the Applicant's engineer on 5/2/23 included a discussion about moving the ADA ramp further from the existing ROW pavement onto the Applicant's property. The drop curb scenario directly in front of the office entrance (Building A) would result in maintenance and slipping concerns and does not appear to be an optimal location for a curb ramp. The crosswalk should be updated to align with the proposed ADA route to the curb ramp's new location.
Additional Response: Additional comment acknowledged; Refer to revised plan set.
3. Previous Comment #59: Details (C503): The following comments are items to be addressed to assist the Town's Code Enforcement Officer (CEO) in reviewing the sanitary sewer system:
 - a. Invert information needs to be provided for the septic field layout and associated piping.
Original Response: Comment acknowledged; Refer to revised plan set.
Additional Comment: The revised drawings did not appear to contain any invert information for the proposed septic system on both the plans and detail sheets. This information will be needed for the Town's review of the proposed septic system to ensure functionality and proper slope requirements.
Additional Response: Additional comment acknowledged; Refer to revised plan set.
 - b. The observed percolation rates used for the septic system calculations stabilizes at approximately 2 minutes per inch. According to the NYS Design Standards for Intermediate Sized Wastewater Treatment Systems 2014 (see section E.2) there are protective measures that need to be applied to septic fields that are in an aquifer and have percolation rates faster than 10 minutes per inch. The proposed septic field design should incorporate the appropriate soil amendments to protect the underlying aquifer.
Original Response: Comment acknowledged; Refer to revised plan set.
Additional Comment: The calculations in the "Septic System Design" notes uses the percolation rate from the testing performed, 2 minutes per inch, which translates to an application rate of 1.2 gal/day/sf. Note 2 in the "Fill Requirements" notes directly below the system calculations indicates that the fill material used around the system will have a percolation rate between 10 and 15 minutes per inch, which translates to an



application rate of 0.8 gal/day/sf. The calculations need to be updated to represent the amended soil properties.

Additional Response: Additional comment acknowledged; Refer to revised plan set.

SWPPP Comments:

4. Previous Comment #80: Appendix J has WQv calculations for the entire project site and separate sub-areas within the site that account for redevelopment as well as new impervious areas. The calculations provided do not appear to correctly depict the WQv provided according to the volume below the outlets of the underground infiltration systems.

Original Response: Comment acknowledged, refer to revised report.

Additional Comment: The WQv calculations state the provided volumes of the systems and their stone envelopes, instead of the volume in the systems below the outlet elevations. The WQv provided by each system is the volume below the invert of the outlet. Any water above that elevation bypasses the system and is not counted toward the WQv provided. Additionally, the system calculation sheets indicate the pretreatment volume provided which does not match the volume of ONLY the isolator rows (below the outlet elevation) in the HydroCAD model. For example, the HydroCAD model indicates that System#1 has a volume of $\pm 3,200$ CF below the inlet/outlet elevation at 340.65', including the isolator row.

Additional Response: Additional comment acknowledged, refer to revised report.

Interim Correspondence:

5. Please clarify the disturbance area proposed. We appreciate the disturbance line show on the plans, we measure the area to be 5.38 acres. The NOI and Section 1.2 of the SWPPP states the disturbance is 5.2 acres. Sections 3.1 and 6.5.3 of the SWPPP along with the Appx J calculation state the disturbance is 5.1 acres

Original Response: Comment acknowledged. The total disturbance area is 5.2 acres, Sections 3.1 and 6.5.3 of the SWPPP will be updated. Appendix J does not refer to total disturbance area but rather project area.

Additional Comment: The correction will be confirmed in the next document submission.

Additional Response: Additional comment acknowledged.

6. Infiltration Chambers systems (all 4): We are concerned that runoff isn't being directed to the isolator row first before going to the rest of the system. Typically we see this being done with offset inverts, having the isolator row lower than the rest of the system or the inlet for the other rows being higher. The manifold you have designed has a slope to it which compounds on this and directs water to the lower elevation away from the isolator rows.

Original Response: Comment acknowledged. Plan sheets C-140 and C-502 are being updated; Systems and their corresponding details will be revised and more information will be provided.

Additional Comment: The updated design will be reviewed in the next document submission.

Additional Response: Additional comment acknowledged.

7. Infiltration Chambers systems (all 4): The layout configurations of the details on sheet C-502 don't quite match the layout plan, especially in regard to the location of the catch basins and inlet/outlet piping. I'm not sure how critical this is in terms of the actual design but it may be confusing for the contractor. I will say it was challenging to review not having the inverts on the layouts on C-502 to compare against the section views.

Original Response: Comment acknowledged. Plan sheets C-140 and C-502 are being updated; Systems and their corresponding details will be revised and more information will be provided.

Additional Comment: The updated design will be confirmed in the next document submission.

Additional Response: Additional comment acknowledged.

8. Subcatchments: Buildings A and F appear to have roof drain downspouts that direct runoff into the grass area adjacent to Old Mill Ln and would not be captured and treated by your proposed infiltration chambers as the post-development subcatchment maps show.

Original Response: Roof drain areas will be removed from the plan sheets and details. All runoff from each building is already being captured by one of the systems.

Additional Comment: The design modifications will be verified in the next document submission.

Additional Response: Additional comment acknowledged.

9. Previous Comment #74: Appendix H has a lot of assumptions for information pertaining to the existing catch basin



network. The plans do not have invert/pipe information for several structures around the site, however the submitted HydroCAD report includes invert information and pipe sizes for every existing catch basin. The Applicant should provide justification for where this information came from of the assumptions being made. CLARIFICATION: Your response was comment acknowledged and refer to revised report but we couldn't find any new discussion on this. Please identify where the report was updated.

Original Response: Structures 16 through 13 in the northwestern area of the property are flow from east to west towards the town basin. Although some information was unable to be determined i.e. the invert information for structures 13 and 14, the available pipe inverts show that runoff within the system flows towards the basin. No evidence of the existence of a drywell was found during survey operations which leads to the assumption that the system discharges into the town basin. It was also assumed that structures 11 and 12 discharge to the basin as all system flow paths within the area follow grade which ultimately discharges into the basin; there is also no evidence of any existing infrastructure present to direct runoff against grade towards Burdeck Street. As a whole, runoff within the property flows towards the basin concluding that assumptions made with structures 11 through 16 are reasonable in nature.

Additional Comment: These considerations will be taken into account while reviewing the next document submission. Typically, existing structures that are filled with debris/sediment do not function as intended. Backed-up water will bypass the structure and follow the positive drainage path, which may result in larger subcatchments, longer flow paths, and different design points. Based on the existing conditions at the site, runoff that would bypass the catch basin network should enter a swale before the property limits and would be conveyed into the basin.

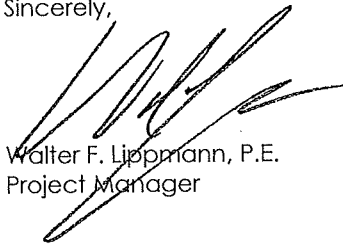
Additional Response: Additional comment acknowledged.

10. At the request of the Fire Chief for Fire District 6 on the May 17th 2023 meeting, an additional hydrant needs to be added within the project site. Also, hydrant flow testing on Old Mill Ln needs to be completed to confirm adequate pressure.

Response: Comment acknowledged; Refer to revised plan set

Should you have any questions, please do not hesitate to contact me at (518) 371-0799.

Sincerely,



Walter F. Lippmann, P.E.
Project Manager

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

Date: June 20, 2023

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 ☒

Contract Vendee/Developer: Prime Rotterdam, LLC
85 Railroad Place
Saratoga, NY 12866

Tax Map Number(s): #48.13-2-33, #48.13-2-32, #48.13-2-30, #48.13-2-31)

Project Location: 101,103,104 and 105 Old Mill Lane
Schenectady, NY 12306

Zoning: Light Industrial (I-1) Zoning District

Action: The applicants are proposing to consolidate four lots into one ±5.51-acre parcel to facilitate the construction of a ±405,040 square foot self-storage facility. Building A = ±13,605 s.f., Building B = ±20,315 s.f., Building C = ±2,410 s.f., Building D = ±2,773 s.f., Building E = ±4,227 s.f., Building F (3 story) = ±361,710 s.f.

This project is an Unlisted Action and the Planning Commission conducted as a SEQR coordinated review. These agencies include the following: Schenectady County Economic Development and Planning, Schenectady County Department of Health, Schenectady County Industrial Development Agency, Metroplex Development Authority, New York State Department of Environmental Conservation – Region #4, New York State Department of Transportation, Rotterdam Highway Department, Rotterdam Police Department, and Fire District #6. The applicant has supplied an Environmental Assessment Form along with supporting reports, studies and plans and the Planning Commission has or has caused to complete Part 2 of this checklist. The Department of Public Works for the Town of Rotterdam transmitted the application information to all involved and interested agencies for review on December 21, 2022.

The Town of Rotterdam Planning Commission, as lead agency, has reviewed the Short Environmental Assessment Form Part One completed by the Project Sponsor. The plans were reviewed by the Town Department of Public Works and the Town Designated Engineers (TDE) with modifications made addressing any potential environmental impacts that were raised. All comments and concerns have been addressed.

The project site lies in an industrially developed area and is composed four parcels that will be merged. The subject property currently contains a commercial building and a former self storage facility that was destroyed by fire in April of 2021. The remnants of the fire damaged facility are currently being demolished to facilitate redevelopment of this property. The parcel encompasses an approximate area of 5.5 acres and has frontage along both Old Mill Lane and Burdeck Street. Municipal water is available along both roadways.

The applicant proposes to consolidate four lots into one ± 5.51 -acre parcel to facilitate the construction of a $\pm 405,040$ square foot self-storage facility. Building A = $\pm 13,605$ s.f., Building B = $\pm 20,315$ s.f., Building C = $\pm 2,410$ s.f., Building D = $\pm 2,773$ s.f., Building E = $\pm 4,227$ s.f., Building F (3 story) = $\pm 361,710$ s.f.

Stormwater: An erosion control plan was developed and prepared by MJ Engineering and submitted to the Town of Rotterdam describing the proposed on-site stormwater management facilities and their ability to convey, store, and recharge runoff. These stormwater related items were reviewed by the Town Stormwater Manager and the Town Designated Engineer (TDE) Greenman Pedersen (GPI).

After a review by the Town as well as the TDE it has been determined that these plans and reports sufficiently addresses stormwater impacts associated with the development of this project site. The project is conditioned upon full and final review and approval of these documents by the Town Designated Engineer.

Noise: The proposed project will not have noise impacts since it will be similar to other uses that already exist at the site or nearby.

Visual: The proposed building will have exterior features that will blend into the existing environment. The proposed building will be commercial in appearance and be consistent with the surrounding commercial/industrial land use.

Emergency Services: Applicant met with Town DPW staff and Fire District #6 on-site May 17, 2023 and agreed to install a fire hydrant that is fed from Burdeck Street as part of the Phase #1 construction. This will be in addition to the three existing hydrants located on Old Mill Lane.

After a review of the modified application materials, Environmental Assessment Form, and comments received on this proposal, the Town of Rotterdam Planning Commission has determined that this proposal will not have a significant adverse impact on the environment.

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 be 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 June 20, 2023. Adoption of this negative declaration was moved by XXXXXXXXX, seconded by XXXXXXXXX and approved by the Rotterdam Planning Commission.

Thomas P. Yuille
Planning Commission Chairman

Short Environmental Assessment Form
Part 1 - Project Information

RECEIVED

MAR 28 2023

TOWN OF ROTTERDAM
PUBLIC WORKS

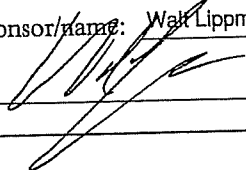
Instructions for Completing

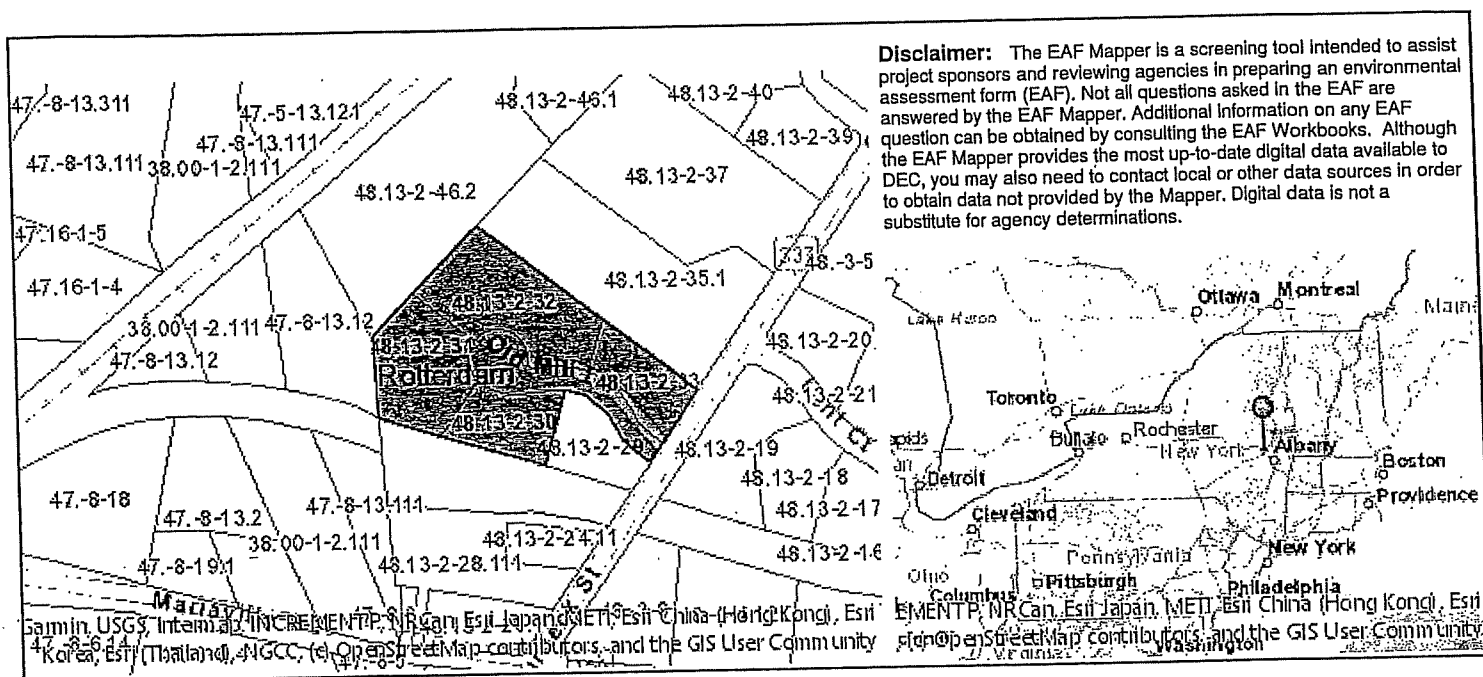
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available.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

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

Part 1 – Project and Sponsor Information				
Name of Action or Project: RV and Self Storage Facility				
Project Location (describe, and attach a location map): 103 Old Mill Road				
Brief Description of Proposed Action: The redevelopment of the Prime Self Storage facility with RV and self storage units.				
Name of Applicant or Sponsor: Prime Rotterdam, LLC		Telephone: 518-410-5908 E-Mail: anthony.kouardaoughli@goprimegroup.com		
Address: 85 Railroad Place				
City/PO: Saratoga Springs		State: NY	Zip Code: 12866	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO ☒	YES ☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO ☒	YES ☐
3. a. Total acreage of the site of the proposed action? 5.5 acres b. Total acreage to be physically disturbed? 5.2 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 5.5 acres				
4. Check all land uses that occur on, are adjoining or near the proposed action: 5. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland				

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

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☒ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO	YES
	☐	☒
a. Will storm water discharges flow to adjacent properties?	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☐	☒
On site stormwater management areas will be established		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Walt Lippmann (sponsor)</u> Date: <u>3/10/2023</u>		
Signature: <u></u> Title: <u>Project Manager</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

Agency Use Only [If applicable]	
Project:	Old Mill Lane Storage
Date:	June 20, 2023

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☒	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☒	☐
3. Will the proposed action impair the character or quality of the existing community?	☒	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☒	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☒	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☒	☐
7. Will the proposed action impact existing:	☒	☐
a. public / private water supplies?	☒	☐
b. public / private wastewater treatment utilities?	☒	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☒	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☒	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☒	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐

Agency Use Only [If applicable]	
Project:	Old Mill Lane Storage
Date:	June 20, 2023

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Rotterdam Planning Commission

June 20, 2023

Name of Lead Agency

Date

Thomas P. Yuille

Planning Commission Chairman

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT FORM

DPW Comments
June 20, 2023

2. **Lecce Senior Living, LLC – 2200 Helderberg Avenue.** The applicant requests a modification to Site Plan approval conditions for Phase #1B dated July 9, 2020 to allow for up to 15 building permits to begin construction of cottage homes prior to completion of the roadway and utilities as outlined in Condition #6 in Resolution PC34-2020. Engineer: ABD Engineering and Surveying.
1. All previous conditions of approval shall apply - Planning Commission Resolution Nos. PC2020-SW2, PC2020-SW3, PC33-2020 and PC34-2020.
 2. Grading of all lots shall be consistent with the approved Site Plan as shown on Phase #1B for the Village at Whispering Pines.
 3. Prior to the issuance of a building permit for foundation construction on cottage units 81-89 and 119-124, the applicant shall demonstrate to the satisfaction of the Rotterdam Building Inspector that the basement finished floor elevation (if applicable) is a minimum of 2 feet above evidence of seasonal high groundwater.
 4. This waiver only applies to Condition #6(a-c) of Planning Commission Resolution PC34-2020 for the purpose building permits only on cottage units 81-89 and 119-124. This wavier does not pertain to the issuance of certificates of occupancy.

RECEIVED

JUN 09 2023

TOWN OF ROTTERDAM
PUBLIC WORKS



Town of Rotterdam
Waiver of Site Plan Review Application

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

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

PRESENT OWNER(S): Lecce Senior Living LLC

APPLICANT(S)/LESSEE: Lecce Senior Living LLC

MAILING ADDRESS: 1209 Troy Schenectady Road

CITY: Latham STATE: New York ZIP: 12110

DAYTIME TELEPHONE: (518) 782-1929 EMAIL ADDRESS llecce@leccearcodia.com

PROJECT ADDRESS: 2200 Helderberg Avenue, Rotterdam, NY

APPLICANT IDENTIFIED AS: Owner X Lessee _____ Contract Vendee _____

REQUEST: Waiver from the conditions to the approval of the project relative to the requirement that all utilities be in place before

any building permits may be issued for the individual units. Applicant requests 15 building permits to be allowed to construct 15 individual

cottage units as shown on the attached drawing.

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

SIGNATURE OF APPLICANT [Signature] DATE 6/8/2023

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

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

WHITEMAN
OSTERMAN
& HANNA LLP

Attorneys at Law
www.woh.com

One Commerce Plaza
Albany, New York 12260
518.487.7600 phone
518.487.7777 fax
tbakner@woh.com

RECEIVED

JUN 09 2023

TOWN OF ROTTERDAM
PUBLIC WORKS

Terresa M. Bakner
Partner
518.487.7615 phone

June 9, 2023

Via Email and U.S. Mail

Chair of the Town of Rotterdam Planning Board and Planning Board members
Senior Planner Peter Comenzo
Town of Rotterdam
1100 Sunrise Boulevard
Rotterdam, NY 12306

Re: Lecce Group—Whispering Pines Phase 1b

Dear Chair, Planning Board members and Senior Planner:

On May 11, 2023, I submitted a request for waiver of some of the conditions of the Planning Board's approval so that my client could commence pouring foundations for 15 cottages in Phase 1b of the Whispering Pines Project. I followed up with a letter on June 1, 2023, in response to communications from Mr. Comenzo concerning the cancellation of the Planning Board meeting for May and the Town's determination not to entertain a request for pouring foundations only but for issuance of the building permits for the cottages. Attached hereto is a revised waiver application form which now states that the request is for building permits for 15 individual cottage units. The 15 cottages are identified on the plan that was sent with my June 1, 2023, letter.

Significant progress has continued at the site since my letter of June 1, 2023. To recap, all of the stormwater basins have been constructed and temporarily stabilized through hydroseeding. The roadway is built and paved up to the start of the Town houses. The roadway has been graded and gravel has been placed up until the model cottage home. The plan is to grade the roadway and add gravel as shown on the drawing by the end of next week. This would ensure access to all of the 15 lots. All of the water and sewer lines have been installed and final inspection including the pressure test and chlorine test for the water lines will be completed this week. All basins and stormwater piping have been installed except for 200 feet of stormwater pipe which will be finished early next week. The bore for the off-site sewer line under the NYS Thruway will start next week. The construction of the sanitary sewer pump station and its associated stormwater basin

will commence as soon as the bore is complete. All of the materials for the station are paid for and all are at the site with the exception of the wet well which is due to be delivered next week.

The building permits for the pump station "building" as well as the pool house have been issued and my client is paying the permit fees tomorrow.

If the Planning Board will consider this request for waiver, Mr. Lecce is willing to provide a letter of credit, based on a professional engineer's estimate (reviewed by the Town of course) securing the provision of any of the improvements not complete to date in phase 1b, i.e. final paving of roadway, completion of trails, sewer, water and stormwater infrastructure that then remains incomplete in phase 1b.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

/s/ *Terresa M. Bakner*

Terresa M. Bakner

Enclosure

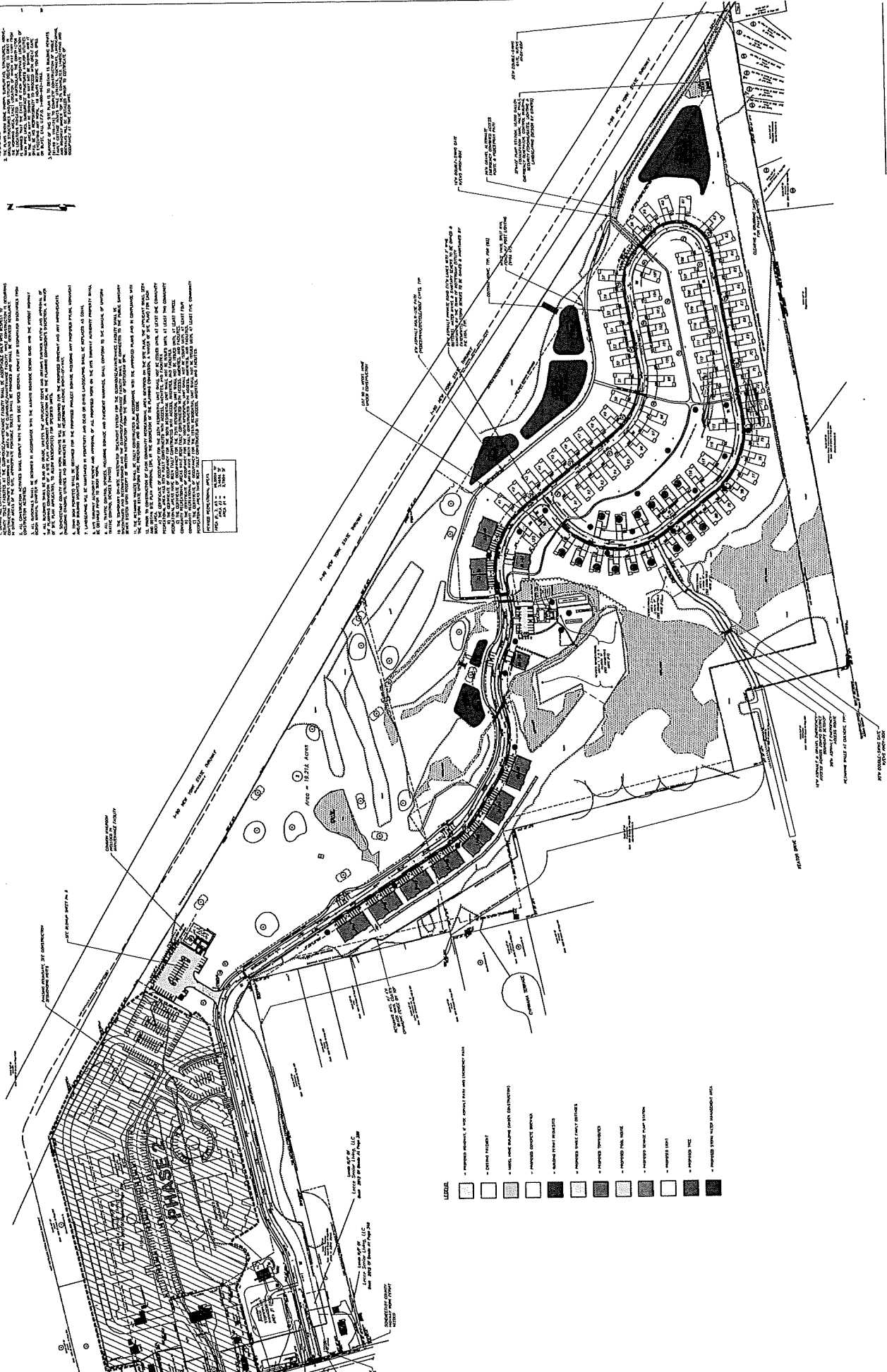
Cc: Lou Lecce
Luigi Palleschi

1. THE LANDS SHOWN HEREIN ARE THE PROPERTY OF THE DISTRICT OF COLUMBIA, AND ARE NOT TO BE CONSIDERED AS A GUARANTEE OF THE DISTRICT OF COLUMBIA, NOR AS A GUARANTEE OF THE ACCURACY OF THE INFORMATION HEREON.

2. THE LANDS SHOWN HEREIN ARE THE PROPERTY OF THE DISTRICT OF COLUMBIA, AND ARE NOT TO BE CONSIDERED AS A GUARANTEE OF THE DISTRICT OF COLUMBIA, NOR AS A GUARANTEE OF THE ACCURACY OF THE INFORMATION HEREON.

3. THE LANDS SHOWN HEREIN ARE THE PROPERTY OF THE DISTRICT OF COLUMBIA, AND ARE NOT TO BE CONSIDERED AS A GUARANTEE OF THE DISTRICT OF COLUMBIA, NOR AS A GUARANTEE OF THE ACCURACY OF THE INFORMATION HEREON.

4. THE LANDS SHOWN HEREIN ARE THE PROPERTY OF THE DISTRICT OF COLUMBIA, AND ARE NOT TO BE CONSIDERED AS A GUARANTEE OF THE DISTRICT OF COLUMBIA, NOR AS A GUARANTEE OF THE ACCURACY OF THE INFORMATION HEREON.



CONSTRUCTION PHASE II - EXHIBIT
VILLAGE AT WHISPERING PINES
SENIOR DISTRICT LIVING
1300 HILLCREST AVENUE
WASHINGTON, D.C. 20004

ADD ENGINEERS
1300 HILLCREST AVENUE
WASHINGTON, D.C. 20004

DATE: 10/1/88
SCALE: 1" = 10'

APPROVED BY THE DISTRICT OF COLUMBIA
DATE: 10/1/88

June 8, 2023

**Re: Town of Rotterdam
Whispering Pines Subdivision
Progress Meeting – 06.08.23
Our Project No. GNY02WD-20531**

- Water – All 8" & 12" water main is 100% installed. No water main testing (chlorination, bacteriological test, & hydrostatic pressure testing) has commenced to date. All water main testing needs to follow AWWA standards. Multiple locations for the bacteriological tests will be required. Larned will perform an informal hydrostatic pressure test on the water main possibly on 6/8/23 before they have PRIME AE witness a formal test in case the test fails.
 - Sewer – All sewer main is installed up to MH 2. The sewer main that is left to install is approximately 120 LF and will be completed by 6/16/23. All pipes tested good for air pressure test only. Sewer alignment tests showed that SMH19-SMH20 has a slight horizontal bend, SMH10-SMH11 has a slight vertical dip, & SMH14-SMH15 has a large bend. A mandrel test will be needed for the sewer pipe runs that have slight bends to properly quantify the actual deflection (less than 5% or not).
 - SWPPP housekeeping items – The over 5-acre disturbance has not been extended by Ken Barber as the Town wants the site stabilized as much as possible to possibly get under the 5-acre disturbance total. Hydroseeding has commenced but is not fully completed to date. All ponds have been hydroseeded. Mulching will occur next week.
 - PRIME AE Group will provide all completed works certifications to DOH & DEC, as necessary, at the end of the project once all testing has passed. All as-built record information (GPS data file & paper copies) will be provided by Larned after all the water & sewer installations are completed.
 - National Grid gas & electric crossings are proposed for July 2023. The pump station construction and directional bore are proposed for June 2023. JAT is mobilizing on site on 6/12/23. Chazen will inspect the pump station & forcemain work.
 - We reviewed the housing and roadway construction sequencing plan. The Developer will pave the main entrance road to the loop and is only building a cluster of 20 houses at a time and paving that section where the 20 houses are located. Then this process will repeat 20 homes at a time until completed.
 - Final walk through to be scheduled with the Contractor, PRIME AE, & Town Officials once all water & sewer work is completed & tested. Punch list will be generated & distributed at that time. The next progress meeting is scheduled for July 20, 2023 at 1PM at Town Hall.
 - Primary daily contacts are:
Mary Barrie mbarrie@rotterdamny.org
Fred Mastroianni fmastroianni@rotterdamny.org
Jeff Trzeciak jtrzeciak@primeeng.com
Neal Sholtes nsholtes62@gmail.com
-

"A Nice Place to Live"

"A Nice Place to Do Business"



Town of Rotterdam
Office of the Planning Commission

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

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

Resolution Number PC34-2020

Moved by Mr. Collins seconded by Mrs. Flansburg
Applicant: Lecce Senior Living, LLC

Applicant: Lecce Senior Living, LLC

Project Location: East side of Helderberg Avenue adjacent to southern boundary of the NYS Thruway
Rotterdam, New York

Tax Number or Numbers: 71.9-2-21.11, 71.5-1-5.111, 71.5-1-9, 71.5-1-8.112, 71.5-1-8.111

Proposed Project: Final Site Plan for proposed Phase 1B of the Village at Whispering Pines. Phase 1B consists of the development of a 9-hole executive golf course with associated clubhouse, 40 townhouse/condominium units, and 85 cottage homes.

WHEREAS, on November 20, 2018, the Town of Rotterdam Planning Commission (the "Planning Commission") approved an application from Lecce Senior Living, LLC (the "Applicant") for a Waiver of Site Plan authorizing tree clearing and removal and site preparation activities in order to prepare the site for eventual construction of Phase 1 of the Village at Whispering Pines project, which project at full build-out is proposed to consist of a proposed retirement community having 496 residential units of various types, including independent living apartments, assisted living apartments, memory care units, townhomes, and single-family detached homes, reconfiguration of the existing golf course with a new clubhouse and maintenance building, and construction of appurtenant infrastructure improvements, including roadways, utility extensions, parking areas, and walking/multi-use paths; and

WHEREAS, the November 20, 2018 approval of the Waiver of Site Plan application was conditioned on (among other things) the applicant obtaining site plan approval for what was then referred to as "Phase 1" of the Village at Whispering Pines project, consisting of single-family detached homes, townhomes, associated roadways and infrastructure, the golf course and clubhouse, the walking/multi-use paths, and related appurtenances, on or before November 20, 2019, subject to such reasonable extensions as may be granted by the Planning Commission; and

WHEREAS, on November 7, 2019 and May 19, 2020, the Planning Commission extended the deadline by which the applicant was required to obtain site plan approval for Phase 1; and

WHEREAS, since the November 20, 2018 determination of the Planning Commission to grant Waiver of Site Plan approval, the Planning Commission, with the assistance of its Town Designated Engineers and Town Department of Public Works, has engaged in an extensive review of the applicant's

17 JUL 2020 145

17 JUL 2020 145

Resolution Number PC34-2020
Lecce Development Group, LLC –
East side of Helderberg Avenue adjacent to
southern boundary of NYS Thruway
July 9, 2020

various concept, sketch, and preliminary site plan proposals for Phase 1B (formerly referred to as Phase 1), including at various public meetings and workshops; and

WHEREAS, the Planning Commission has reviewed and considered the various submissions of the applicant, Town Designated Engineer review memoranda and letters, the comments of the Town Department of Public Works, and the comments received from members of the public over the course of the review of the project; and

WHEREAS, the Applicant has submitted a revised site plan set dated July 6, 2020 for Phase 1B, along with responses to comments of the Town Designated Engineers and Town Department of Public Works; and

WHEREAS, the regulations of the Senior Living District require that all roadways be constructed in accordance with the Town's roadway specifications, except as waived by the Planning Commission; and

WHEREAS, the Applicant has requested that the Planning Commission waive certain roadway standards; and

WHEREAS, the Planning Commission held a duly noticed meeting on July 9, 2020 to consider the project; and

WHEREAS, on July 9, 2020, the Planning Commission granted a Waiver of Subdivision approval permitting the Applicant to consolidate the several parcels referenced above into a single lot, and in conjunction therewith, determined that the November 20, 2018 SEQRA Findings Statement adopted by the Planning Commission, which concerned the Village at Whispering Pines project at full build-out, adequately addressed all potential environmental impacts associated with such lot consolidation, and that additional or further review under SEQRA was not warranted or required; and

WHEREAS, the Planning Commission further determined on July 9, 2020 that the November 20, 2018 SEQRA Findings Statement adopted by the Planning Commission, which concerned the Village at Whispering Pines project at full build-out, adequately addressed all potential environmental impacts associated with the site plan application for Phase 1B as proposed, and that additional or further review under SEQRA was not warranted or required for such site plan application for Phase 1B; and

WHEREAS, on July 9, 2020, the Planning Commission carefully considered the entire record, including without limitation, the application materials, as well as the testimony, comments, and responses of the applicant's representatives, the Town Designated Engineers, and members of the public; and

WHEREAS, the Planning Commission, after careful consideration and upon due deliberation based upon the entire record of proceedings in this matter, finds that the Applicant's request for waivers of certain of the Town's roadway standards should be granted, as set forth more specifically in the conditions of approval attached hereto; and

WHEREAS, the Planning Commission, after careful consideration and upon due deliberation based upon the entire record of proceedings in this matter, finds that the site plan application satisfies the standards and purposes set forth in Article XVII (Site Plan Approval) of Chapter 270 (Zoning) of the Town

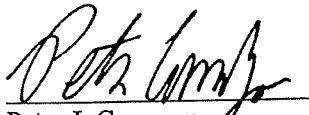
Resolution Number PC34-2020
Lecce Development Group, LLC –
East side of Helderberg Avenue adjacent to
southern boundary of NYS Thruway
July 9, 2020

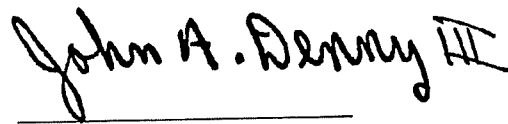
of Rotterdam Town Code, provided certain conditions, requirements, and modifications are satisfied, as set forth more specifically in the conditions of approval attached hereto;

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

BE IT RESOLVED, by the Planning Commission of the Town of Rotterdam, that the above-referenced site plan application (last revised July 6, 2020) is hereby approved subject to and conditioned upon satisfying the conditions, requirements, and modifications set forth on *Exhibit A*, attached hereto.

<u>Member</u>	<u>Aye</u>	<u>Nay</u>
Thomas Yuille	X	
Mark D'Alessandro	X	
Wayne Calder	X	
Clark Collins	X	
Joseph Signore	X	
Lynn Flansburg	X	
John Denny	X	


Peter J. Comenzo
Senior Planner


John Denny, III
Planning Commission Chairman

11 JUL 2020 14:28
TOWN CLERKS OFFICE

EXHIBIT A

**Village at Whispering Pines Senior Living District
Conditions of Phase 1B Site Plan Approval**

1) Generally Applicable Conditions:

- a) Approval is conditioned upon the Applicant addressing all Rotterdam DPW and TDE comments.
- b) During all construction activities, temporary toilet facilities will be made available proximate to construction activity. Toilet facilities at the Clubhouse/Maintenance facility shall be acceptable only with respect to construction activities occurring in the area of the Clubhouse/Maintenance facility. While construction is occurring in other areas of the site, appropriate portable toilets shall be provided and shall be serviced regularly. Add Note to Plans.
- c) All construction activities shall comply with the NYS DEC SPDES General Permit for Stormwater Discharges from Construction Activities. Add Note to Plans.
- d) All costs associated with the installation of public utilities, such as sanitary sewer utility infrastructure and public water supply, for Phase 1B will be borne by the Applicant, and installation shall be subject to construction observation, testing and certification by the Town Designated Engineer of Record before acceptance of ownership and maintenance by the Town. All costs incurred by the Town for construction observation, testing and certification shall be paid by the Applicant.
- e) All guiderails shall be designed in accordance with the AASHTO Roadside Design Guide and the NYSDOT Highway Design Manual Chapter 10. Add Note to Plans.
- f) Town Board approval is required for dedication of the water supply/distribution infrastructure and sanitary sewer infrastructure, including the sanitary sewer pump station, to the Town.
- g) All buildings shall be slab on grade, unless the Applicant seeks and obtains further review and approval of the Planning Commission of a site plan amendment application or, in the Planning Commission's discretion, a waiver of site plan application, to allow basement(s) for specified units. Add Note to Plan and remove any existing Note(s) that are inconsistent.
- h) Schenectady County Highway Work Permits will be required for the proposed driveway and any improvements (including grading, utilities and sidewalks) in the Helderberg Avenue right-of-way. Add Note to Plan. Copies of all correspondence with Schenectady County DPW should be provided to the Town.
- i) Town sign permit(s) shall be obtained for the proposed project signage including any proposed pylon, monument and/or building mounted signage. Add Note to Plan.
- j) Landscaping will be maintained in perpetuity and dead or dying landscaping shall be replaced as equal. Add Note to Plan.

- k) NYS Thruway Authority review and approval of all proposed work on the NYS Thruway Authority property shall be obtained prior to such work. Add Note to Plan.
 - l) All traffic control devices, including signage and pavement markings, shall conform to the Manual of Uniform Traffic Control Devices (MUTCD). Add Note to Plan.
 - m) The Applicant shall pay all consulting review fees incurred in connection with the review of the project prior to site plan approval and pursuant to these conditions. The Applicant shall be required to establish at the Town of Rotterdam a review fee escrow account in an amount to be determined by the Town of Rotterdam DPW. All fees for consultant review as set forth in these conditions shall be the responsibility of the Applicant and shall be paid out of the escrow account established pursuant to this paragraph. The amount of such escrow shall be subject to review from time to time by the Town of Rotterdam DPW and may be increased or decreased based on the reasonably anticipated future review costs. At no time shall the balance of the escrow account fall below an amount to be determined by the Town of Rotterdam DPW. The Applicant shall be entitled to copies of all invoices paid by the Town from the escrow account. Upon completion of the consulting review, and upon a final accounting of all review and inspection fees, all funds remaining in such escrow account shall be returned to the Applicant.
- 2) The following conditions shall apply with respect to Clubhouse/Maintenance facility:
- a) The Applicant shall be permitted to obtain a building permit for the Clubhouse/Maintenance facility as proposed on the final site plan, upon proper application and payment of all applicable application fees, notwithstanding that the remaining conditions set forth herein have not been satisfied, provided, however, that prior to issuance of such building permit for the Clubhouse/Maintenance facility, the Applicant shall obtain the review and approval of the proposed temporary on-site wastewater treatment system serving the Clubhouse/Maintenance Facility from Schenectady County and the Town of Rotterdam.
 - b) Prior to issuance of any certificate of occupancy for the Clubhouse/Maintenance facility, all pavement from the main roadway on the site to the Clubhouse/Maintenance facility shall be installed and infrastructure/amenities servicing the Clubhouse/Maintenance facility shall be installed, operational and deemed acceptable by the Town of Rotterdam Building Inspector.
 - c) The temporary on-site wastewater treatment system for the Clubhouse/Maintenance facility shall be discontinued and decommissioned and the Clubhouse/Maintenance facility shall be connected to the public sanitary sewer system upon receipt of written notification from the Town of Rotterdam DPW. Add Note to Plan.
- 3) Prior to the Chairman's signature on the final site plan, the following conditions must be satisfied:
- a) The Applicant shall pay all outstanding application fees and expenses, including without limitation, all outstanding Town Designated Engineer review fees.

- b) The Applicant shall submit a full set of final plans that conform in all respects to the conditions set forth herein. To the extent any design, details, sections, plans, or notes on the plans considered by the Planning Commission conflict with these conditions, these conditions shall govern and the Applicant shall be required to make all appropriate revisions to the plan set prior to signature to reflect these conditions.
- c) The roadway section design details in the plan set shall be revised to comply in all respects to the Town Highway and Roadway Standards (2003), except with respect to the following:
 - i) Roadway width shall be permitted to be 26 feet, rather than 30 feet.
 - ii) Travel lanes shall be permitted to be 11 feet wide each, rather than 12 ½ feet wide each.
 - iii) Wing edges shall be permitted to be 2 feet wide, rather than 2 ½ feet wide each.
 - iv) Subject to the approval of the Town DPW in consultation with the Town Designated Engineer, the water main shall be permitted to be located 18 feet from the center line of the roadways, rather than 15 feet from the center line of the roadways, and may be PVC-900 or HDPE rather than ductile iron.
 - v) The crown of the roadways shall be permitted to have a slope of 3/8" per foot, rather than ½" per foot.
 - vi) Sump lines and junction boxes shall not be required, except as deemed necessary and appropriate by Town of Rotterdam DPW in consultation with the Applicant's engineer and the Town Designated Engineer.
 - vii) The slope of the areas abutting the wing edges outside the roadway shall not exceed 1 foot vertical over 3 feet horizontal.
- d) The Applicant shall obtain written approval from the applicable local fire department and emergency service providers for the proposed emergency access and circulation, easements, gates and Knox Boxes for Phase 1B.
- e) The Applicant shall seek and obtain from the Planning Commission approval of a consolidation subdivision to consolidate the several parcels constituting the site of Phase 1B into one lot. The Applicant shall formally merge the parcels in accordance with such consolidation subdivision, file the approved consolidation subdivision plat with the Schenectady County Clerk, and provide proof of such merger and filing to the Town DPW.
- f) Site-specific designs for the retaining walls, culvert sizing, culvert design and details (including without limitation, culvert headwalls and wingwalls), and guiderails shall be prepared, stamped and signed by a New York State Licensed Professional Engineer and shall be subject to review, comment and approval by the Town Designated Engineer of Record. Profiles, sections, details and stability calculations shall be submitted for review and approval before construction. All costs incurred by the Town for such review, comment and approval shall be paid by the Applicant.

Resolution Number PC34-2020
Lecce Development Group, LLC –
East side of Helderberg Avenue adjacent to
southern boundary of NYS Thruway
July 9, 2020

- g) The Town Stormwater Management Officer shall review and approve the Stormwater Pollution Prevention Plan.
 - h) The escrow account provided for in these conditions for review and inspections shall be established.
- 4) Prior to issuance of site development permits for construction of the on-site sanitary sewer system (which excludes the temporary septic system that will serve the Clubhouse/Maintenance facility), the following conditions must be satisfied:
- a) The Applicant shall obtain the written approval of the Town DPW for the proposed access, utilities, fencing and gates to the proposed onsite Sanitary Pump Station. The sanitary pump station parcel shall be large enough to allow for maintenance, repair and potential future expansion.
 - b) The Applicant shall execute a developer agreement with the Town concerning the design and construction of the off-site sanitary sewer system infrastructure that will service the site as described in the Map, Plan and Report for Sewer District No. 7 Extension No. 2 supporting the same (e.g., a force main connection to Sewer District No. 7 Extension 2 in lieu of a force main connection directly to Sewer District No. 7).
 - c) The Applicant shall provide the design documents, reports, and plans for the proposed sanitary sewer system to the Chazen Companies for review, comment, and approval and shall adequately and substantively respond to all comments and provide all requested information set forth in the June 24, 2020 review letter of the Chazen Companies. All costs incurred by the Town for such review, comment and approval shall be paid by the Applicant.
 - d) All permits and approvals necessary to construct and connect the on-site and off-site sanitary sewer system, including (without limitation) those required from New York State Department of Environmental Conservation, New York State Thruway Authority, New York State Department of Transportation, the Town Highway Department, and the Town DPW, shall be obtained.
- 5) Prior to issuance of site development permits for construction of the on-site water supply/distribution system, the following conditions must be satisfied:
- a) The Applicant shall obtain the written approval of the Town DPW for the proposed access and water supply/distribution infrastructure.
 - b) The Applicant shall execute a developer agreement with the Town concerning the design and construction of the water supply/distribution infrastructure.
 - c) The Applicant shall provide the design documents, reports, and plans for the proposed water supply infrastructure to Barton and Loguidice for review, comment, and approval and shall adequately and substantively respond to all comments and provide all requested information set forth in the July 8,

2020 memorandum of Barton & Loguidice. All costs incurred by the Town for such review, comment, and approval shall be paid by the Applicant.

- 6) Prior to issuance of any building permit for any residential unit, the following conditions must be satisfied:
- a) The Applicant shall construct all infrastructure servicing Phase 1B, including all roadways, roadway signage, culverts, culvert cutoff walls, headwalls, and wingwalls, guiderails, water supply infrastructure, sanitary sewer infrastructure, the sanitary sewer pump station, and stormwater management areas.
 - b) The Applicant shall obtain the approval of Town DPW, Water and Sewer Department for the public water supply and sanitary sewer utility infrastructure for phase 1B.
 - c) The sanitary sewer infrastructure to service Phase 1B shall be connected to an operational public sanitary sewer system, with the receiving wastewater treatment facility accepting flows therefrom.
 - d) Following construction of the roadways, water supply infrastructure, sanitary sewer infrastructure, the sanitary sewer pump station, and stormwater management areas, the Applicant shall seek and obtain subdivision approval from the Planning Commission pursuant to Town of Rotterdam Town Code Chapter 249 to create separate lots for the various home sites, the sanitary sewer pump station parcel to be transferred to the Town, the golf course/clubhouse parcel, the HOA common property, etc. Such subdivision application shall depict the easements to be granted to the Town for emergency access, access and utility (water and sewer) purposes. The approved subdivision plat shall be filed in the Office of the Schenectady County Clerk and proof of such filing shall be provided to the Town DPW.
 - e) The Applicant shall grant permanent easements to the Town to allow for emergency access, as well as for access to and repair, maintenance, improvement and operation of the water and sanitary sewer infrastructure that will be dedicated to the Town. Such easements shall be in substantially the location shown on the final site plan, subject to final subdivision approval based on final build-out, as well as on the properties bearing tax map number 71.9-2-20 (Town of Rotterdam, County of Schenectady) and 15.10-4-1 (Town of Guiderland, County of Albany) in order to provide such access from public roadways. Easement maps and descriptions and legal instruments shall be provided for review and approval by the Town DPW and Town Attorney. Upon acceptance by the Town, such easements shall be filed with the County Clerk's Office.
 - f) The Homeowners Association documents shall be submitted to the Town Attorney for review and approval and shall reflect that all proposed roadways, roadway signage, sidewalks, pathways, stormwater management areas, storm sewers, culverts and associated headwalls and wingwalls, guiderails, retaining walls, fences, gates, community recreational areas, and water service laterals (including curb box to structure) and sanitary sewer service laterals shall be owned and maintained by the Homeowners' Association. Individual water service connections shall be metered.

Resolution Number PC34-2020
Lecce Development Group, LLC –
East side of Helderberg Avenue adjacent to
southern boundary of NYS Thruway
July 9, 2020

- g) Roadway street names and 911 property addresses shall be assigned by or approved by Schenectady County Emergency Management.
 - h) The Applicant shall provide utility will serve letters for electricity, natural gas, communication/internet and telephone from the utility service providers (e.g. National Grid, Spectrum, Verizon, etc.).
- 7) Prior to issuance of building permits for any units denominated on the plans as units 1 through 28, the following conditions shall be satisfied:
- a) The retaining wall(s) shall be fully constructed in accordance with the approved plans and in compliance with the New York State Uniform Fire Prevention and Building Code. Add Note to Plan.
- 8) Prior to construction of each community recreational area identified on the site plan, the Applicant shall seek and obtain site plan approval (or, in the discretion of the Planning Commission, a waiver of site plan) for each such area. Add Note to Plan. The areas designated as community recreational areas on the site plan shall be developed with appropriate access, amenities and facilities following consideration of the input of residents of the project. Construction of the designated community recreational areas may be phased, provided, however, that the following schedule is adhered to:
- a) The certificate of occupancy for the 25th residential unit shall not be issued until at least one community recreational area has been fully constructed with access, amenities, and facilities.
 - b) The certificate of occupancy for the 50th residential unit shall not be issued until at least two community recreational areas have been fully constructed with access, amenities, and facilities.
 - c) The certificate of occupancy for the 75th residential unit shall not be issued until at least three community recreational areas have been fully constructed with access, amenities, and facilities.
 - d) The certificate of occupancy for the 100th residential unit shall not be issued until at least four community recreational areas have been fully constructed with access, amenities, and facilities.
 - e) The certificate of occupancy for the 125th residential unit shall not be issued until at least five community recreational areas have been fully constructed with access, amenities, and facilities.

DPW Comments
June 20, 2023

- 3. Poentic Kill, LLC (Lessee) – 635 Mariaville Road.** Final Site Plan/Special Use Permit Public Hearing for a 5-megawatt battery storage facility on a ±2.23-acre parcel. Engineer: Empire Engineering, PLLC.

1. Final Fees Due:	Final Site Plan	\$350.00
	Special Use Permit	\$500.00
	Legal Notice	\$39.04

2. The applicant conducted a meeting on June 6, 2023 with Fire District #6 to respond to questions raised at the February 16, 2023 meeting. Representatives from the battery manufacturer were also in attendance.
3. See attached letter from Bluewave dated June 9, 2023 responding to the Town Designated Engineer (TDE) review letter from Colliers Engineers dated June 1, 2023. Exhibits include a revised noise study, revised decommissioning plan, operations/maintenance plan, and updated visual/landscaping plan.
4. The applicant has revised both the noise study (June 19, 2023) prepared by Empire Engineering and decommissioning plan (June 16, 2023) prepared by Bluewave Energy, Inc.
5. See attached letter from Empire Engineering dated June 8, 2023 responding to the TDE review letter from Colliers Engineers dated June 1, 2023.
6. The applicant has modified the site plan to address noise and screening for the residential neighboring properties located to the east as presented in the Sound Study dated June 8, 2023 prepared by Empire Engineering. The TDE and DPW staff have requested that additional mitigation measures be implemented to further reduce noise based on the revised sound study. The applicant has provided an updated study dated June 19, 2023 that provides noise mitigation in the form of an acoustical fence sound barrier. Any additional mitigation will need to be addressed to the satisfaction of the TDE and Planning Commission prior to final site plan approval.
7. Prior to Chairman's Signature on the Final Site Plan, the applicant must receive full and final approvals by the Town Designated Engineer on all current and potential forthcoming technical comments on the project documents.
8. Prior to Chairman's Signature on the Final Site Plan, the applicant must receive full and final approvals by the Town Designated Engineer and Town Stormwater Manager of the Stormwater Operation and Maintenance Manual and Stormwater Pollution Prevention Plan as prepared by Empire Engineering.

9. Prior to the issuance of site development permits, the applicant shall be required to meet with the Town Stormwater Officer to revisit the SWPPP. An MS4 acceptance letter shall be required prior to the issuance of building permits. A deed covenant for the property is required for the post-construction maintenance of the stormwater management facilities in accordance with the approved Operation and Maintenance guide. These documents need to be established and submitted to the Town prior to a Certificate of Occupancy (CO) being issued.
10. Prior to the issuance of Building Permits for construction, funds in the amount of \$149,795 shall be provided to the Town of Rotterdam for financial surety to implement the decommissioning plan. This decommissioning number is only an estimate. Final amount and type of surety at the time the applicant is ready to construct the facility may differ. In any case, this surety must be deemed acceptable by the Town Designated Engineer and Attorney for the Town, then accepted by the Town Board prior to the issuance of building permits.
11. If the site access for this battery storage project is intended to be a shared driveway with the existing property owner. Applicant to provide documentation concerning maintenance of roadway prior to Chairman's Signature. Any maintenance agreement for the shared driveway must be submitted to the Attorney for the Town, approved as to form, and filed with Schenectady County prior to the issuance of a site development permits.
12. Project identification signage needs to be installed at the gate entrance to the facility and shall contain reflective material so that it can be easily read during the evening hours.
13. Prior to the issuance of Building Permit(s) by the Town of Rotterdam, an emergency response plan shall be developed and approved to the satisfaction of the Town Designated Engineer, DPW, and Fire District #6 prior to the issuance of a building permit.
14. Prior to operation, the applicant shall conduct a post construction study to verify that the Sound Study dated June 19, 2023 prepared by Empire Engineering is accurate and the predicted decibel levels are at or lower than the dB presented in the study. This shall be verified by a Town Designated Engineer. Further mitigation shall be required to the satisfaction of the Planning Commission if necessary. Facility shall be shut down until further mitigation is completed.
15. Prior to operation, the applicant shall conduct a meeting with the Town Designated Engineer, DPW, and Fire District #6 to discuss the emergency response plan, conduct training (if necessary) and to verify that all safety protocols are in place.

16. The applicant shall provide the Town of Rotterdam DPW paper and electronic AutoCAD file copies of the utility "As-Built Record Drawings" upon completion and testing of the utilities.
17. Prior to the issuance of Site Development and/or Building Permit(s) by the Town of Rotterdam, the applicant shall attend a pre-construction meeting with the Building Inspector and DPW staff to confirm the completion of the above stated conditions.

DPW Comments May 2, 2023

1. See attached TDE review letter from Colliers Engineering dated February 28, 2023.
2. See attached response letter and resubmission documents from the applicant dated April 21, 2023. TDE is currently reviewing this resubmission and comments will be forthcoming.
3. The applicant conducted a presentation at Fire District #6 offices on February 16, 2023 with town and fire officials in attendance. Modifications to the site plan were made as a result of this meeting. Additionally, the applicant has provided responses to questions raised at the February 26th meeting in their April 21, 2023 resubmission letter.
4. Applicant should consider additional buffering to lessen any equipment noise for the residents located to the east.

DPW Comments November 15, 2022

1. Update maps to reflect address of 635 Mariaville Road prior to Chairman's signature.
2. The Planning Commission should authorize the Chairman to enter into an agreement with the Town to retain the services of a TDE to assist in the review of this project.
3. DPW recommends additional fencing closer to the battery/electrical components to provide for additional security/barrier to the facility.

SEQR Requirement: 6 NYCRR 617 Unlisted Action. Rotterdam Planning Commission declared lead agency on November 15, 2022. A Draft Negative Declaration has been prepared by the Town Planner for your consideration.

Involved/Interested Agencies

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

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

Date: June 20, 2023

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	☒

Owners: Anthony Fazzone and John Mancini
1536 Union Street
Schenectady, NY 12309

Lessee: Poentic Kill, LLC
c/o Colleen Bisceglia
116 Huntington Ave., Suite 601
Boston, MA 02116

Location: 635 Mariaville Road
Rotterdam, NY 12306

Tax Map Number(s): 48.17-1-1.112

Action: Site Plan and Special Use Permit for the location of a 5-megawatt battery storage facility on a ±2.23-acre parcel.

Reasons Supporting This Determination:
(See 617.7(a)-(c) for requirements of this determination)

The Department of Public Works for the Town of Rotterdam transmitted the application information to all involved and interested agencies for review on November 16, 2022. All

comments have been addressed. The applicant has supplied an Environmental Assessment Form and the Planning Commission has or has caused to complete Part 2 of this checklist. This project was presented to the Planning Commission and the public on November 15, 2022, May 2, 2023, and June 20, 2023.

Poentic Kill, LLC is proposing the placement of a 5MW battery storage facility on a parcel that was previously cleared and graded but is vacant. The project site is located within the General Business (B-2) Zoning District and was previously approved of the location of a commercial storage building. Access to the site is over an existing shared asphalt drive connected to Mariaville Road. The total parcel area is approximately 2.95 acres with a proposed pad site of approximate 0.75 acres located to the western portion of the property located at 635 Mariaville Road in the Town of Rotterdam, Schenectady County, New York.

The developer and the Town of Rotterdam entered into an agreement to provide the Town with funds for the appointment of a Town Designated Engineer (TDE) to assist the Planning Commission with the technical review of this project pursuant to 6 NYCRR 617 and Local Law. The project engineer completed a significant amount of additional investigative work and site design modification as requested by the Planning Commission and the Town Designated Engineer.

The Town TDE provided an initial technical review letter dated February 28, 2023 requesting additional information and several suggested clarifications and changes to the project. The applicant provided a subsequent response to the Planning Board and TDE comments dated April 21, 2023 that included an updated application, mapping, technical information of proposed equipment, and additional studies performed in support of the project. These materials were reviewed by DPW staff, the TDE, and the Planning Commission. A response letter was prepared and provided to the applicant by the TDE on June 1, 2023.

The Town of Rotterdam Planning Commission, as lead agency, has reviewed the Short Environmental Assessment Form Part One completed by the Project Sponsor along with supporting reports, studies, and plans. The submitted plans, reports, and studies include the following: Plan sheets entitled, “BlueWave Mariaville Road, Rotterdam, NY,” dated September 13, 2022 and last revised June 6, 2023. Plans include: Site Layout Plan, Grading/Drainage/Erosion & Sediment Control Plan, Site Details, and Erosion and Sediment Control Details. The plans were reviewed by the town Department of Public Works and the Town Designated Engineers with modifications made addressing potential environmental impacts that were raised.

The applicant submitted a Sound Study prepared by Empire Engineering and dated March 27, 2023. This document was reviewed and comments from the TDE and Planning Commission were submitted to the applicant for consideration. In addition, the Town Planner had requested additional screening to further mitigate sound and visual impacts to residences located to the east of the property. The updated site plan did enhance the vegetative buffer to reduce visual and noise impacts. The applicant presented a revised Sound Study prepared by Empire Engineering dated June 8, 2023 to address comments. After a review of this study, it was the conclusion of the TDE and Town staff that additional buffering was warranted. The applicant has provided an

updated study dated June 19, 2023 that provides noise mitigation in the form of an acoustical fence sound barrier. The applicant has provided additional mitigation measures to the site that have further reduced impacts to neighboring residential properties. Prior to operation, the applicant will be required to conduct a post construction study to verify that the Sound Study is accurate and the predicted decibel levels are at or lower than the dB presented in the study. This shall be verified by a Town Designated Engineer. Further mitigation shall be required to the satisfaction of the Planning Commission if necessary.

A Stormwater Pollution Prevention Plan (SWPPP) was previously prepared for the site when a commercial warehouse was proposed, prepared by Empire Engineering, and submitted to the Town of Rotterdam describing the proposed on-site stormwater management facilities and their ability to convey, store, and recharge runoff. Based upon comments from the TDE, a revised SWPPP report and narrative was submitted to the Town of Rotterdam. The applicant will file a Notice of Intent with the New York State Department of Environmental Conservation in order to gain coverage under the SPDES General Permit for stormwater discharges from construction activities for the project.

On December 29, 2022, a letter from Kate Kornak, NYSDEC Regional Permit Administrator stated that the NYS Parks, Recreation and Historic Preservation should be involved. As part of the previous project on this site, the applicant submitted a request for comment to the NYS Parks, Recreation and Historic Preservation office in Waterford, NY. On July 31, 2018, a letter from Michael F. Lynch, Director, Division for Historic Preservation stated that the NYS Parks, Recreation and Historic Preservation believed this project will have no impact on archeological and/or historic resources.

The applicant was required to supply a decommissioning plan. Final amount and type of surety at the time the applicant is ready to construct the facility will need to be deemed acceptable by the Town Designated Engineer and Attorney for the Town, then accepted by the Town Board prior to the issuance of building permits.

Town requested that the developer conduct a meeting with Fire District #6 to discuss the project and address any concerns that they may have. On February 16, 2023 the applicant conducted a presentation and took questions from the Fire District as well as various public officials that were in attendance. At the conclusion of this meeting there were several questions unanswered concerning the storage, flammability, and toxicity of the proposed battery facility. On June 6, 2023 the applicant conducted a follow-up evening meeting that had representatives preparing the emergency response plans, operations personnel, and representatives from the battery manufacturer to further discuss the project. This meeting answered previous as well as any new questions concerning this project. As part of the conditions of approval of this project, an emergency response plan will be developed and approved to the satisfaction of the Town and emergency personnel prior to the issuance of a building permit.

After a review of the modified application materials, Short Environmental Assessment Form, and comments received on this proposal, the Town of Rotterdam Planning Commission has determined that this proposal will not have a significant adverse impact on the environment.

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

- (i) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;
- (iii) the impairment of the environmental characteristics of a Critical Environmental Area.
- (iv) the creation of a material conflict with a community's current plans or goals as officially approved or adopted;
- (v) the impairment of the character or quality of important historical, archaeological, architectural, or aesthetic resources or of existing community or neighborhood character;
- (vi) a major change in the use of either the quantity or type of energy;
- (vii) the creation of a hazard to human health;
- (viii) a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;
- (ix) the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;
- (x) the creation of a material demand for other actions that would result in one of the above consequences;
- (xi) changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or
- (xii) two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision.

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

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

- (iv) its irreversibility;
- (v) its geographic scope;
- (vi) its magnitude; and
- (vii) the number of people affected

The environmental effects of the above-described action were discussed at regularly scheduled Planning Commission Public Meeting held on June 20, 2023 at the Rotterdam Town Hall, 1100 Sunrise Boulevard, Rotterdam, NY 12306. Adoption of this negative declaration was moved by XXXXXXXXXXXX, seconded by XXXXXXXXXXXX and approved by the Rotterdam Planning Commission.

Thomas P. Yuille
Planning Commission Chairman

Short Environmental Assessment Form

Part 1 - Project Information

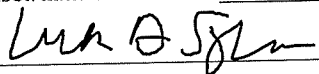
Instructions for Completing

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

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

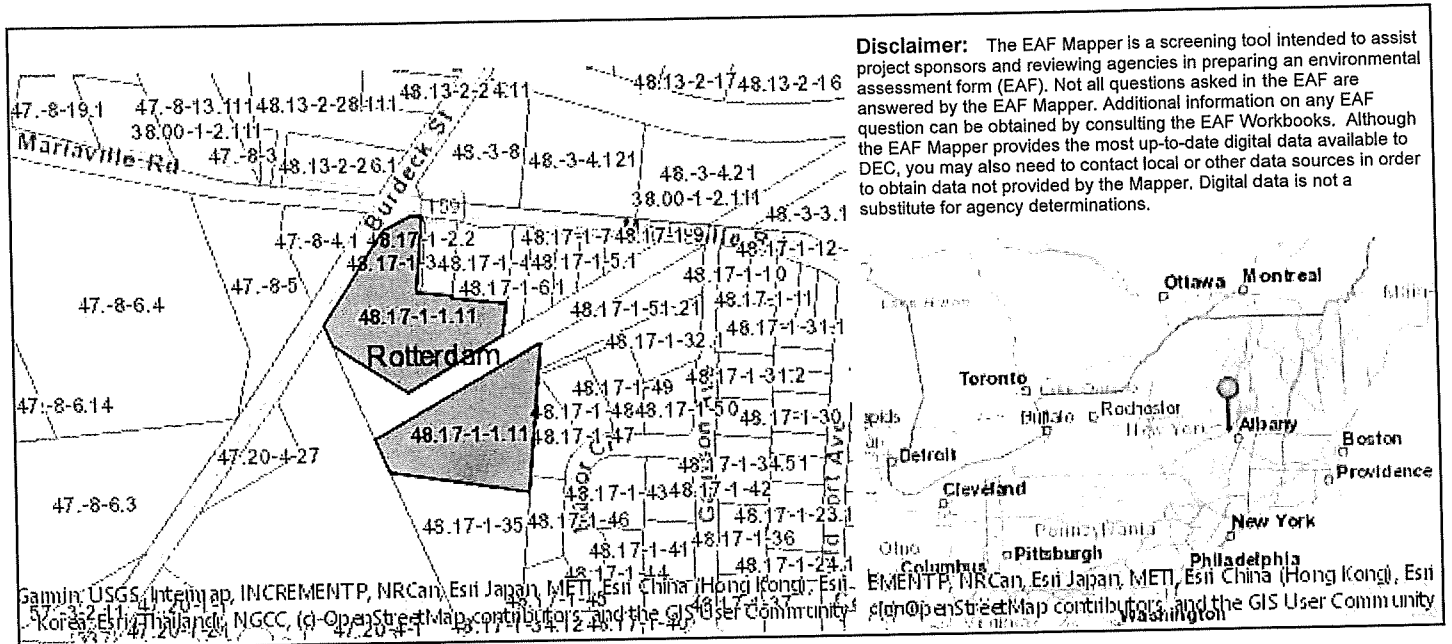
Part 1 – Project and Sponsor Information			
Name of Action or Project: BlueWave Energy Storage Rotterdam			
Project Location (describe, and attach a location map): Mariaville Road at Burdeck St., Rotterdam NY			
Brief Description of Proposed Action: Proposed installation of energy storage units on a vacant parcel with existing stabilized gravel surface and stormwater management system.			
Name of Applicant or Sponsor: Poentic Kill, LLC		Telephone: 518-365-8180 E-Mail: cbiseglia@bluewave.energy	
Address: 111 Huntington Ave., Suite 650			
City/PO: Boston	State: MA	Zip Code: 02199	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO ☒	YES ☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO ☒	YES ☐
3. a. Total acreage of the site of the proposed action?		2.95 acres	
b. Total acreage to be physically disturbed?		1.0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2.95 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☒ Residential (suburban)			
☒ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):			
☐ Parkland			

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

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☒ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO ☒	YES ☐
16. Is the project site located in the 100-year flood plan?	NO ☒	YES ☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO ☐	YES ☒
a. Will storm water discharges flow to adjacent properties?	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☐	☒
If Yes, briefly describe: _____ Town of Rotterdam MS4		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ Stormwater collection and management systems _____	NO ☐	YES ☒
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO ☒	YES ☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO ☒	YES ☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Poentic Kill, LLC</u> Date: <u>April 14, 2023</u> Signature: <u></u> Title: <u>Authorized Signatory</u>		

EAF Mapper Summary Report

Thursday, September 8, 2022 9:45 AM



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

*Note: The project is located in the within the Schenectady-Niskayuna SSA a Principal and Sole Source Aquifer

Agency Use Only [If applicable]	
Project:	BlueWave Battery Storage
Date:	June 20, 2023

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☒	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☒	☐
3. Will the proposed action impair the character or quality of the existing community?	☒	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☒	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☒	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☒	☐
7. Will the proposed action impact existing:	☒	☐
a. public / private water supplies?	☒	☐
b. public / private wastewater treatment utilities?	☒	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☒	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☒	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☒	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐

Agency Use Only [If applicable]	
Project:	BlueWave Battery
Date:	June 20, 2023

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
Rotterdam Planning Commission Name of Lead Agency	June 20, 2023 Date
Thomas P. Yuille Print or Type Name of Responsible Officer in Lead Agency	Planning Commission Chairman Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)



Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO

Governor

ROSE HARVEY

Commissioner

July 31, 2018

Mr. Christopher Longo
Empire Engineering, PLLC
1900 Duaneburg Road
Duaneburg, NY 12056

Re: DEC
Burdeck-Mariaville Clearing and Demolition
647 Mariaville Rd, Rotterdam, NY
17PR07505

Dear Mr. Longo:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, it is the New York State Office of Parks, Recreation and Historic Preservation's opinion that your project will have no impact on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael F. Lynch". The signature is written in a cursive, flowing style.

Michael F. Lynch, P.E., AIA

Director, Division for Historic Preservation

BLUEWAVE

RECEIVED

JUN 09 2023

TOWN OF ROTTERDAM
PUBLIC WORKS

June 9, 2023

Town of Rotterdam
Office of the Planning Commission
1100 Sunrise Blvd
Rotterdam, NY 12306

RE: Site Plan/Special Use Permit Application – 635 Mariaville Road, Rotterdam, NY, tax parcel 48.17-1-1.112(lot 2B)

Dear Planning Board Members:

The cumulative information provided in this letter and subsequent exhibits is in support for the installation of a 5-Megawatt Battery Storage project at the location referenced above in the Town of Rotterdam (“Town”). At the request of the Town, Colliers Engineering, the Designated Engineer (“TDE”) reviewed the BlueWave application and provided a Second Application Completeness Review letter dated June 1, 2023. This response letter and attached exhibits provide responses to the items and information requested in the TDE Initial Application Completeness Review letter.

Exhibit A-1 - Site Plans

1. General Comments
 - a. In line with some information recently received from National Grid, please find the location of the project Point of Interconnection (POI) now demarcated as Pole #74 on **sheet C101**. Empire Engineering has also submitted supporting comments and their letter is attached as **Exhibit A-2**
2. Sheet 1
 - a. Empire Engineering has submitted supporting comments and their letter is attached as **Exhibit A-2**
3. Sheet 2
 - a. With regard to the grading on the southwest portion of the site near the end of the proposed turnaround, please note corrections to two spot grades identified by TDE on **sheet C102**
 - b. With regard to TDE request on identification of sediment protections, please find these notes added to **sheet C102**
 - c. With regard to designating a location on plans for the concrete washout and sediment traps details on **sheet C502 detail 2**, please note that a concrete washout area and sediment traps have been implemented on **sheet C102**.
4. Sheet 3
 - a. A note discussing concrete slab design has been added to **sheet C101**, with detail appurtenant to the BESS foundation on **sheet C502 detail 12**
 - b. Please note a detail of this Applicant’s typical facility name sign has been added to **sheet C501**
 - c. Empire Engineering has submitted supporting comments and their letter is attached as **Exhibit A-2**
5. Sheet 4

- a. No comments received, no action has been taken.

SWPPP

1. The Applicant understands that the SWPPP will be reviewed again when an MS4 acceptance letter is requested prior to building permit. No action has been taken with regard to the SWPPP and this response.

Exhibit B - Noise Study

1. A revised study has been provided with supporting narrative, Empire Engineering has submitted supporting comments and their letter is attached as **Exhibit A-2** in support of this exhibit.

Exhibit C - Decommissioning Plan

1. A note indicating that the Decommissioning Plan shall be periodically reviewed on a 5-year cycle has been added to **Page 4** of **Exhibit C-1**.
2. TDE recommendation to incorporate a line-item accounting for a 125% increase to the subtotal of the decommissioning costs has been addressed on **Page 6**.
3. A note indicating that the costs assumed in this Decommissioning Plan shall be reviewed & certified by a NYS licensed professional engineer has been added to **Page 5**.
4. TDE comment on Project name and BESS modules has been addressed on **Page 6** and **Page 7**, respectively.
5. A citation for raw material source references has been added to section 3.2 on **Page 9**.
6. Verbiage addressing the salvageability of battery components has been added to **Page 9**.
7. A note addressing TDE comment with regard to prevailing wage rates in section 4.1 has been added to **Page 11**.
8. Updates have been made to section 5.2 with regard to the transportation costs and access to recycling and waste disposal facilities on **Page 13** due to updated information in receipt from the battery manufacturer.
9. A Form of Decommissioning Bond has been provided as **Exhibit C-2**.

Exhibit D - Operations & Maintenance Plan

1. **Page 1** has been updated to provide contact information for the BlueWave office responsible for the site & operation of the facility.
2. All references to Solar or PV facilities have been removed from this draft plan.
3. The property owner was contacted and did not have a documented agreement for the basin maintenance. The current maintenance of the basins is a yearly scheduled maintenance visit with as needed maintenance in the summer months to maintain vegetation. A line item addressing Stormwater Pond Maintenance has been added to **Page 11**.

Visual

1. BlueWave intends to provide an updated rendering of the proposed landscape discussed at May's Planning Commission meeting with regard to a saw tooth tree pattern to bolster the vegetative screening of the project. An updated rendering will be prepared and presented for June's Planning Commission meeting.

April 21, 2023

Page 3

The BlueWave team looks forward to discussing this proposal further with the Planning Board and appreciates the time and attention from the board in reviewing this application and supplementary information. If you have any questions or concerns, please feel free to reach out to me directly at (518) 365-8180 Cbisceglia@bluewave.energy or my colleague Alex Fukuchi Afukuchi@bluewave.energy at (610) 787-1078.

Sincerely,

Colleen Bisceglia
Sr. Director, Storage Development

Attachments to follow.

April 21, 2023

Page 4

Exhibit A

Exhibit A-1 – Revised Site Plans and Details

Exhibit A-2 – Empire Engineering Letter

[illegible][illegible]

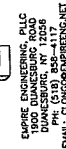
- [illegible]

[illegible]

- ### HEAVY CONSTRUCTION IMPACTS UPON THE UNDERPINNINGS OF THE

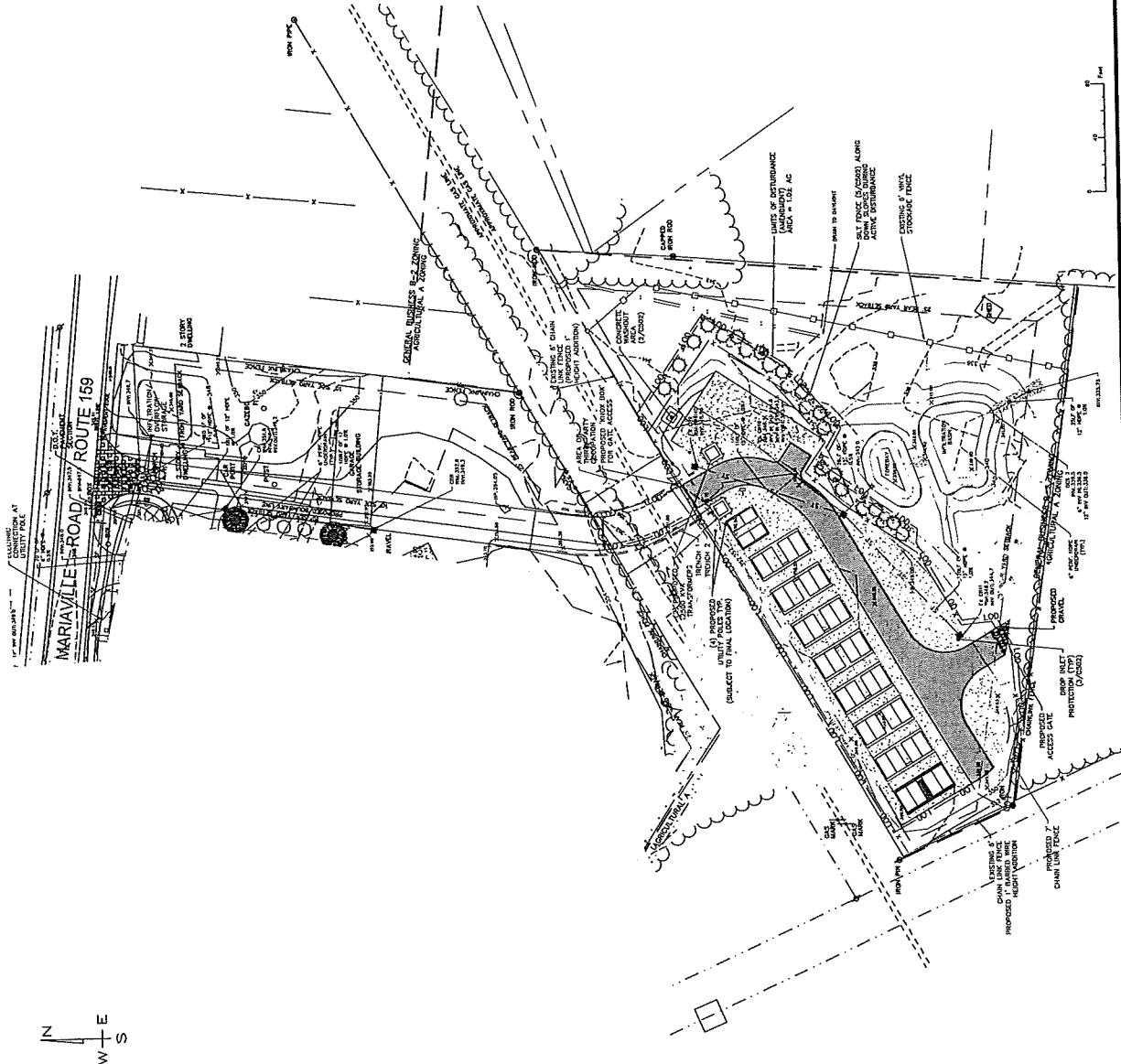
PRIOR TO ANY EARTH
DISTURBANCE THE CONTRACTOR
SHALL CALL IN A TICKET TO
DGC SAFE NY AND OBTAIN A
CLEAR TO DIG

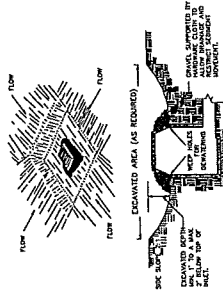
CHRISTOPHER D. LONGO, PE



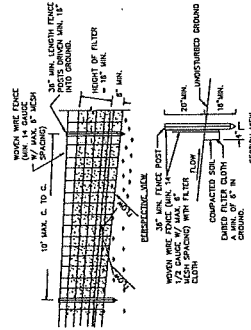
TOTAL OF TWO EDITIONS THIS EDITION IS THE ONLY VALID ONE	10/07/2022		DATE C102	SHEET 2 OF 4
	1" = 40'			
	17029			
GRADING, DRAINAGE, E & SC PLAN				

10/07/2022
Scale 1" = 40'
Sheet 17029
C102
Sht. 2 of 4

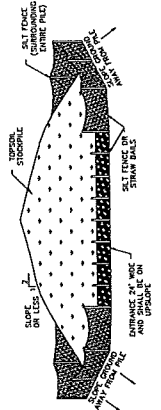
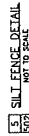




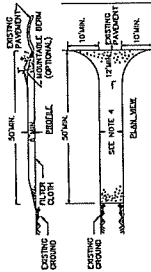
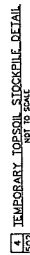
- [illegible]



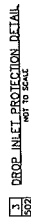
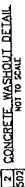
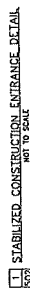
- [illegible]



1. SALT FENCE SHALL BE INSTALLED PER DETAIL.
2. STOCKPILING SHALL BE TO REMAIN FOR MORE THAN 14 DAYS. STOCKPILE IS TO BE STABILIZED WITH SEED AND MULCH IMMEDIATELY AFTER COMPLETION OF STOCKPILING.
3. SALT FENCE SHALL BE INSPECTED WEEKLY AND SEDIMENT ACCUMULATED AT ANY OF THE FENCING SHALL BE REMOVED AS NECESSARY.
4. SALT FENCE SHALL REMAIN IN PLACE UNTIL THE ENTIRE PILE HAS BEEN ELIMINATED.
5. AREA CHOSEN FOR STOCKPILING OPERATIONS SHALL BE DRY.



- [illegible]

[illegible]

PRIOR TO ANY EARTH
DISTURBANCE THE CONTRACTOR
SHALL CALL IN A TICKET TO
DIG SAFE NY AND OBTAIN A
CLEAR TO DIG

IT IS A VIOLATION OF SECTION 7208 OF THE NYS EDUCATION LAW FOR ANY PERSON TO ALTER ANY ITEM ON THIS PLAN IN ANY WAY UNLESS HE/SHE IS ACTING UNDER THE DIRECT SUPERVISION OF A PROFESSIONAL ENGINEER

CHRISTOPHER D. LONGO, PE



EMPIRE ENGINEERING, PLLC
1900 DUANESBURG ROAD
DUANESBURG, NY 12056
PH: (518) 858-4117
EMAIL: CLONGO@EMPIREENG.NET

PROJECT
BLUEWAVE ENERGY
MARIAVILLE ROAD
POTTERDAM NY

Abstract

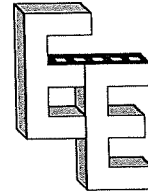
THE EROSION & SEDIMENT CONTROL DETAILS

03/10/2023		C502	SHL 4 of 4
	N.T.S.		
	17029		

"Chairman. Rotterdam Planning Commission

Date: _____

EMPIRE ENGINEERING, PLLC



June 8, 2023

Town of Rotterdam
1100 Sunrise Boulevard
Rotterdam, New York 12306
Attn: Peter Comenzo, Senior Planner

Dear Mr. Comenzo,

Empire Engineering, PLLC has received the letter from Colliers Engineering & Design dated June 1, 2023 regarding **TM# 48.17-1-1.112** for the **BlueWave Battery Site**. Please find response to comments and additional clarifications below:

Sheet 1

- a) This project is constructing the last 300-ft± of dead-end access road with turnaround into the site. The total road length would equal 800± feet after construction is complete. In accordance with NYS Fire Code, Appendix D, Section D103.4, dead-end roads up to 750-ft long require 26-ft width of unobstructed access on a surface capable of supporting fire apparatus traffic. Geometry for dead-end access roads over 750-ft in length requires approval from the Town's Fire Code Official.
 - i. A combination of proposed asphalt and existing gravel will provide a 26-ft width of surface area into the site. Our office suggests a 26-ft wide clear zone be overlaid on the proposed access road (just within Lot 2B). No above ground structure or obstruction should be placed within the clear zone. This may require the proposed transformers and their bollards to be slightly relocated. Our recommendation is subject to the Fire Code official's approval.
 - ii. The proposed turnaround geometry appears to meet section D103.4 requirements.

Response: The total dead end road length for the site beyond the last two-point access (Burdeck Street) will be approximately 495 feet. A minimum 20' roadway and a turnaround in accordance with the NYS Fire Code, Appendix D has been provided. The location of this access and the total length of road is now called out on the Site Plan.

Sheet 2

- a) Please review grading on the southwest portion of the site near the end of the proposed turnaround. Two spot grades (349.50 and 349.75) and the 350 proposed contour conflict.

Response: The spot elevations and the grading contours have been adjusted slightly to indicate the flow pattern along the edge of gravel. All drainage from this location is intended to flow toward existing CB11.

- b) Please call out sediment protections (silt fence, compost socks, gravel bags, or other) for existing catch basins and provide a detail on plans, as needed.

Response: Sediment protection is now called out to be used along perimeter of drop-inlet basins.

- c) Please designate a location on plans for the concrete washout and sediment traps details that were provided on new Sheet 4.

Response: Sheet 2/4 shows locations for the concrete washout area. Since the existing catch basins will be equipped with The temporary sediment trap detail has been replaced with the drop inlet protection detail on Sheet 502.

Sheet 3

- a) Add Note to Site Plan: "Concrete slab design and details for BESS foundation systems will be required prior to receiving a building permit."

Response: Note has been added to Detail 12/C501 and the C101 notes.

- b) Will a facility name sign with contact information be provided? These types of signs are typically installed on access gates for energy related facilities and are useful for emergency contact information. If a facility name sign is planned, please provide a draft detail listing information to be displayed, at the June 6th meeting for discussion purposes.

Response: A facility Sign has been added to Site Detail page, see 3/C501

- c) Profile Detail – The proposed facility will require a natural gas service line? What will it be used for? Please show these proposed service lines (electric and gas) on plan sheets.

Response: The reference to gas service has been removed from the profile detail on Sheet C501.

Noise Study

A noise study was submitted as part of the new application materials. On May 9th, 2023, CED provided two (2) preliminary review comments to the applicant concerning this study. They are repeated below for documentation. Additional comments are also below.

1. Please review the Town's noise ordinance available online. Revise the noise study to demonstrate compliance with the code, where applicable, so it is documented that Town noise ordinance was reviewed in the analysis.

Response: Reference has been made to the Town Noise Ordinance along with a statement in the conclusion summary that the ordinance will be complied with.

2. Please review the source noise of 65 dBA. If there are multiple static (non-moving) sources of noise all at 65 dBA each, would the sum of cumulative noise intensities be greater at the origin of study? 68 dBA or higher depending on the number of sources? If the cumulative noise is higher, please adjust the mapping which shows expected noise levels at set distances from origin. Please see NYSDEC guidance on adding multiple sources of noise together for a rudimentary calculation method.

The manufacturer has provided additional data on the units as well as recorded data of an operational unit. This data is now incorporated into the report and a compounding factor of 3 dB was applied to model the simultaneous operation of both inverter units.

3. Exhibit A-3-1 "Gen 3 Fan Spec" submitted in the review materials lists each fan with a maximum noise level of 72 dBA. Please incorporate these fans (multiple) into the noise study.

The manufacturer specifications have been updated in the report.

4. The SMA Inverter Spec Sheets provided in the Noise Study are different than what is proposed in other documentation. (Decomm. Plan states SMA, SCS-2350-UP-X) and in Exhibit A-3-2. Please revise as needed.

The specification references have been revised to reflect only the selected unit for operation.

5. The Noise Study states *"manufacturers listed sound level generated by the inverter fan is expected to be 65 dBA within 3 feet of the sound source"*. However, footnote 7 in the inverter cutsheets states the noise level of 65 dBA is measured from 10 meters (33+-ft) away. Please revise as needed.

The generated sound data has been replaced with the new manufacturer provided information.

Visual

1. The applicant provided a rendering of proposed landscaping at May's Planning Commission meeting. The Planning Commission is given the right to "preserve and protect the character of districts" when Public Utilities are proposed under §270-14 and may consider more screening in between the border of the Agricultural "A" Zone (adjacent residential use) and General Business Zone B-2. We defer to the Town's Planning Department and the Planning Commission for review of screening.

This question was also raised by members of the Planning Commission. The proposed landscaping has been enhanced with additional plantings and a saw-tooth pattern to provide a full hedgerow.

In addition to these responses please find the enclosed Plan and Applications. If there are any questions or comments, please feel free to contact me.

Sincerely,

Christopher Longo, PE
Civil Engineer

Encl: Site Plan Set Rev 6/8/23
Sound Study Rev 6/8/23

Cc: Colleen Biseglia, Bluewave Energy

April 21, 2023
Page 5

Exhibit B

Exhibit B – Revised Noise Study

Sound Study

For

BlueWave

At

635 Mariaville Rd
Rotterdam, NY 12306

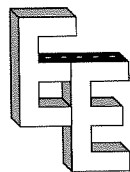
Prepared For:

Poentic Kill, LLC

A wholly owned subsidiary of BlueWave Origination, LLC ("BlueWave")

116 Huntington Ave, Ste 610
Boston, MA 02116

Prepared By:



Empire Engineering, PLLC

1900 Duaneburg Road
Duaneburg, NY 12056

June 19, 2023

RECEIVED

JUN 19 2023

**TOWN OF ROTTERDAM
PUBLIC WORKS**

Table of Contents

1.0 Project Information.....	3
1.1 Purpose	3
1.2 Existing Site Description.....	3
1.3 Proposed Project Description	3
2.0 Sound Level Analysis	4
2.1 Sound Level Ranges.....	4
2.2 Background Sound Level	4
2.3 Generated Sound	5
2.4 Impacts.....	5
2.5 Mitigation Measures	6
3.0 Summary	6

Appendices

Appendix A

Site Location Map

Appendix B

Town Noise Ordinance & DEC Noise Policy

Appendix C

Existing Noise Analysis Map

Appendix D

Existing Sound Data

Appendix E

Sound Generating Equipment Specifications

Appendix F

Proposed Sound Plan

Appendix G

Sound Barrier Product Data

1.0 Project Information

1.1 Purpose

The subject project is a Battery Energy Storage Systems (BESS) site located along the southern side of Mariaville Road and easterly of Burdeck Street in Rotterdam, NY.

1.2 Existing Site Description

The subject property is currently vacant. Access to the site is over an existing shared asphalt drive connected to Mariaville Road. The total parcel area is approximately 2.95± Acres with a proposed pad site of approximate 0.75 Acres.

The property is identified by Schenectady County on Tax Map Section/Block/Lot # 48.17-1-1.112. A Site Location Map is included within Appendix A.

The Town of Rotterdam has adopted a Noise ordinance within Chapter 188 of the Town Code. This ordinance is enclosed in Appendix B along with relevant excerpts from the NYSDEC Assessing and Mitigating Noise Impacts Program Policy, NYSDEC 10/6/00 last rev 2/2/01.

1.3 Proposed Project Description

BlueWave Energy proposes to install a BESS with associated asphalt access drive. This is a permitted Special Use under Town Code section 270-65, G. Public Utility Installation. The completed site will be fenced-in and unmanned and will not require water or septic connections. The proposed structures will be prefabricated containers with mounted inverter units. There are eight proposed container stacks two inverters and two transformers.

2.0 Sound Level Analysis

2.1 Sound Level Ranges

For perspective on relative loudness and sound levels the following chart of examples is shown below:

dBA	Example	Home Appliances	Power Tools
0	healthy normal hearing threshold		
10	A watch ticking		
20	rustling leaves		
30	A whisper		
40	light Rain	computer	
50	Quiet office	refrigerator	
60	normal conversation	air conditioner	
70	shower	dishwasher	
75	toilet flushing	vacuum cleaner	
80	alarm clock	garbage disposal	
85	passing diesel truck	snow blower	
90	average personal stereo	lawn mower	Welder
95	inside subway car	food processor	belt sander
100	motorcycle (riding)		handheld drill
105	sporting event		Chain Saw
110	live Rock Music		jackhammer
115	emergency vehicle siren		riveter
120	thunderclap		
130	peak stadium crowd noise		
140	jet engine at takeoff		
150	firecracker		
160	fighter jet launch		
170	shotgun		
180	.357 magnum revolver		
190	rocket launch		

Decibel Levels

2.2 Background Sound Level

Background sound levels were taken for the subject property to set up a baseline ambient noise level. Background (ambient) readings were taken at two locations throughout the site. Analysis Point A was selected along the Eastern property line closest to the nearby dwelling to the East. The results of the reading are included in Appendix D and are summarized below.

The ambient noise levels for the three locations were as follows:

Analysis Point	Description	Recorded Average Ambient Noise Level (dB)*	Maximum Generated Noise Level (dB)	Baseline Maximum Sound Pressure Level (SPL) (dB)**
A	Eastern Property Line	42.5	59	55

The ambient noise levels seen during the test periods indicate slight fluctuations due to passing vehicles, birds, and wind noise. With the ambient noise level at Analysis Points A, relatively low, even the slightest sounds have caused a noticeable spike from the average.

* The witnessed ambient sound levels were in the 'green' or quiet range of the previous chart throughout the study period times.

** The baseline maximum sound pressure level was established at 55 dB as it is the level identified by the NYSDEC Noise Policy reference above.

2.3 Generated Sound

The regularly occurring sound expected to be generated from the proposed site is the intermittent cycling of the inverter unit. The specifications of this unit are enclosed within Appendix E. The sound generation of the unit is identified the generated sound level as 63 dB. There will be four of these units installed adjacent to each other on the eastern edge of the development, with a compounded sound pressure level of 72 dB (see Table A of the NYSDEC Noise Policy).

The maximum generated sound level expected from the site is the operation of fans within the container modules. The site consists of 8 stacks which contain 4 modules. The manufacturer specification sheet for the module fan is enclosed within Appendix E. Each stack is equipped with fans which operate at variable frequency during peak times to bring temperature levels down to acceptable ranges. The fans will cycle intermittently and variably in these extreme conditions. For purposes of modeling the most extreme scenario it was assumed that all stacks would have fans operating. Utilizing the compounding effect of sound generation, the peak generated sound at the center of the site influenced by all units is anticipated to be 82 dB (maximum 10 dB above source sound level).

The manufacturer also provided a simulation and sound reading from an existing facility in operation. The sound level of the operational facility was measured at $56\pm$ dB within 15 feet of the sound source and $52\pm$ dB at 75 feet (See Appendix D). Although this data does not model the most extreme condition it does indicate the general sound level expected to be emitted on a regular basis. Additionally, the manufactured unit will be equipped with louvers and filters which will further dampen the sound from the operating fans below the specification level.

Appendix F includes a Site Plan with sound pressure levels extrapolated away from the source generation based on the extreme condition and considering the mitigative measures discussed below.

2.4 Impacts

The generated noise would have potential for significant impact on adjoining properties, and would exceed levels which are considered objectionable if left unmitigated. The closest receptor is the residence at house #56 Manor Court to the East (Analysis Point A, approximately 65 ft from residence). Based on the witnessed ambient sound levels including sporadic fluctuation sounds, the noise level currently experienced from the generated sound for receptor A is 42.5 dB.

Considering the potential for impacts, mitigative measures will be implemented within the site development as explained below.

2.5 Mitigation Measures

The project has potential to generate sound level increases at the property line of the nearest receptors. As such, measures will be implemented to mitigate the noise to the maximum extent.

A manufactured sound barrier product (Acustifence or approved equal) will be installed as part of the chain link fence along the Southern and Eastern extents of the development. The manufacturer specifications are provided in Appendix G which indicate approximately 20 dB reduction in Sound Pressure Level.

Additionally, a landscaped row of evergreen trees is proposed to be planted along a portion of the eastern edge of development and the fan equipment will incorporate louvers and filters. Although these components have not be quantified in the sound reduction, they will further dampen the sound emitted from the facility.

The measures to be implemented are intended to reduce the potential noise impact to the nearby residence. With implementation of these mitigative measures, the sound level increase is anticipated to be in the range of 0-5 dB and considered 'unnoticed or tolerable' (See Table B of the NYSDEC Noise Policy).

Sound Level Analysis (dB)								
Analysis Point	Description	Dist. from Maximum Sound Source to Receptor	Existing Average Ambient Sound	Potential Maximum SPL at Sound Source Generation	SPL Reduction through Mitigation	SPL Reduction through Distance	Anticipated SPL at Receptor (dB)	Anticipated increase at receptor
A	Eastern Property Line	270 ft	42.5	82	20	16	46	3.5

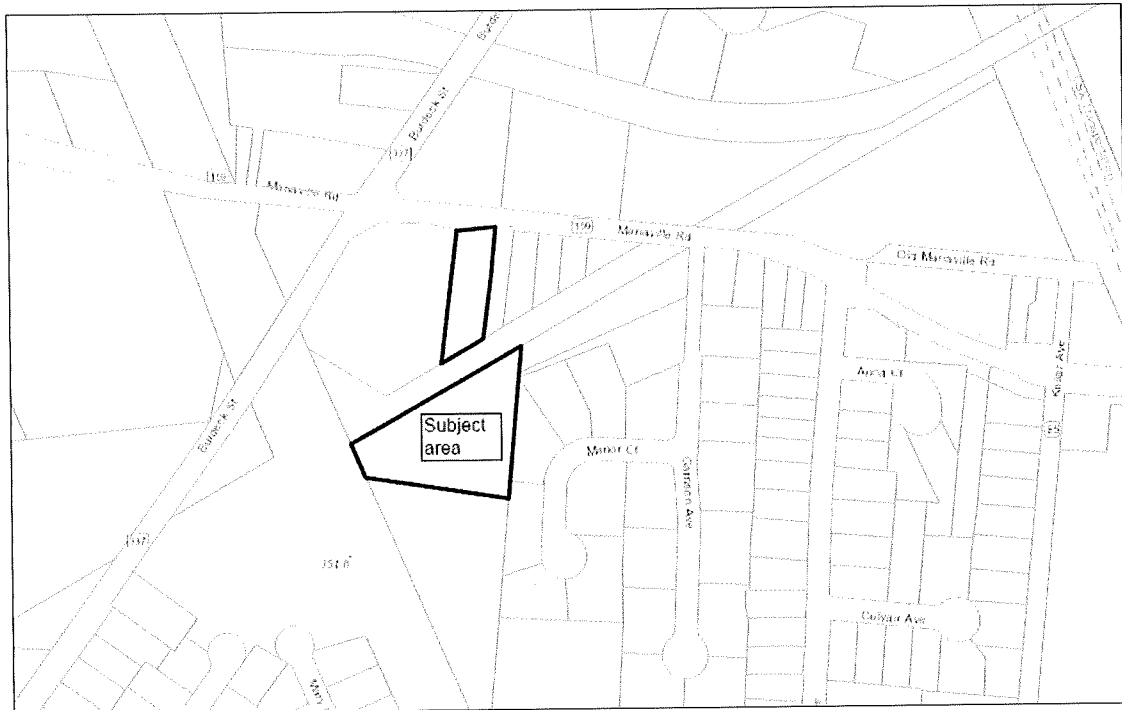
3.0 Summary

In conclusion, the proposed noise mitigation plan will allow for acceptable noise levels at the property lines which adjoin residential neighbors and will comply with the Town Noise Ordinance Chapter 188. The maximum sound pressure level expected to be experienced at the nearest receptor dwelling is 46 dB which is well within the 'quiet' range as defined above. The anticipated sound pressure level is also below 5 dB increase from ambient which is considered 'unnoticed or tolerable' as defined by NYSDEC Noise Policy.

Appendix A

Site Location Map

Mariaville Road



March 14, 2023

Parcels

1:4,781
0 0.03 0.06 0.12 mi
0 0.05 0.1 0.19 km

Sources: Esri, HERE, Garmin, Intermap, Ivonnet P Corp., GEBCO, USGS,
FNO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri

No Author

This map and information is provided as is. We make no warranties or guarantees, expressed or implied.

Appendix B

Town Noise Ordinance & DEC Noise Policy

*Town of Rotterdam, NY
Thursday, May 11, 2023*

Chapter 188. Noise

[HISTORY: Adopted by the Town Board of the Town of Rotterdam 8-25-1993 by L.L. No. 15-1993; amended in its entirety 9-11-2019 by L.L. No. 16-2019. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Alarms — See Ch. 71.

Mass gatherings — See Ch. 180.

Public entertainment — See Ch. 217.

§ 188-1. Legislative intent; construal of provisions.

- A. It is hereby declared to be the policy of the Town of Rotterdam to prevent excessive, unnecessary or unusually loud noises. It is further declared that the provisions and prohibitions hereinafter contained and enacted are in pursuance of and for the purpose of preserving, protecting and promoting the public health, comfort, convenience, safety, welfare and prosperity and the peace and quiet of the Town of Rotterdam and its inhabitants. It is the intent of the Town Board that this chapter will be liberally construed so as to effectuate the purpose described in this chapter.
- B. This section shall be liberally construed so as to effectuate the purposes described in this section. Nothing herein shall be construed to abridge the emergency powers of any Town department or the right of such department to engage in any necessary or proper activities. Nothing herein shall abridge the powers and responsibilities of any Police Department or law enforcement agency to enforce the provisions of this chapter.

§ 188-2. Nonapplicability.

[Amended 9-14-2022 by L.L. No. 6-2022]

This chapter shall not apply to the operation or use of any organ, radio, bell, chimes or other instrument, apparatus or device by any church, synagogue or school. This chapter shall not apply to noise created as a result of snow removal by a snow blower or related snow-removal machinery, nor to noise created as a result of lawn maintenance by a lawn mower, lawn tractor, or grass/weed trimmer.

§ 188-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

A-WEIGHTED SOUND LEVEL [DB(A)]

The sound pressure level in decibels as measured on a sound meter using the A-weighting network slow response. The level so read is designated dB(A).

DECIBEL

A unit for measuring the volume of a sound and pressure of sound.

DEVICE

Any mechanism which is intended to produce or which actually produces sound when operated or handled.

EMERGENCY

A public disaster or an exposure of any person or property to imminent danger.

EMERGENCY SIGNAL DEVICE

Any gong, siren, whistle, air horn or similar device, the use of which on emergency vehicles is permitted by Subdivision 26 of § 375 of the New York State Vehicle and Traffic Law.

EXCESSIVE NOISE

- A. Sound which is annoying, causes alarm, disturbs a reasonable person of reasonable sensitivity, unreasonably causes public inconvenience, or unreasonably disturbs the quiet use and enjoyment of one's life and property. Such sound includes but is not limited to mechanically increased volume of sounds of the human voice, musical instruments, recorded music, or any other mechanically enhanced sound-producing or -reproducing device, apparatus or device.
- B. Excessive noise also includes incessant or repeated sounds that have the effect of disturbing the welfare, comfort, peace and quiet of the community, or any sound in excess of 85 decibels.

NOISE

Any sound which annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.

NOISE DISTURBANCE

- A. Any sound which endangers or injures the safety or health of humans or animals or annoys or disturbs a reasonable person of normal sensitivities or endangers or injures personal or real property; or
- B. A level of sound which, in each context described either annoys or disturbs a reasonable person of normal auditory sensitivities, or is clearly audible outside the residential, real property boundary from which it originates, or is loud, disturbing, unusual, unreasonable and unnecessary as well as audible outside the structure or the real property boundary from which it originates.

§ 188-4. Noise disturbance prohibited.

It shall be unlawful for any person to make, continue, cause, permit or allow, verbally or mechanically, any noise disturbance.

§ 188-5. Noise disturbance noises enumerated.

The following acts and the causing thereof are declared to be loud, disturbing or unnecessary noises in violation of this chapter, but the enumeration herein shall not be deemed to be exclusive:

- A. Horns, signaling devices. The sounding of any horn or other signal device on any automobile, motorcycle, bus or other vehicle while stationary, except as a danger signal when an approaching vehicle is apparently out of control or, if in motion, only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signal device of any unreasonably loud or harsh sound or the sounding of any such device for an unnecessary period of time.
- B. Noisy vehicles. No person shall:
 - (1) Use an automobile, motorcycle or other vehicle so out of repair, so loaded or in such a manner as to create loud, unnecessary grating, grinding, rattling or other noise;
 - (2) Operate any vehicle in such a manner as to cause unnecessary noise by spinning or squealing the tires or revving the motor of such vehicle; or
 - (3) Modify or cause to be modified the muffler, exhaust system or other noise-control device of any vehicle in a manner that will increase the noise emitted by such vehicle above that emitted by the vehicle when newly manufactured, regardless of the date of manufacture. The noise-control devices of any vehicle operated in the Town of Rotterdam shall be maintained and in good working order. No person shall operate or permit to be operated a vehicle where the muffler, exhaust system or other noise-control device has been so modified or has not been maintained.

- (4) No person shall load any garbage or trash on a compactor truck, or any other truck, whereby the loading, unloading or handling of boxes, crates, equipment or other objects is conducted within a residential district nor within 300 feet of any hotel or motel between the hours of 11:00 p.m. and 6:00 a.m. the following day.
- C. Discharge of exhaust. The discharge into the open air of the exhaust of any steam engine, stationary internal-combustion engine, motor vehicle or boat engine or motor, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- D. Construction, demolition, excavation. Except in the case of an urgent necessity in the interest of public safety and then only with a permit from the Town Building Inspector/Code Enforcement Officer, which permit may be renewed for a period of three days or less while the emergency continues, the erection (including excavating), demolition, alteration or repair of any building shall be prohibited at all times except:
[Amended 9-14-2022 by L.L. No. 6-2022]
- (1) Between 6:00 a.m. and 9:00 p.m. on any Monday, Tuesday, Wednesday, Thursday and Friday; and
- (2) Between 7:00 a.m. and 7:00 p.m. on any Saturday and Sunday.
- E. Noise near schools, other institutions. The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court, while the same is in session, or adjacent to any hospital, which unreasonably interferes with the workings of such institutions, provided that conspicuous signs are displayed in such streets indicating that the same is a school, hospital, church or court street.
- F. Drums, loudspeakers, similar devices. The use of a drum, loudspeaker or any other sound-producing instrument or device for the purpose of attracting public attention by the creation of noise, except where authorized by special permit to be issued by the Chief of Police, who shall make reasonable rules and regulations therefor.
- G. Sound reproduction.
- (1) No person shall operate, play or permit the operation or playing of any radio, television, phonograph, drum, musical instrument, sound amplifier or similar device which produces, reproduces or amplifies sound so as to produce unreasonable or unnecessary noise at any time, except for activities open to the public or for the public benefit and for which permission has been granted by the Town of Rotterdam.
- (2) Said sound reproduction shall be per se unreasonable and unnecessary if produced:
- (a) Between the hours of 11:00 p.m. and 6:00 a.m. the following day in such a manner as to create noise that can be heard inside any residence, regardless of whether the windows of said residence are open.
- (b) When operated in or on a motor vehicle on a public highway or in a boat on public waters or by a person on public or private property that can be heard 50 feet from such device.
- (c) In such a manner as to create noise when operated by any passenger on a common carrier.
- (3) It shall be prima facie evidence of a violation of this section if a noise disturbance emanating from such apparatus, machine or device is:
- (a) Audible beyond the property line of the premises upon which it is being used.
- (b) Audible at a distance of 25 feet from such apparatus, machine or device when operated in a public park or other public place.
- H. Shouting. No person shall shout, yell, call, hoot, whistle or sing on public streets or in public places in such a manner and for such a period of time as to be unreasonable under the circumstances.
- I. Noise from tools, machinery and heavy equipment in the construction, repair or alteration of property. The use of domestic or industrial tools, machinery and equipment of any kind in construction, repair or alteration of property and resulting in loud grinding, hammering, sawing and similar noise, which noise can be heard inside any residence, regardless of whether the windows of said residence are open, shall be prohibited at all times except:
[Amended 9-14-2022 by L.L. No. 6-2022]
- (1) Between 6:00 a.m. and 9:00 p.m. on any Monday, Tuesday, Wednesday, Thursday and Friday; and

(2) Between 7:00 a.m. and 7:00 p.m. on any Saturday and Sunday.

- J. Noise in the conduct of any business. The creation of noise in the operation, conduct and/or maintenance of any business, factory, plant yard or manufacturing establishment (except as otherwise provided in this chapter), including but not limited to excavating, blasting, grinding, breaking, crushing or processing of any substance (where permitted), resulting in noise which can be heard inside any residence, regardless of whether the windows of said residence are open, shall be prohibited at all times except:
[Amended 9-14-2022 by L.L. No. 6-2022]

(1) Between 6:00 a.m. and 9:00 p.m. on any Monday, Tuesday, Wednesday, Thursday and Friday; and

(2) Between 7:00 a.m. and 7:00 p.m. on any Saturday and Sunday.

- K. The operation of restaurants, taverns, bars and discos.

(1) No restaurant, tavern, bar, nightclub, disco or other similar use, whether public or private, shall be conducted so that music or other noise caused by and/or emanating from said use can be heard:

(a) Inside any residence between the hours of 11:00 p.m. and 12:00 noon the following day, other than in the building where the premises are located, regardless of whether the windows of such residence are open.

(b) At any other time if said noise is unnecessary or unreasonable under the circumstances.

(2) Any corporation, agent, owner, operator or proprietor of such a business use or other owner, licensee or person in control of any private premises shall so limit the level of noise emanating from premises.

(3) Further, it shall be the duty of any such person to disburse any assembly of persons loitering, drinking alcoholic beverages or otherwise engaging in loud or disorderly conduct adjacent to or near the premises or to immediately notify the Town of Rotterdam Police of such conduct.

- L. Fraternities and sororities, dormitories, private clubs, meeting halls, private residences. No noise from parties, entertainment, music or social gatherings of any kind, whether public or private, shall be such that noise caused by and/or emanating from said use can be heard:

(1) Between the hours of 11:00 p.m. and 12:00 noon the following day, inside any residence, regardless of whether the windows of such residence are open.

(2) At any other time if said noise is unnecessary or unreasonable under the circumstances.

- M. Vibration. Operating or permitting the operation of any device that creates vibration which is above the vibration perception threshold of an individual at or beyond the property of the source if on private property or at approximately 50 feet from the source if on a public space or public right-of-way. For the purposes of this section, "vibration perception threshold" means the minimum ground- or structure-borne vibrational motion necessary to cause a normal person to be aware of the vibration by such direct means as, but not limited to, sensation by touch or visual observation of moving objects. This section shall not apply to construction activities performed in compliance with all applicable federal, state and any local laws and ordinances.

§ 188-6. Penalties for offenses.

Any violation of this chapter by any person, firm or corporation shall constitute a violation and shall be punishable by a fine not less than \$500 and no more than the sum of \$1,000 or imprisonment for a period not to exceed 15 days, or both, for conviction of a first offense. Each subsequent violation will be punishable by a fine of not less than \$1,000 nor more than \$2,000 or imprisonment for a period not to exceed 15 days, or both. Each day of continued violation shall constitute a separate, additional offense.

Assessing and Mitigating Noise Impacts



New York State
Department of Environmental Conservation

PROGRAM POLICY

Department ID:
DEP-00-1

Program ID:
n/a

Issuing Authority: Environmental Conservation Law
Articles 3, 8, 23, 27

Name: Jeffrey Sama

Title: Director

Signature: /S/ Date: 10/6/00

Issuance Date: October 6, 2000 Revised: February 2, 2001

Originating Unit: Division of Environmental
Permits

Office/Division: Environmental Permits

Unit:

Phone: (518) 402-9167

Latest Review Date (Office Use):

Abstract: Facility operations regulated by the Department of Environmental Conservation located in close proximity to other land uses can produce sound that creates significant noise impacts for proximal sound receptors. This policy and guidance presents noise impact assessment methods, examines the circumstances under which sound creates significant noise impacts, and identifies avoidance and mitigative measures to reduce or eliminate noise impacts.

Related References: See references pages 27 and 28.

I. PURPOSE¹

This policy is intended to provide direction to the staff of the Department of Environmental Conservation for the evaluation of sound levels and characteristics (such as pitch and duration) generated from proposed or existing facilities. This guidance also serves to identify when noise levels may cause a significant environmental impact and gives methods for noise impact assessment, avoidance, and reduction measures. These methods can serve as a reference to applicants preparing environmental assessments in support of an application for a permit. Additionally, this guidance explains the Department's regulatory authority for undertaking noise evaluations and for imposing conditions for noise mitigation measures in the agency's approval

¹ A Program Policy Memorandum is designed to provide guidance and clarify program issues for Division staff to ensure compliance with statutory and regulatory requirements. It provides assistance to New York State Department of Environmental Conservation (DEC) staff and the regulated community in interpreting and applying regulations and statutes to assure that program uniformity is attained throughout the State. Nothing set forth in a Program Policy Memorandum prevents DEC staff from varying from that guidance as specific circumstances may dictate, provided the staff's actions comply with applicable statutory and regulatory requirements. As this guidance document is not a fixed rule, it does not create any enforceable right by any party using the Program Policy Memorandum.

basically combine noise measurements into measures of cumulative noise exposure and may weight noise occurring at different times by adding decibels to the actual decibel level. Some of these analyses require more complex noise analysis than is mentioned in this guidance. They may be used in a noise analyses prepared for projects.

Designations for sound levels may also be shown as $L_{(10)}$ or $L_{(90)}$ in a noise analysis. These designations refer to the sound pressure level (SPL) that is exceeded for 10% of the time over which the sound is measured, in the case of $L_{(10)}$, and 90% of the time, in the case of $L_{(90)}$. For example, an $L_{(90)}$ of 70 dB(A) means that 70 dB(A) is exceeded for 90% the time for which the measurement was taken.

A. Environmental Setting and Effects on Noise Levels

1. Sound Level Reduction Over Distance - It is important to have an understanding of the way noise decreases with distance. The decrease in sound level from any single noise source normally follows the "inverse square law." That is, SPL changes in inverse proportion to the square of the distance from the sound source. At distances greater than 50 feet from a sound source, every doubling of the distance produces a 6 dB reduction in the sound. Therefore, a sound level of 70 dB at 50 feet would have a sound level of approximately 64 dB at 100 feet. At 200 feet sound from the same source would be perceived at a level of approximately 58 dB.
2. Additive Effects of Multiple Sound Sources - The total sound pressure created by multiple sound sources does not create a mathematical additive effect. Below Table A is given to assist you in calculating combined noise sources. For instance, two proximal noise sources that are 70 dBA each do not have a combined noise level of 140 dBA. In this case the combined noise level is 73 dBA. Since the difference between the two sound levels is 0 dB, Table A tells us to add 3 dB to the sound level to compensate for the additive effects of the sound. To find the cumulative SPL assess the SPLs starting with the two lowest readings and work up to the difference between the two highest readings. For several pieces of equipment, operating at one

time, calculate the difference first between the two lowest SPLs, check Table A and add the appropriate number of decibels to the higher of the two sound levels. Next, take the sound level that was calculated using Table A and subtract the next lowest sound level to be considered for the operation. Consult Table A again for the additive effect and add this to the higher of the two sound levels. Follow this process until all the sound levels are accounted for. As an example, let us say that an area for a new facility is being cleared. The equipment to be used is: two chainsaws, one operating at 57 dBA and one at 60 dBA; a front end loader at 80 dBA; and a truck at 78 dBA. Start with the two lowest sound levels: $60 \text{ dBA} - 57 \text{ dBA} = 3 \text{ dBA}$ difference. Consulting the chart add 2 dBA to the higher sound level. The cumulative SPL of the two chainsaws is 62 dBA. Next, subtract 62 dBA from 78 dBA. $78 \text{ dBA} - 62 \text{ dBA} = 16 \text{ dBA}$. In this case, 0 dBA is added to the higher level so we end up with 78 dBA. Lastly, subtract 78 dBA from the 80 dBA. $80 \text{ dBA} - 78 \text{ dBA} = 2 \text{ dBA}$ a difference of 2 dBA adds 2 dBA to the higher SPL or 82 dBA. The SPL from these four pieces of equipment operating simultaneously is 82 dBA.

Table A
Approximate Addition of Sound Levels

Difference Between Two Sound Levels	Add to the Higher of the Two Sound Levels
1 dB or less	3 dB
2 to 3 dB	2 dB
4 to 9 dB	1 dB
10 dB or more	0 dB

(USEPA, Protective Noise Levels, 1978)

3. Temperature and Humidity - Sound energy is absorbed in the air as a function of temperature, humidity and the frequency of the sound. This attenuation can be up to 2 dB over 1,000 feet. Such attenuation is short term and, since it occurs over a great distance, should not be considered in calculations. Higher temperatures tend to increase sound velocity but does

operates at the same noise level as the ambient, then 3 dB(A) must be added to the existing ambient noise level to obtain the future noise level. If the goal is not to raise the future noise levels the new facility would have to operate at 10 dB(A) or more lower than the ambient.(see Table A)

Table B
HUMAN REACTION TO INCREASES IN SOUND PRESSURE LEVEL

Increase in Sound Pressure (dB)	Human Reaction
Under 5	Unnoticed to tolerable
5 - 10	Intrusive
10 - 15	Very noticeable
15 - 20	Objectionable
Over 20	Very objectionable to intolerable

(Down and Stocks - 1978)

Impact assessment will vary for specific project reviews, but must consist of certain basic components for all assessments. Additional examination of sound generation and noise reception are necessary, where circumstances warrant. Sound impact evaluation is an incremental process, with four potential outcomes:

- exemption criteria are met and no noise evaluation is required;
- noise impacts are determined to be non-significant (after first-level evaluation);
- noise impacts are identified as a potential issue but can be readily mitigated (after second level evaluation); or
- noise impacts are identified as a significant issue requiring analysis of alternatives as well as mitigation (third level evaluation).

All levels of evaluation may require preparation of a noise analysis. The required scope of noise impact analysis can be rudimentary to rather sophisticated, depending on circumstances and the results obtained from initial levels of evaluation. Recommendations for each level of evaluation are presented below.

2. Situations in Which No Noise Evaluation is Necessary

When certain criteria are satisfied, the need for undertaking a noise impact analysis at any level is eliminated. These criteria are as follows:

- a. The site is contained within an area in which local zoning provides for the intended use as a "right of use". It does not apply to activities that are permissible only after an applicant is granted a special use permit by the local government; and
- b. The applicant's operational plan incorporates appropriate best management practices (BMPs [see Section V.C. Mitigation - Best Management Practices]) for noise control for all facets of the operation.

Where activities may be undertaken as a "right of use", it is presumed that noise has been addressed in establishing the zoning. Any residual noise that is present following BMP implementation should be considered an inherent component of the activity that has been found acceptable in consideration of the zoning designation of the site.

3. First Level Noise Impact Evaluation

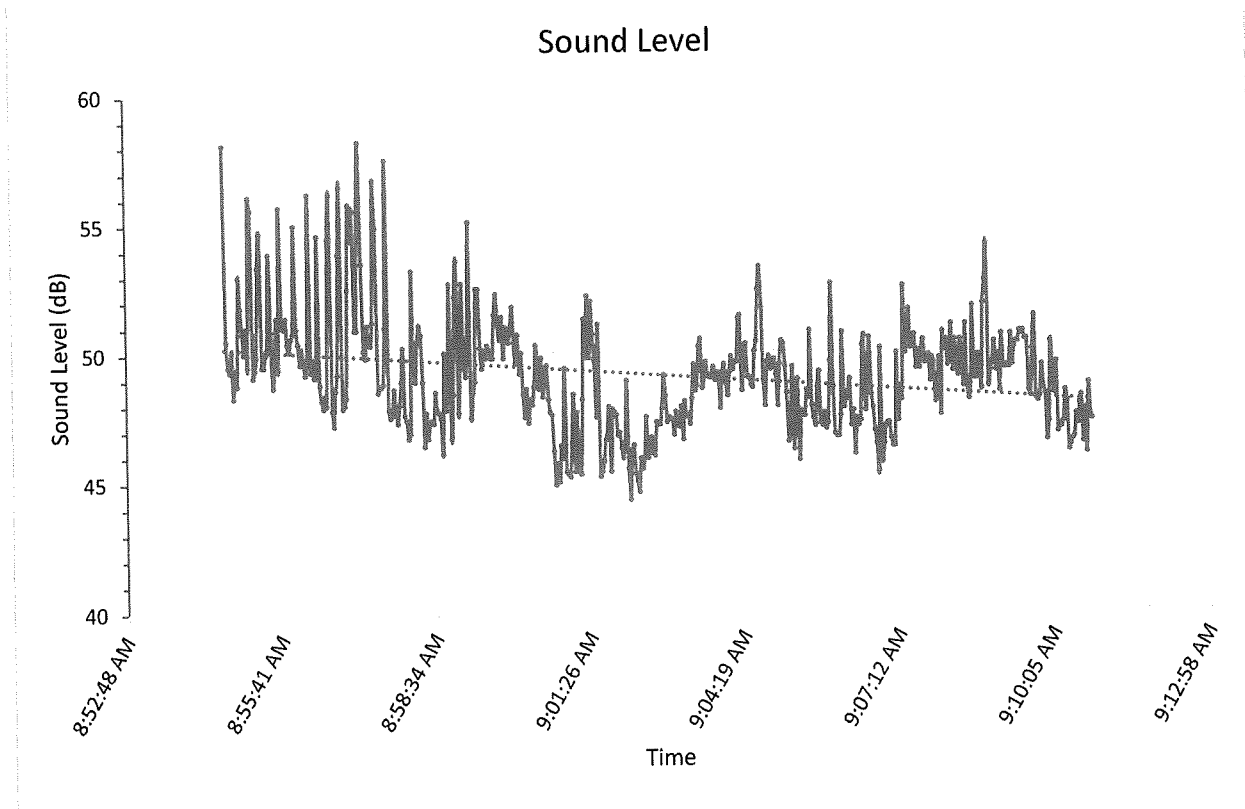
The initial evaluation for most facilities should determine the maximum amount of sound created at a single point in time by multiple activities for the proposed project. All facets of the construction and operation that produce noise should be included such as land clearing activities (chain saw and equipment operation), drilling, equipment operation for excavating, hauling or conveying materials, pile driving, steel work, material processing, product storage and removal. Land clearing and construction may be only temporary noise at the site whereas the ongoing operation of a facility would be considered permanent noise. An analysis may be required for

Appendix C

Existing Noise Analysis Map

Appendix D
Existing Sound Data

Analysis Point A



Project: BlueWave Energy

Date: March 21, 2023

Time: Morning

Weather Conditions: Clear and calm, 35 Degrees

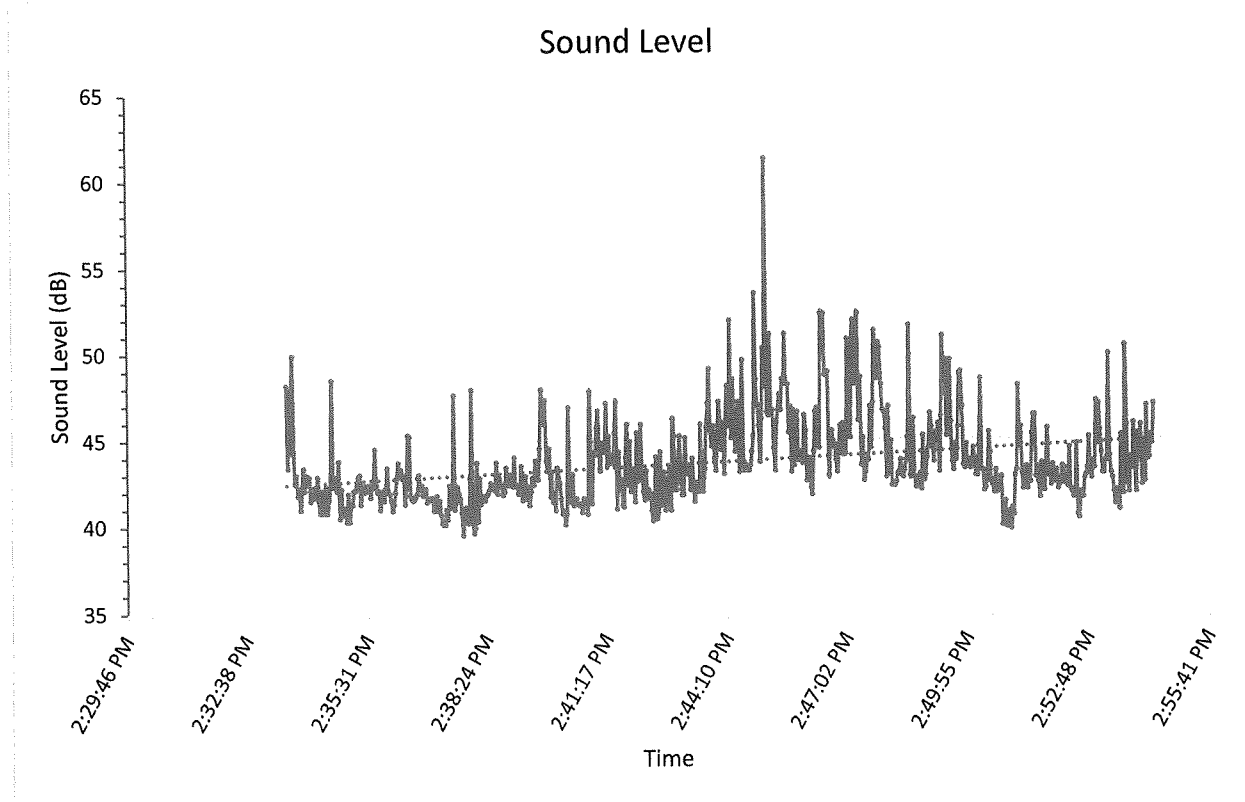
Point Location: Center of parcel

Average Ambient Noise Level: +/- 49 dB

Peak Ambient Noise Level: +/- 58 dB

Notes: Recording device at ground elevation

Analysis Point A



Project: BlueWave Energy

Date: March 20, 2023

Time: Midday

Weather Conditions: Clear and breezy, 45 Degrees

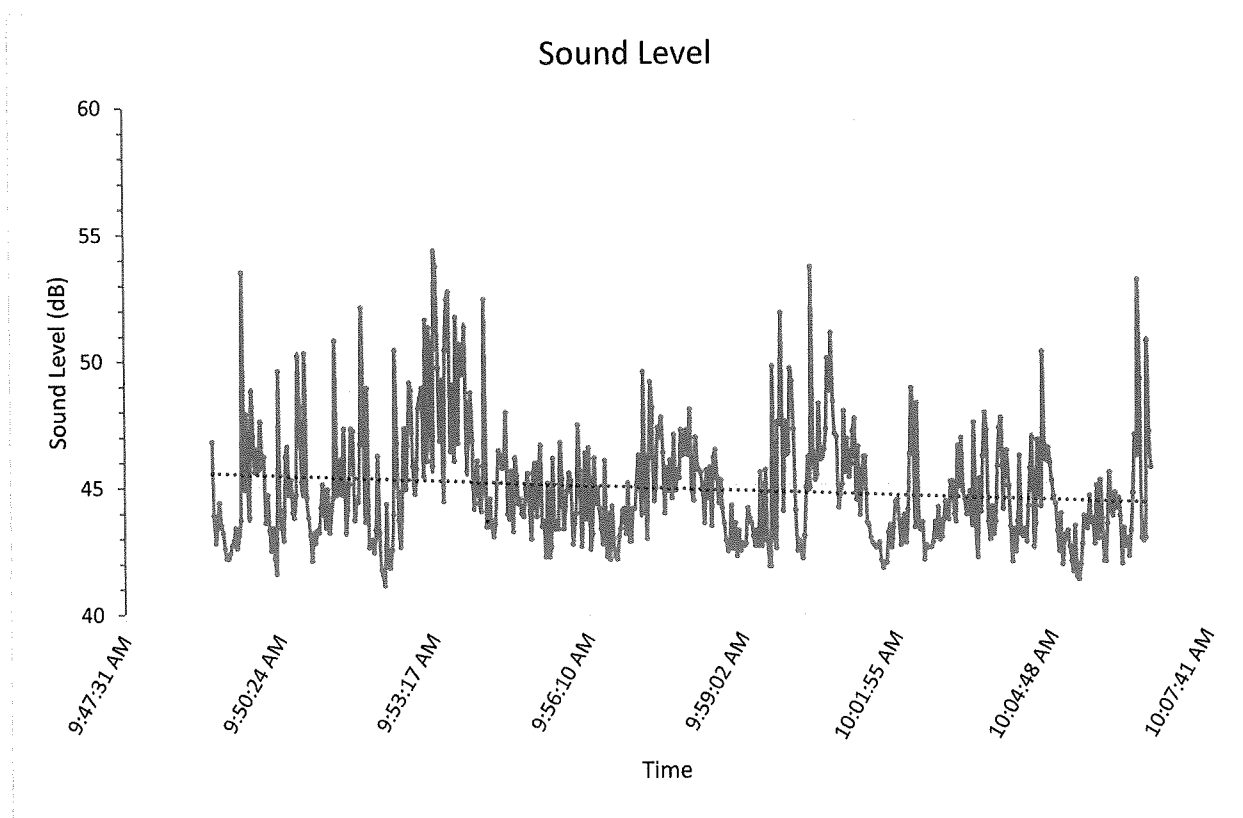
Point Location: Center of parcel

Average Ambient Noise Level: +/- 44 dB

Peak Ambient Noise Level: +/- 61 dB

Notes: Recording device at ground elevation

Analysis Point B



Project: BlueWave Energy

Date: March 20, 2023

Time: Morning

Weather Conditions: Clear and calm, 25 Degrees

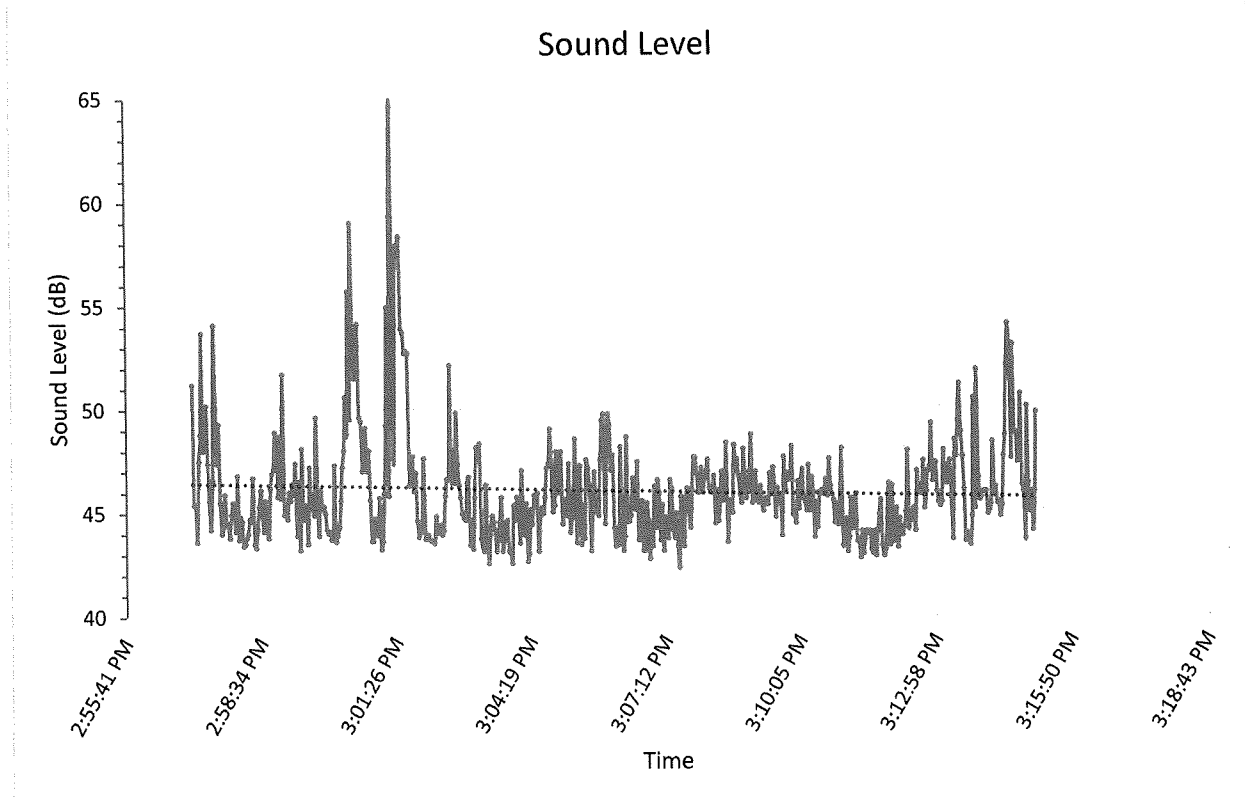
Point Location: Center of parcel

Average Ambient Noise Level: +/- 45 dB

Peak Ambient Noise Level: +/- 54 dB

Notes: Recording device at ground elevation

Analysis Point B



Project: BlueWave Energy

Date: March 20, 2023

Time: Midday

Weather Conditions: Clear and breezy, 45 Degrees

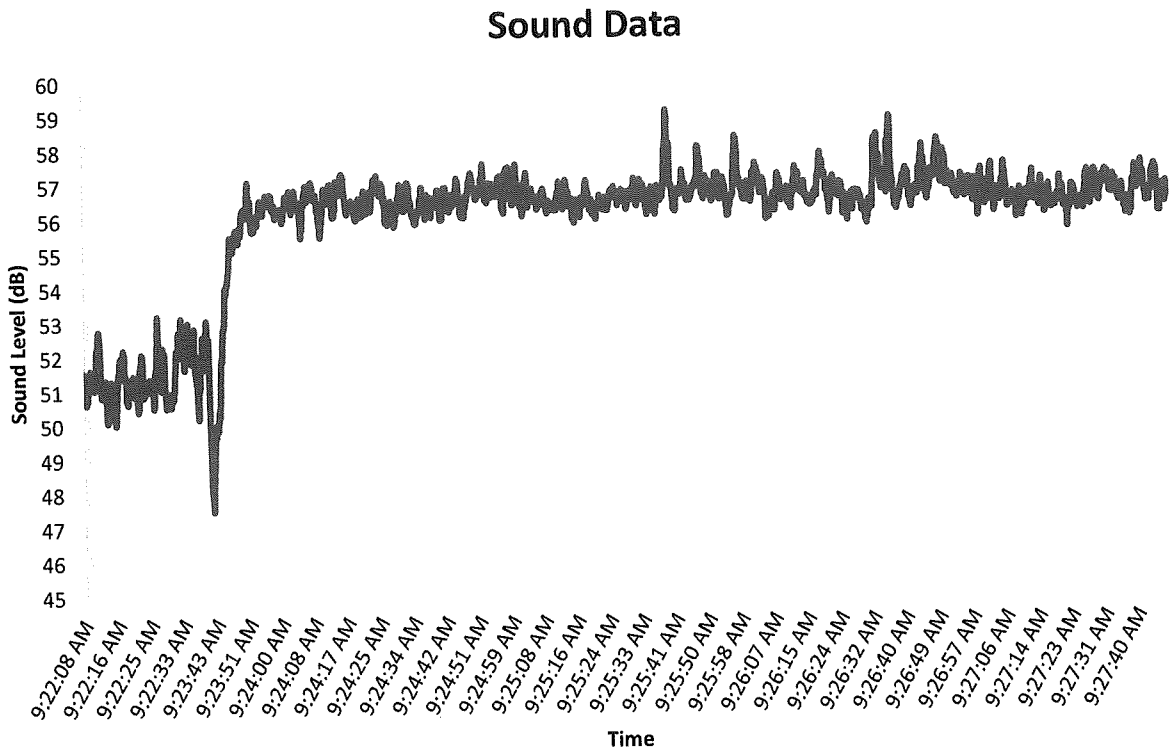
Point Location: Center of parcel

Average Ambient Noise Level: +/- 46 dB

Peak Ambient Noise Level: +/-65 dB

Notes: Recording device at ground elevation

Sound Generation (15 Ft from Unit)



Project: BlueWave Energy

Date: June 6, 2023

Time: Morning

Weather Conditions:

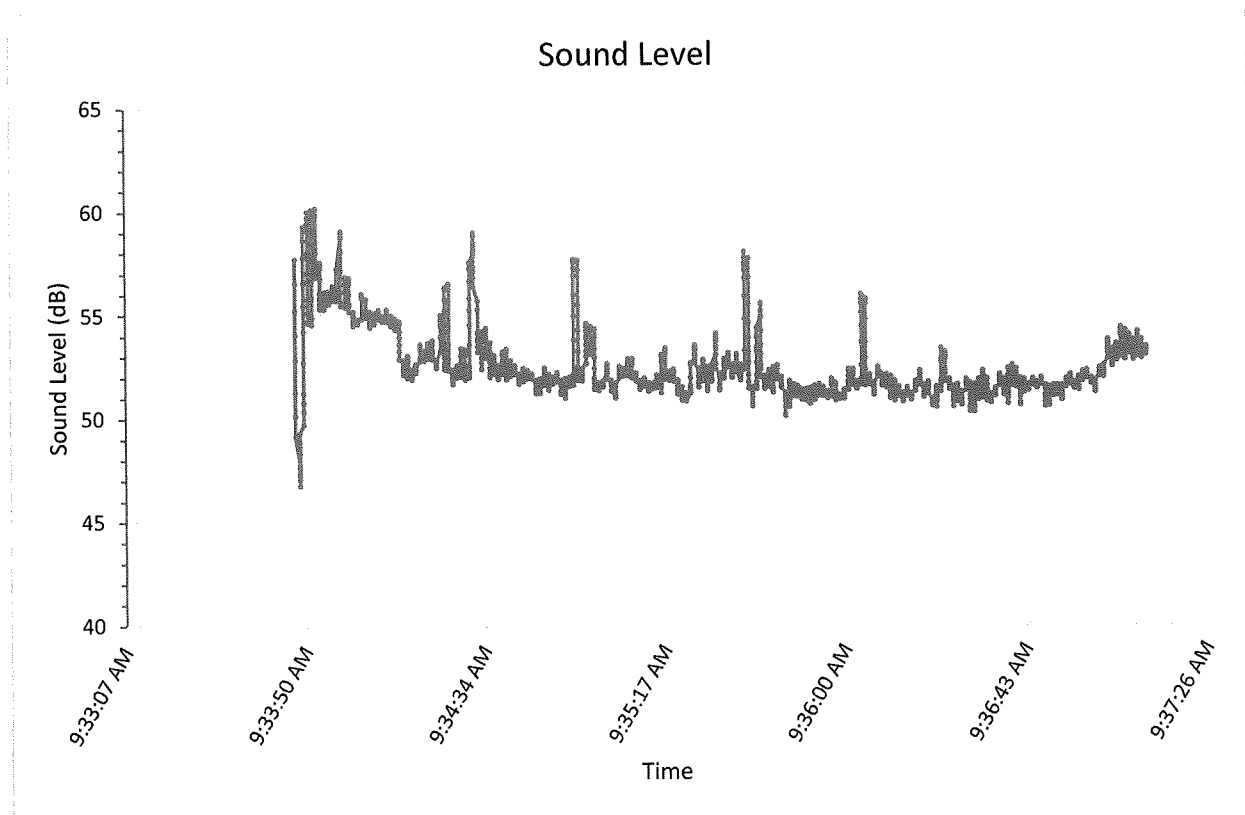
Point Location: 15ft from enclosed inverter

Average Generated Noise Level: +/- 56 dB

Peak Ambient Noise Level: +/- 59 dB

Notes: Recordings performed by unit manufacturer, EOSE.

Sound Generation (75 Ft from Unit)



Project: BlueWave Energy

Date: June 6, 2023

Time: Morning

Weather Conditions:

Point Location: 75 ft from enclosure

Average Generated Noise Level: +/- 52 dB

Peak Ambient Noise Level: +/- 59 dB

Notes: Recordings performed by unit manufacturer, EOSE.

Appendix E

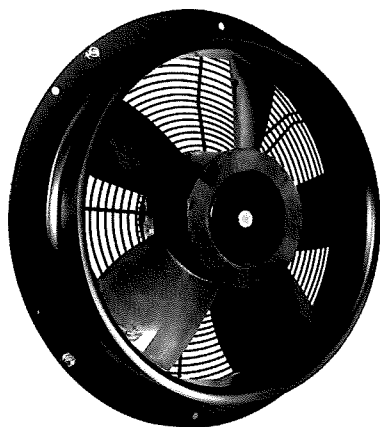
Sound Generating Equipment Specifications



GTW040FUC15E-M001

Electronically Commutated (EC) Fan

Axial Fan

 $\varnothing$ 528 x 154 mm

Delta Electronics, Inc.
 No.252, Shangying Road, Guishan
 Industrial Zone, Taoyuan City,
 33341, Taiwan
 TEL: +886-3-3591968
 FAX: +886-3-3591991
www.deltaww.com

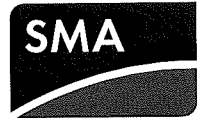
Technical features

Input Side	
Nominal voltage	1~ 230Vac 50/60Hz
Input source	1~ 200Vac - 277Vac
Power @ free air	330 W
Power @ max. load	420 W
Output Side	
Speed (RPM)	1650
Qmax. (CMH / CFM)	5350 / 3147
Pmax. (Pa / inAq)	198 / 0.8
Noise (dB-A) @ Qmax	72
Functions	
Passive power factor correction	
Control input 0~10V _{DC} / PWM pattern.	
Output +10V _{DC} (±10%), max. 10mA.	
RS485 control bus	
Alarm relay, Locked rotor protection, Soft start.	
Voltage / Current monitoring.	

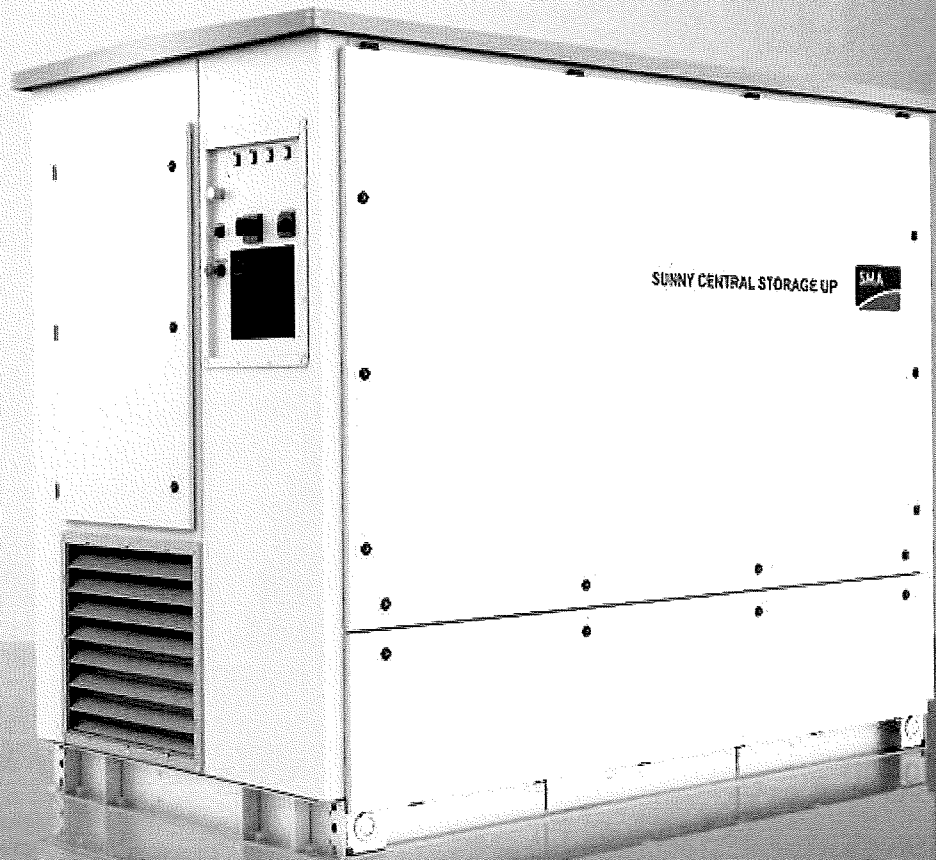
Physical	
Rotation direction	CCW, seen on rotor
Material (impeller)	Plastic
Bearing system	Ball bearings
Weight (kg)	9.7
Electrical leads	cabl e
Environmental	
Operating temperature range	-25 ~ +60 °C
Storage temperature range	-40 ~ +70 °C
Safety	
Safety	UL, cUL, TUV
IP Level	IP54
EMC	EN61000-6-1 , EN61000-6-3 , EN61000-3-2/3
Protection class	I
Insulation class	B
Leakage current	≤ 3.5 mA
Motor protection	Over temperature protected
Life expectance	60,000 hrs at 40 °C / 15 ~ 65 %RH

NOTE : Delta reserves the right to change specifications and other product information without prior notice.

SUNNY CENTRAL STORAGE UP-XT EXTENDED GRID-FEED POWER



SCS 2300 UP-XT / SCS 2400 UP-XT / SCS 2500 UP-XT / SCS 2650 UP-XT



Efficient

- Up to 4 inverters can be transported in one standard shipping container
- Higher power density
- Higher power in grid feed direction
- Higher short circuit contribution

Robust

- Intelligent air cooling system OptiCool for efficient cooling
- Suitable for outdoor use in all climatic ambient conditions worldwide

Flexible

- One device for all applications
- Stand-alone device or turnkey solution with SMA medium-voltage system

Versatile

- Integrated battery communication
- Customized monitoring and control of inverters
- Grid management functions for dynamic grid support
- Integrated voltage supply for internal consumption and external loads

SUNNY CENTRAL STORAGE UP-XT

Battery inverter for large-scale storage systems

With a max. output of up to 3067 kVA and system voltages up to 1500 V DC, the SMA Sunny Central Storage allows for more efficient and flexible system design for battery power plants. The SCS UP-XT versions allow a system design with higher output power and higher short-circuit current contribution. The intelligent cooling system OptiCool ensure smooth operation even in extreme ambient temperature.

SUNNY CENTRAL STORAGE UP-XT

Technical Data

Battery side (DC)

Operating DC voltage range V_{DC}

Max. DC current $I_{DC, max}$

Fuse characteristic for battery connection - pre-arcing integral limit single DC busbar / split DC busbar ^{12) 15)}

Single DC busbar 36 connections per pole / split DC busbar 6/5 connections per pole

DC connection

Grid side (AC)

Nominal AC discharge power at 1200 Vdc and $\cos \varphi = 1.0$ (at 25°C)

Grid-Feed mode: AC apparent power at 1200 Vdc, (at 25°C / at 40°C / at 50°C) ^{3) 13) 14)}

Charging mode: AC apparent power at 1200 Vdc, (at 25°C / at 40°C / at 50°C) ^{3) 13) 14)}

Max. AC current $I_{AC, max}$ (at 25°C / at 40°C / at 50°C)

Max. total harmonic distortion

Nominal AC voltage / AC voltage range ^{1) 8)}

AC power frequency / range

Min. short-circuit ratio at the AC terminals ⁹⁾

Cos Phi at rated power / displacement Cos Phi adjustable ^{8) 10)}

AC connection

Efficiency

Max. efficiency ²⁾

Protective Devices

Input-side disconnection point

Output-side disconnection point

DC overvoltage protection

AC overvoltage protection (optional)

Lightning protection (according to IEC 62305-1)

Insulation monitoring

Degree of protection: electronics / air duct / connection area (as per IEC 60529)

General Data

Dimensions (W / H / D)

Weight

Self-consumption (max. ⁴⁾ / partial load ⁵⁾ / average ⁶⁾

Self-consumption (standby)

Internal (8.4 kVA transformer) / external auxiliary power supply

Noise emission ⁷⁾

Operating temperature range (optional) ⁸⁾

Temperature range (standby)

Temperature range (storage)

Max. permissible value for relative humidity (condensing / non-condensing)

Maximum operating altitude above MSL ⁸⁾ 1000 m / 2000 m ¹¹⁾

Fresh air consumption

Features

Grid forming / black start ready

Communication

Communication with SMA string monitor (transmission medium)

Enclosure / roof color

Supply transformer for external loads

Standards and directives complied with

EMC standards

Quality standards and directives complied with

SCS 2300 UP-XT

880 V to 1500 V

3200 A

10.75 MA²s / 8.0 MA²s

● / ○

with terminal lug

2667 kW

2667 kVA / 2427 kVA / 2267 kVA

2393 kVA / 2179 kVA / 2001 kVA

2566 A / 2335 A / 2181 A

< 3% of nominal power

600 V / 480 V to 720 V

50 Hz / 47 Hz to 53 Hz

60 Hz / 57 Hz to 63 Hz

> 2

1 / 0.0 overexcited to 0.0 underexcited

with busbar system (three busbars, one per line conductor)

98.7%

DC load break switch

AC circuit breaker

Surge arrester, type I

Surge arrester, class I

Lightning Protection Level III

●

IP54 / IP34 / IP34

2815 / 2318 / 1588 mm (110.8 / 91.3 / 62.5 inch)

< 3400 kg / < 7495 lb

< 8100 W / < 1800 W / < 2000 W

< 370 W

● / ○

63.0 dB(A)

(-40°C) -25°C to 60°C / (-40°F) -13°F to 140°F

-40°C to 60°C / -40°F to 140°F

-40°C to 70°C / -40°F to 158°F

95% to 100% (2 month/year) / 0% to 95%

● / ○

6500 m³/h

○ / ○

Ethernet, Modbus Master, Modbus Slave

Modbus TCP / Ethernet (FO MM, Cat-5)

RAL 9016 / RAL 7004

○ (2.5 kVA)

CE, IEC / EN 62109-1/-2, AR-N 4110 / 4120, Arrêté du 23/04/08

IEC 61000-6-2, EN 55011, CISPR11, FCC Part 15 Class A

VDI/VDE 2862 page 2, DIN EN ISO 9001

Type designation

SCS 2300 UP-XT

SCS 2400 UP-XT

● Standard features ○ Optional — Not available

- 1) At nominal AC voltage, nominal AC power decreases in the same proportion
- 2) Efficiency measured without internal power supply
- 3) AC apparent power at higher dc voltages on request
- 4) Self-consumption at rated operation
- 5) Self-consumption at < 75% P_n at 25 °C
- 6) Self-consumption averaged out from 5% to 100% P_n at 25 °C
- 7) Sound pressure level at a distance of 10 m
- 8) Values apply only to inverters. Permissible values for SMA MV solutions from SMA can be found in the corresponding data sheets
- 9) A short-circuit ratio of < 2 requires a special approval from SMA

- 10) Max. power values [S/P/Q] can be requested based on project specific design
- 11) Earlier temperature-dependent de-rating and reduction of DC open-circuit voltage
- 12) Battery short circuit disconnection has to be done on the battery side with ultra rapid battery string or group fuses, e.g. fuse type aR/aBat & DC time constant Tau (L/R) <= 1 ms
- 13) The specified services can be provided on a long-term basis. Depending on the ambient temperature and the inverter temperature, the maximum temperature-dependent AC power can also occur on short notice
- 14) Depending on the ratio of reactive power (cos φ), an extended power derating may occur.
- 15) Please check the manual for further information

Technical Data

Battery side (DC)

Operating DC voltage range V_{DC}

Max. DC current I_{DC, max}

Fuse characteristic for battery connection - pre-arcing integral limit single DC busbar / split DC busbar^{12) 13)}

Single DC busbar 36 connections per pole

DC connection

Grid side (AC)

Nominal AC discharge power at 1200 Vdc and cos φ = 1.0 (at 25 °C)

Grid-Feed mode: AC apparent power at 1200 Vdc, (at 25 °C / at 40 °C / at 50 °C)^{3) 13) 14)}

Charging mode: AC apparent power at 1200 Vdc, (at 25 °C / at 40 °C / at 50 °C)^{3) 13) 14)}

Max. AC current I_{AC, max} (at 25 °C / at 40 °C / at 50 °C)

Max. total harmonic distortion

Nominal AC voltage / AC voltage range^{1) 8)}

AC power frequency / range

Min. short-circuit ratio at the AC terminals⁹⁾

Cos Phi at rated power / displacement Cos Phi adjustable^{8) 10)}

AC connection

Efficiency

Max. efficiency²⁾

Protective Devices

Input-side disconnection point

Output-side disconnection point

DC overvoltage protection

AC overvoltage protection (optional)

Lightning protection (according to IEC 62305-1)

Insulation monitoring

Degree of protection: electronics / air duct / connection area (as per IEC 60529)

General Data

Dimensions (W / H / D)

Weight

Self-consumption (max.⁴⁾ / partial load⁵⁾ / average⁶⁾

Self-consumption (standby)

Internal (8.4 kVA transformer) / external auxiliary power supply

Noise emission⁷⁾

Operating temperature range (optional)⁸⁾

Temperature range (standby)

Temperature range (storage)

Max. permissible value for relative humidity (condensing / non-condensing)

Maximum operating altitude above MSL⁹⁾ 1000 m / 2000 m¹¹⁾

Fresh air consumption

Features

Grid forming / black start ready

Communication

Communication with SMA string monitor (transmission medium)

Enclosure / roof color

Supply transformer for external loads

Standards and directives complied with

EMC standards

Quality standards and directives complied with

SCS 2530 UP-XT

962 V to 1500 V

3200 A

10.75 MA²s / 8.0 MA²s

● / ○

with terminal lug

2933 kW

3067 kW

2933 kVA / 2669 kVA / 2493 kVA

3067 kVA / 2791 kVA / 2607 kVA

2633 kVA / 2397 kVA / 2201 kVA

2752 kVA / 2506 kVA / 2302 kVA

2566 A / 2335 A / 2181 A

< 3% at nominal power

660 V / 528 V to 759 V

690 V / 552 V to 759 V

50 Hz / 47 Hz to 53 Hz

60 Hz / 57 Hz to 63 Hz

> 2

1 / 0.0 overexcited to 0.0 underexcited

with busbar system (three busbars, one per line conductor)

98.7%

DC load break switch

AC circuit breaker

Surge arrester, type I

Surge arrester, class I

Lightning Protection Level III

●

IP54 / IP34 / IP34

2815 / 2318 / 1588 mm (110.8 / 91.3 / 62.5 inch)

< 3400 kg / < 7495 lb

< 8100 W / < 1800 W / < 2000 W

< 370 W

● / ○

63.0 dB(A)

(-40 °C) -25 °C to 60 °C / (-40 °F) -13 °F to 140 °F

-40 °C to 60 °C / -40 °F to 140 °F

-40 °C to 70 °C / -40 °F to 158 °F

95% to 100% (2 month/year) / 0% to 95%

● / ○

6500 m³/h

○ / ○

Ethernet, Modbus Master, Modbus Slave

Modbus TCP / Ethernet (FO MM, Cat-5)

RAL 9016 / RAL 7004

○ (2.5 kVA)

CE, IEC / EN 62109-1/-2, AR-N 4110 / 4120, Arrêté du 23/04/08

IEC 61000-6-2, EN 55011, CISPR 11, FCC Part 15 Class A

VDI/VDE 2862 page 2, DIN EN ISO 9001

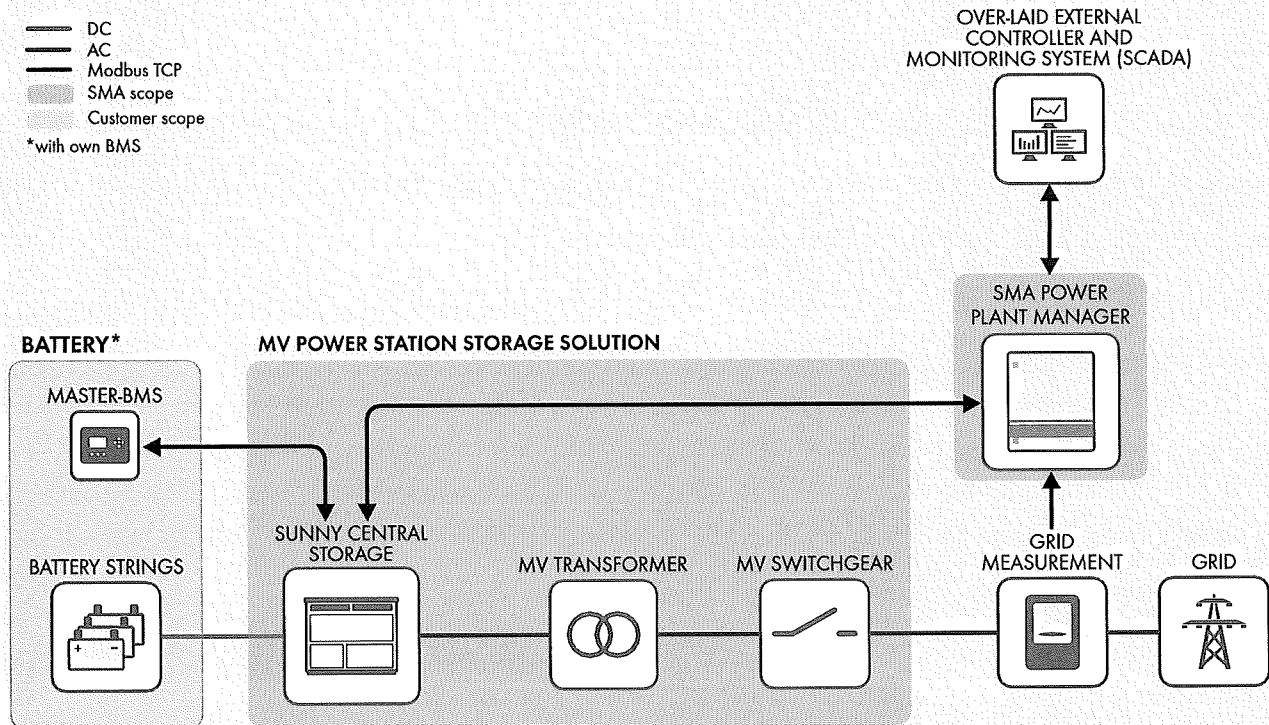
SCS 2530 UP-XT

SCS 2630 UP-XT

Type designation

● Standard features ○ Optional — Not available

SYSTEM DIAGRAM



Grid-connected functions

- Setpoints for active and reactive power
- Static grid support $Q(U)$, $P(f)$
- Dynamic grid support (FRT)
- Active islanding detection (AID)
- High compatibility with different battery types

Compatible with energy management system functionalities

- External static grid supporting functions
- Ramp-rate control of PV power
- Peak shaving
- Energy shifting
- Genset optimization control
- Reducing necessary spinning reserve of gensets
- Battery start-up and stop sequence
- Operates the battery within optimal operation window
- Grid Forming
- Black Start

Appendix F
Proposed Sound Plan

Appendix G

Sound Barrier Product Data

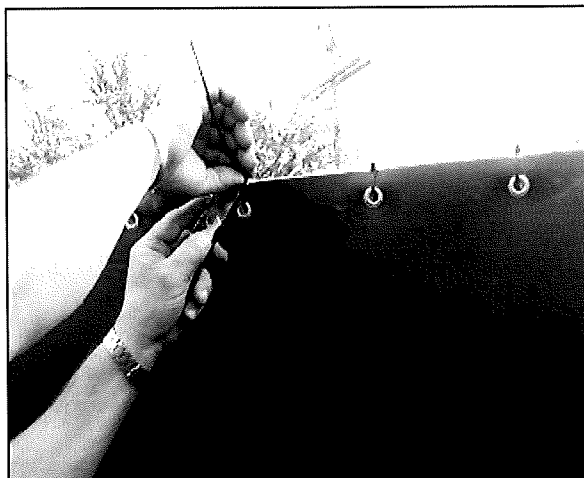


100%
Recyclable

North American Office
Acoustiblok, Inc.
6900 Interbay Boulevard
Tampa, FL 33616 USA
Phone: 813-980-1400
Fax: 813-549-2653
www.acoustiblok.com
sales@acoustiblok.com

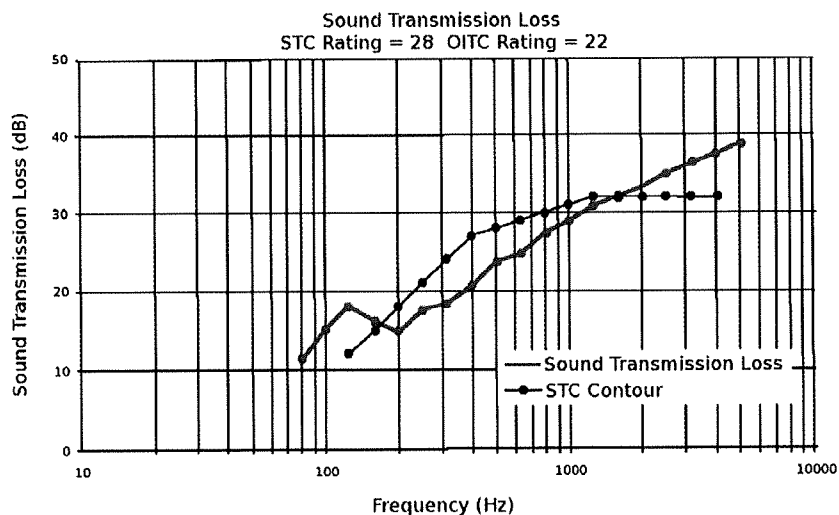
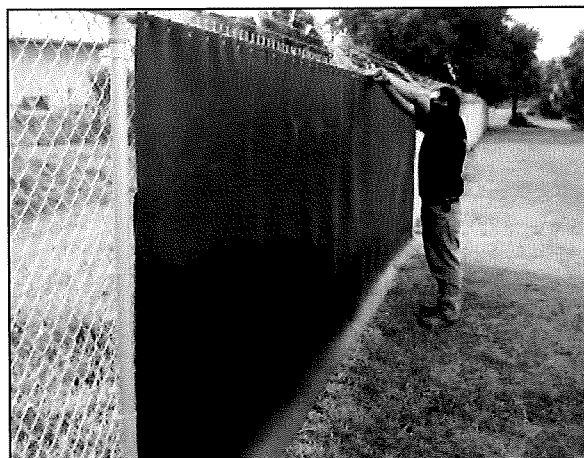
Acoustifence® Benefits and Specifications

- The material itself is lab tested STC value of 28, which represents over an 80% reduction in sound to the human ear. (Your results will be less as sound reflects off all surrounding materials or structures, i.e., buildings, trees, etc.)
- Works extraordinarily well at blocking direct line of sight sound.
- Far less sound reflected than solid walls.
- Installed or removed in less than one hour.
- To store, Acoustifence easily rolls up like a carpet into 12 in. roll.
- UV tolerant and does not support mold.
- Virtually indestructible, very resilient material.
- 100% recyclable
- Comprised of 100% recycled materials.
- Will accept most paint finishes.
- Includes qty. 80, 11 in. heavy duty 120 lb. (black) nylon ties; stainless steel ties are available.
- Can blend in with any background using our Acoustifence-Landscapes®.



Material Specifications – Part # “Acoustifence 6x30 Industrial”

Acoustical Rating	STC 28 / OITC 22
Size	6 ft. (1.83m) x 30 ft. (9.14m) x 0.125 in. (3mm) 180 ft² (16.72m²)
Weight	185 lbs. (84Kg)
Fastening	Black brass grommets every 6 in. (152mm) along top edge with four grommets spaced along the bottom edge. Commonly installed horizontally.
Color	Black
(This is an industrial product and minor surface blemishes are a possibility.)	



(Specifications and prices subject to change without notice.)

Acoustifence® Acoustical Test Data
(Performed by an Independent Certified Test Lab)

Date: 05/25/2006

Specimen: Acoustifence Sound Barrier Material

Specimen Area: 6.0 Sq. Ft.

Filler Area: 134.0 Sq. Ft.

Operator: W. Green

	Bkgrd	Absorp	Source	Receive	Filler	Specimen
Temp F	73.9	74.0	73.1	73.9	73.1	73.7
R. H. %	65.7	65.7	63.3	65.7	61.4	65.1

Freq (Hz)	Bkgrd SPL (dB)	Absorp (Sabines / Sq. Ft.)	Source SPL (dB)	Receive SPL (dB)	Filler TL (dB)	Specimen TL (dB)	95% Conf Limit	No. of Deficiencies	Trans Coef Diff
80	43.0	52.5	84.2	63.7	36.3	11	2.54	0	11.7
100	39.2	59.1	87.7	62.9	40.3	15	3.77	0	12.0
125	47.4	55.9	91.5	63.7	47.5	18	2.02	0	15.9
160	43.4	50.4	94.2	68.8	46.2	16	1.06	0	16.5
200	43.0	54.9	97.9	73.5	49.6	15	0.80	3	21.3
250	35.8	53.0	99.3	72.2	51.0	18	1.12	3	19.8
315	33.7	57.2	95.7	67.5	54.0	18	0.53	6	22.1
400	33.3	56.0	95.0	64.6	58.4	21	0.78	6	24.3
500	31.6	56.3	98.8	65.4	60.5	24	0.30	4	23.4
630	25.1	57.7	101.5	66.9	65.2	25	0.53	4	26.9
800	25.2	59.9	101.3	63.8	67.4	27	0.54	3	26.4
1000	23.2	62.6	101.0	61.9	72.2	29	0.49	2	29.8
1250	23.8	69.4	105.1	63.7	78.0	31	0.28	1	33.8
1600	20.1	70.2	111.4	68.6	81.8	32	0.22	0	36.3
2000	15.0	76.3	107.4	63.2	79.9	33	0.22	0	33.2
2500	7.5	86.9	105.9	59.3	74.8	35	0.23	0	26.3
3150	8.4	102.0	106.6	58.0	77.8	36	0.33	0	28.0
4000	7.7	124.9	105.6	55.0	81.1	37	0.33	0	30.2
5000	8.1	162.8	104.1	51.0	81.0	39	0.36	0	28.7

STC Rating = 28 (Sound Transmission Class)

Deficiencies = 32 (Number of deficiencies versus contour curve)

Specifications subject to change without notice.

Decommissioning Report

NY Rotterdam Storage – 5 MWAC BESS Systems

C02742

06/16/2023

Presented by:

BLUEWAVE

116 Huntington Ave, Suite 601

Boston, MA 02116

www.Bluewave.energy

RECEIVED

JUN 19 2023

TOWN OF ROTTERDAM
PUBLIC WORKS



Table of Contents

Executive Summary.....	4
Final Impressions	4
1.1 Overview	6
1.2 Documentation Review.....	7
1.3 BESS modules	7
1.4 Inverters.....	7
1.5 Material Salvage Review	7
1.6 Material Removal Review	7
1.7 Material Transportation Review	7
1.8 Landscape Restoration Review	7
1.9 Engineering Fee Review	7
Desktop Design Review	8
2.1 Definitions	8
2.2 Desktop Design Review.....	8
2.3 Observations Summary – Material Review.....	8
Material Salvage Review	9
3.1 Definitions	9
3.2 Raw Material Cost assumptions	9
3.3: Material Salvage Assessment Conclusion.....	10
Material Removal Review	11
4.1 Labor assumptions	11
4.2 Removal Labor Review.....	11
4.3: Labor Assessment Conclusion.....	12
Material Transportation Review.....	13
5.1 Definitions	13
5.2 Transportation assumptions	13
5.3 Transportation Review.....	13
5.4 Tipping Review	13
5.5: Transportation Assessment Conclusion.....	14
Landscape Restoration Review	15



6.1 Definitions	15
6.2 Landscape Restoration Assumptions	15
6.3 Landscape Restoration Review	15
Engineering Labor Review	16
7.1 Engineering Assumptions.....	16
7.2 Landscape Restoration Conclusions	16
Appendix 1 - Desktop Design Review.....	17
Definitions	17
Appendix 2 - References.....	19
Exhibit 1 - Site Plan	20



Executive Summary

Final Impressions

This report was prepared by Bluewave Energy, Inc., here by referred to as (the “Applicant”) dated 03/30/2023. This report summarizes our review of certain technical and engineering aspects of a ground-mounted, Battery Energy Storage System (BESS) generating system, hereby referred to as (the “Project”). The Project is located at 635 Mariaville Rd, Rotterdam NY, (the “Site”). The Project is rated at approximately 5,000 (kW)DC / 4Hr and 5,000 (kW)AC.

As the owner of the Project, the Applicant is solely responsible for decommissioning the Project. Commercial-scale BESS are designed for a minimum expected operational life of 20 years but may operate for 25 to 30 years or more. As the BESS approaches the end of its operational life, it is expected that technological advances will make more efficient and cost-effective battery technologies that will economically drive the replacement of the existing batteries. Therefore, decommissioning of the Project shall commence after 12 consecutive months of no power generation at the facility except in the case of a natural disaster, act of violence, or other event which results in the absence of electrical generation for 12 months.

This Decommissioning Plan shall be reviewed on a 5-year cycle. The cost estimate would be reevaluated by a NYS licensed professional engineer working on behalf of the Applicant at each review cycle. The decommissioning bond could be adjusted if costs increased in each cycle.

This summary memo discussing the decommissioning assessment and calculated total cost of decommissioning, assuming the Applicant shall:

- Be responsible for all decommissioning costs.
- Obtain any additional permits required for the decommissioning, removal, and legal disposal of Project components prior to commencement of decommissioning activities; - 6 months for preparation and permits.
- Remove and dispose of all above-ground infrastructure, including battery energy storage modules, inverter structures, concrete foundations and pads, and fences, and grade and revegetate in accordance with permits and in compliance with all applicable rules and regulations then in effect governing the disposal thereof; 3-6 months estimated for removal depending on weather conditions and access for equipment.
- Remove all hazardous materials and transport them to be disposed of by licensed contractors at an appropriate facility in accordance with rules and regulations governing the disposal of such materials; and 3 months to identify appropriate disposal site and coordinate delivery.
- Removed materials shall be recycled and/or salvaged to the maximum extent practical and all waste streams shall be managed in accordance with the State of New York’s solid waste requirements.

The summary shall include:

- Salvage value of scrap based on commodity market pricing for most recent annual fiscal-quarter.
- The estimated labor rate based on regional labor market scaling.
- Transportation costs for material removal and disposal.
- Landscape Restoration.



- Installation of temporary erosion controls around the project site during decommissioning activities and maintained until the site is stable.
- Landscape Restoration.

Decommissioning assumes the following, per New York Battery Energy Storage System Guidebook for Local Governments:

- Decommissioning will commence when the project ceases to generate electricity for a period of 12 continuous months, unless otherwise approved by the Department upon a showing that the project will be operational again.
- Decommissioning means the physical removal of all Project components to a depth of at least 48 inches or to the depth of bedrock, whichever is less, to the extent such components are not otherwise in or proposed to be placed in productive use or otherwise authorized to remain in place by the New York Department of Environmental Conservation.
- Decommissioning also includes the grading to postconstruction grade and revegetation of all earth disturbed during construction and decommissioning, except for areas already restored. As applicable, farmlands will be restored to a degree sufficient to support resumption of farming or agricultural activities.
- The decommissioning and restoration processes consist of the removal of above-ground structures; grading, to the extent necessary; restoration of topsoil (if needed) and seeding. The process of removing structures involves evaluating and categorizing all components and materials into categories of recondition and reuse, salvage, recycling, and disposal. The Project consists of numerous materials that can be recycled, including steel, aluminum, glass, copper, and plastics. In the interest of increased efficiency and minimal transportation impacts, components and material may be stored on-site until the bulk of similar components or materials are ready for transport. The components and material will be transported to the appropriate facilities for reconditioning, salvage, recycling, or disposal. Above-ground structures include the battery storage containers, racks, inverters, pads, and any interconnection facilities located on the property. At the time of decommissioning, a plan will be submitted for continued beneficial use of any components to be left on site, including roads.

The overall project restoration cost for 2023 values would be as indicated in Table 1.4. this will require adjustment for inflation and commodity market price. These costs will be reviewed & certified by a NYS licensed professional engineer.



Table 1.4 Project Decommissioning Costs for 2023

Task	Price	Price with 1.25 Escalator
Salvage	\$ 320,376.00	
Labor	\$ (85,058.00)	
Transportation	\$ (22,428.00)	
Landscape Restoration	\$ (7,350.00)	
Engineering Services	\$ (5,000.00)	
Total With Salvage	\$ 200,540.00	\$ 250,675.00
Total Excluding Salvage	\$ (119,836.00)	\$ (149,795.00)

1.1 Overview

Table 1.1: Project Site Evaluated

Project Name	Address	MW-DC	MW-AC
NY Rotterdam 635 Mariaville Rd Storage	635 Mariaville Rd, Rotterdam, NY	5.0	5.0

Table 1.2: Assessment Team

Deliverable	Completed By
Executive Summary	Efrem Tagliamonte
Desktop Design Review	Efrem Tagliamonte
Material Salvage Review	Efrem Tagliamonte
Material Removal Review	Efrem Tagliamonte
Material Transport Review	Efrem Tagliamonte
Landscape Restoration Review	Efrem Tagliamonte
Engineering Fee Review	Efrem Tagliamonte



1.2 Documentation Review

The following documentation was reviewed for verification for the above Project:

Table 1.3: Documents Review

Document Name	Type
Rotterdam, NY - 647 Mariaville Rd IX Oneline -	Electrical Plan Set
17029 BlueWave Solar 2B-Plan Set 10-26-22	Civil Plan Set

1.3 BESS modules

The Project will utilize (32) EOS Z3 battery cabinets.

1.4 Inverters

The Project will utilize the (2) SMA, SCS-2530-UP-XT for the Project.

1.5 Material Salvage Review

The material value was assessed for both resale value and for salvage value. Based on the project 20-year timeline, it is recommended to consider 100% salvage for all material. The total salvage value is \$320,376 for the system.

1.6 Material Removal Review

The material removal value is estimated at (\$85,058) for the system.

1.7 Material Transportation Review

The material removal transportations and tipping fees costs were assessed based regional availability for salvage and waste management within 25 miles of the site. The total value for transportation is (\$22,428), including a tipping fee of (\$1,107), for the system.

1.8 Landscape Restoration Review

The land restoration review was assessed based on typical reforestation and grass restoration options. Based on cost estimate for grass seeding at \$4,900/Acre, cost is approximately (\$7,350).

1.9 Engineering Fee Review

Based on estimates for engineering services to support the restoration, cost assumed is (\$5,000).



Desktop Design Review

2.1 Definitions

Design Review – All materials are assessed categorically, so salvage, freight and labor value can be assigned. The major items of assessment are:

- Battery modules
- Battery containers
- Concrete foundations
- Inverter
- Medium Voltage Transformer (MVT)
- Copper wire
- Aluminum Wire

2.2 Desktop Design Review

Below are the summarized observations and issues into the following categories:

2.3 Observations Summary – Material Review

Table 2.1: Design Review Summary

Equip. Type / Make / Model	Qty Assessment	Lbs. Assessment
Battery	28	560,000
Inverter (Central)	2	15,000
MVT	2	30,000
Bulk Al wire	800	375
Bulk Al wire	225	18
Bulk Al wire	600	47
Fence Posts	651	8,456
Fence fabric	1239	4,337

The electrical drawings and data sheets were provided, however, specific detailed material schedules were not available, and estimates were used.



Material Salvage Review

3.1 Definitions

Design Review – All materials are assessed categorically, for raw material value, material types, weights, and quantities. Materials with a salvage value will be scraped for salvage. Materials deemed recyclable will be recycled without a scrap value assigned. Limited materials, without ability to salvage or recycle, will be considered waste, and carry a tipping fee.

3.2 Raw Material Cost assumptions

The raw material cost as denoted for typical raw materials. See Appendix 2 for source references.

Table 3.1: Raw Material Sources

Material	Price per Ton
Aluminum	\$300.00
Copper	\$2,000.00
Steel	\$195.00
Iron	\$195.00
Gold e/waste	\$182.40
Battery	\$1,120

Table 3.2 Raw Material Breakdown

	alumn		copper		steele		ewaste		fluids			
	% Wgt	lbs	% Wgt	lbs	% Wgt	lbs	% Wgt	lbs	% Wgt	lbs	Total weight (lbs)	Total (tons)
Battery	0%	-	0%	-	0%	-	-	-	-	-	560,000	280.00
Inverter (Central)	25%	3,750	10%	1,500	25%	3,750	40%	6,000	-	-	15,000	7.50
MVT	10%	1,500	0%	-	50%	7,500	-	-	40%	6,000	15,000	7.50
MVT	10%	1,500	0%	-	50%	7,500	-	-	40%	6,000	15,000	7.50
Bulk Al wire	100%	376	0%	-	-	-	-	-	-	-	375.52	0.19
Bulk Al wire	100%	18	0%	-	-	-	-	-	-	-	17.6625	0.01
Bulk Al wire	100%	47	0%	-	-	-	-	-	-	-	47.1	0.02
Fence Posts	100%	8,456	-	-	100%	8,456	-	-	-	-	8456.175	4.23
Fencing	-	-	-	-	100%	4,337	-	-	-	-	4336.5	2.17
TOTAL	-	-	-	-	-	-	-	-	-	-	-	-



Table 3.3 Material Price Comparison

	Salvage \$
Battery	\$313,600
Inverter (Central)	\$2,699
MVT	\$1,735
Bulk Alu MV wire	\$59
Fence Posts	\$1,899
Fencing	\$384
TOTAL	\$320,376

3.3: Material Salvage Assessment Conclusion

Table 3.4: Summary of Material Salvage Review

Recommendations
– The value of \$320,376 be used for planning.



Material Removal Review

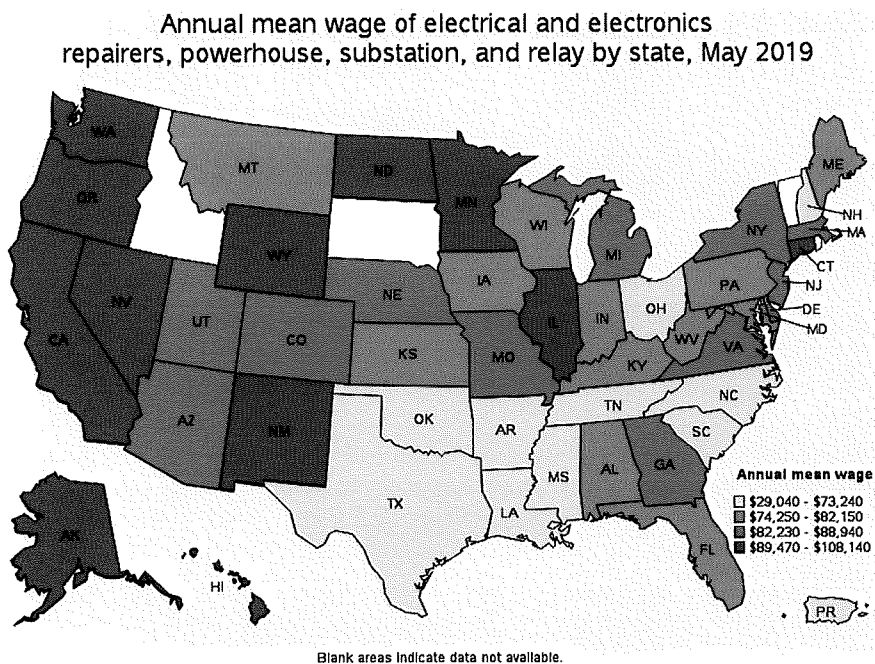
4.1 Labor assumptions

Labor cost as denoted for typical labor activities, based on department of labor, using PV Installer average values by state. Hourly scaling rate accounts for regional markup and blended rates for mixed trades.

Table 4.1: Labor Sources

Labor Region	Average Annual	With Scaling \$/HR Rate
NY	\$ 155,640	\$ 150

Graph 4.1: Regional Labor Map



4.2 Removal Labor Review

The summary of removal costs based on an average multiple sources, scaling with regional pricing based on Bureau of Labor Statistics and the prices are applicable for the region in consideration. Regional influences can skew the estimate beyond the median provided.



Table 4.2 – Labor Cost Summary

	Average Labor hrs/MWDC	MWDC	Labor Rate \$/HR	Total Cost \$
1. Battery Removal	36	5.0	\$ 150.00	\$ 27,000
2. Wire Management Removal	24	5.0	\$ 150.00	\$ 17,858
3. Foundation Removal	20	5.0	\$ 150.00	\$ 15,000
4. On-Site Packaging	7.2	5.0	\$ 150.00	\$ 5,400
5. Electrical Equipment Removal	12	5.0	\$ 150.00	\$ 9,000
6. Inverter Removal (Central)	12 per	2	\$ 150.00	\$ 3,714
7. MVT Removal	8 per	2	\$ 150.00	\$ 2,400
8. Fencing Removal	6.25	5	\$ 150.00	\$ 4,688
TOTAL				\$ 85,058

4.3: Labor Assessment Conclusion

Table 4.3: Summary of Labor Review

Recommendations
– A recommend a labor value to (\$85,058) be considered, and adjusted for inflation at 2% per year for the target year in consideration



Material Transportation Review

5.1 Definitions

Design Review – Transportation and waste tipping fees are assessed against the project bill of material.

5.2 Transportation assumptions

Transportation cost as denoted for typical labor activities:

Table 5.1: Transportation Sources

Price/Fee	Price/Value	Unit
Haul Price	\$ 3.19	/mile
Tipping Fee	\$ 55.36	/ton
Loading Costs	\$ 75.00	/hour
Intermodal Rent	\$ 150.00	/unit
Labor Length	6	hours

5.3 Transportation Review

A summary of transportation costs based on access to recycling and waste disposal facilities. While waste disposal and scrap recycling was estimated at 25 miles from the site, the battery recycling facilities is approximately 2,50 miles from the site.

5.4 Tipping Review

Tipping is the cost associated with bulk waste disposal. Allotted time is accounted for materials that are not recyclable. It was assumed 4 ton per MWDC of waste.

Tipping cost is regional specific. The prices assumed are based on the national average, which aligned well with the site location. The regional influence can skew this estimate +75%/-20%.



Table 5.2 – Transportation Cost Summary

	# Trucks	Loading Cost per load	Hauling Cost per trip	Tipping Fee per load	Transport \$
Battery	14	\$450.00	\$797.50		\$17,465.00
Foundations	0.5	\$450.00	\$79.75		\$264.88
Inverter (Central)	2	\$450.00	\$79.75	\$997.00	\$3,053.50
MVT	1	\$450.00	\$79.75		\$529.75
Wire	0	\$450.00	\$79.75		\$-
Misc Non-Salvage	1	\$450.00	\$79.75		\$529.75
Fencing	0.5	\$450.00	\$79.75		\$264.88
	0.5	\$450.00	\$79.75	\$111.00	\$320.38
TOTAL					\$22,428.13

5.5: Transportation Assessment Conclusion

Table 5.3: Summary of Transportation Review

Recommendations
– Recommend a value to (\$22,428) be considered, and adjusted for inflation at 2% per year for the target year in consideration



Landscape Restoration Review

6.1 Definitions

Design Review – Landscape restoration was assessed to restore the site to original conditions.

6.2 Landscape Restoration Assumptions

The restoration cost as denoted for typical labor activities. The pricing was normalized on a per acre basis, based on project quotes for areas < 1 acres typical.

Table 6.1a: Restoration Costs

Task	Price per acre
Restoration labor & planning	\$1,200
Plant stock	\$500
Deer protection for stock	\$500
Total	\$2,200

Table 6.1b: Grass Costs

Task	Price per acre
Till and Seed	\$4,900
Total	\$7,350

6.3 Landscape Restoration Review

Table 6.2: Restoration Cost Summary

Task	Reforestation	Grass only
Restoration	N/A	\$7,350



Engineering Labor Review

7.1 Engineering Assumptions

The estimated engineering costs for supporting the decommissioning planning and support. A flat rate of (\$5,000) would be an appropriate estimate.

7.2 Landscape Restoration Conclusions

Table 7.1: Summary Engineering Labor Cost Review

Recommendations
– An engineering budget value of (\$5,000) be considered and adjusted for inflation at 2% per year for the target year in consideration. – Cost assumes a \$175/hr rate.



Appendix 1 - Desktop Design Review

Definitions

Abbreviation	Meaning
AHJ	Authority Having Jurisdiction
ASHRAE	American Society of Heating, Refrigerating, and Air-Conditioning Engineers
BOM	Bill of Materials
BOS	Balance of System
CEC	California Energy Commission
DAS	Data Acquisition System
DHI	Diffuse Horizontal Irradiance
GCR	Ground Cover Ratio
GHI	Global Horizontal Irradiance
EOR	Engineer of Record
EPC	Engineering, Procurement, and Construction
ESA	Environmental Site Assessment
ETL	Electrical Testing Labs
FEMA	Federal Emergency Management Agency
FMV	Fair Market Value
IA / ISA	Interconnection Agreement / Interconnection Service Agreement
IE	Independent Engineer
IEC	International Electrotechnical Commission
IEEE	Institute of Electrical and Electronic Engineers
IS	Impact Study
MPPT	Maximum Power Point Tracking (for inverters)
MQF	Module quality factor
MV	Medium Voltage
LID	Light Induced Degradation
NOAA	National Oceanic and Atmospheric Administration
NRTL	Nationally Recognized Testing Laboratory
NSRDB	National Solar Radiation Database
NTP	Notice to Proceed
O&M / OMA	Operations and Maintenance / Operations and Maintenance Agreement
PID	Potential Induced Degradation
POA	Plane of Array
POI	Point of Interconnection
PPA	Power Purchase Agreement
PV	Photovoltaic
STC	Standard Test Conditions (1000 W/m ² irradiance, 25°C operating temperature)



UL / ULC
USFWS

Underwriters Laboratories / Underwriters Laboratories of Canada
United States Fish and Wildlife Service



Appendix 2 - References

Reference Source
https://markets.businessinsider.com/commodities
https://www.wastetodaymagazine.com/article/eref-releases-analysis-national-msw-landfill-tipping-fees/
Electronic Waste and Printed Circuit Board Recycling Technologies By Muammer Kaya
https://www.wbdg.org/FFC/ARMYCOE/PWTB/pwtb_200_1_26.pdf
https://www.statista.com/statistics/301564/us-silicon-price-by-type/
https://www.recyclingproductnews.com/article/27088/breaking-down-the-factors-behind-scrap-glass-prices
https://www.bls.gov/oes/current/map_changer.htm
https://www.nrel.gov/docs/fy22osti/79650.pdf
https://apa.ny.gov/Mailing/2021/05/LocalGov/NYSERDA-Decommissioning-Solar-Systems.pdf
https://lawnlove.com/blog/fence-removal-cost/
https://lawnlove.com/blog/cost-to-seed-lawn/#:~:text=The%20average%20cost%20to%20seed,full%20acre%20is%20around%20%244%2C900.
https://www.scrapmonster.com/scrap-yard/price/lithium-ion-battery-scrap/122
https://rockawayrecycling.com/scrap-metal-prices/



Exhibit 1 - Site Plan

BOND # _____

Annually Renewable Decommissioning Bond

KNOW ALL MEN BY THESE PRESENTS: That _____ (hereinafter called the Principal), and _____ (hereinafter called the Surety), are held and firmly bound unto _____ (hereinafter called the Obligee), in the full and just sum of _____ Dollars (\$ _____), the payment of which sum, well and truly to be made, the said Principal and Surety bind themselves, and each of their heirs, administrators, executors, and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has by written agreement dated the ____ day of _____, 20__ entered into a Contract with the Obligee for _____ which contract is hereby referred to and made a part hereof.

WHEREAS, the Obligee has agreed to accept a bond guaranteeing the performance of said contract for a period of one year.

NOW, THEREFORE, THE CONDITIONS OF THE ABOVE OBLIGATION IS SUCH, that if the Principal shall well and truly perform each and every obligation in said Contract at the time and in the manner specified during the term of this bond, and shall reimburse said Obligee for any loss which said Obligee may sustain by reason of failure or default on the part of said Principal, than this obligation shall be void, otherwise to remain in full force and effect.

PROVIDED, HOWEVER, That this bond is subject to the following conditions:

1. This bond is for the term beginning _____ and ending _____. The bond may be extended for additional terms at the option of the surety, by continuation certificate executed by the Surety. Neither non-renewal by the surety, nor failure, nor inability of the Principal to file a replacement bond shall constitute a loss to the Obligee recoverable under this bond.
2. In the event of default by the Principal, Obligee shall deliver to Surety by certified mail, a written statement of the facts of such default, within thirty (30) days of the occurrence. In the event of default, the Surety will have the right and opportunity, at its sole discretion, to: a) cure the default; b) assume the remainder of the Contract and to perform or sublet same; c) or to tender to the Obligee funds sufficient to pay the cost of completion less the balance of the Contract price up to an amount not to exceed the penal sum of the bond. In no event shall the Surety be liable for fines, penalties, liquidated damages, or forfeitures assessed against the Principal.
3. No claim, action, suit or proceeding, except as hereinafter set forth, shall be had or maintained against the Surety on this instrument unless same be brought or instituted upon the Surety within one year from termination or expiration of the bond term.
4. No right of action shall accrue on this bond to or for the use of any person or corporation other than the Obligee named herein or the heirs, executors, administrator or successors of Obligee.
5. The aggregate liability of the surety is limited to the penal sum stated herein regardless of the number or amount of claims brought against this bond and regardless of the number of years this bond remains in force.
6. If any conflict or inconsistency exists between the Surety's obligations or undertakings as described in this bond and as described in the underlying document, then the terms of this bond shall prevail.
7. This bond shall not bind the Surety unless the bond is accepted by the Obligee. The acknowledgement and acceptance of this bond is demonstrated by signing where indicated below. If this obligation is not accepted by way of signature of the Obligee below, this bond shall be deemed null and void.

Signed and sealed this _____ day of _____, 2018.

PRINCIPAL:

_____ (seal)

(name & title)

SURETY:

_____ (seal)

Attorney-in-Fact

THE ABOVE TERMS AND CONDITIONS OF THIS BOND HAVE BEEN REVIEWED AND ACCEPTED BY THE (OBLIGEE).

ACKNOWLEDGED AND ACCEPTED BY OBLIGEE:

BY: _____
PRINTED NAME/TITLE: _____
DATE: _____

PLEASE RETURN A COPY OF ACCEPTED BOND TO:

April 21, 2023

Page 7

Exhibit D

Exhibit D – Revised Operations & Maintenance Plan

Operations and Maintenance Standards for BESS Facilities

NY Rotterdam Storage – 5 MWAC BESS System

C02742

06/09/2023

Pre-Operation, Please Contact Colleen Bisceglia, BlueWave

e: cbisceglia@bluewave.energy

116 Huntington Ave, Suite 601

Boston, MA 02116

www.bluewave.energy

**For all project operations* questions please contact BlueWave's Asset Management
Department at assetmgmtteam@bluewave.energy**

*Contact information for parties responsible for Utility Shut-Off, monitoring service, landscaping service, or other project operation-related contacts will be provided ASAP.



00 01 10 Table of Contents

Division 00 Procurement	3
00 23 00 Definitions	3
00 24 00 Scope	3
Division 01 General Requirements	7
01 11 10 Summary of Work	7
01 35 00 Special Procedures	7
01 35 23 Safety Requirements	7
Division 26 Electrical	9
26 01 00 Operation and Maintenance of Electrical Systems	9
26 01 01 Site and Grounds	9
26 01 02 Transformers (XFMR)	9
26 01 03 Low Voltage Electrical Distribution	10
26 01 04 Auxiliary AC Equipment less than 600VAC	10
26 01 05 Inverter and Converters	11
26 01 06 DC Balance of System	12
26 01 07 SCADA and DAS Systems	13
26 01 08 Battery Racks	14
26 01 09 Battery Container	15

Division 00 Procurement

00 23 00 Definitions

Capitalized words are defined herein or in the Specification for Battery Energy Storage System, ("BESS") Facilities, Rev 9.0, 2022-02-23.

00 24 00 Scope

1. The Operations and Maintenance Standards for BESS Facilities are the typical Operation and Maintenance standard for each Project. This may be superseded or amended by the Contract Documents, Project Documents and Special Conditions, and Vendor required maintenance requirements.

Table 1: Procurement Scope

1.0	Site Wide Maintenance	
Item	Service Description	Frequency
1	Complete and submit Maintenance Reports.	As Needed
2	Inspect the mechanical functionality of the Project – including but not limited to randomly inspecting a sample quantity of the fastening/mounting elements, equipment connection and coupling cases, visual inspection of overhead poles and lines, verifying that the threaded connections are tight, visual inspection of all parts of the equipment and checking the cabling. Quantity inspected shall be not less than 10% and is acknowledged as sufficient to make informed recommendation if follow-up or additional remediation is required.	1x per year
3	Inspect all electrical boxes and electrical equipment for water damage or signs of significant water accumulation in underground conduit.	1x per year
4	Scan electrical connections in all enclosure, and electrical panels with infrared camera to identify loose or broken connections.	1x per year
5	Visually inspect the medium-voltage components and conduct grounding measurements and verification.	1x per year
7	Inspect accessible cabling for signs of cracks, defects, pulling out of connections, overheating, arcing, short or open circuits, and ground faults.	1x per year
8	Check for abnormal corrosion on parts of the Project and perform minor service on any parts with the potential for corrosion to remove long-term risks.	1x per year
9	Check the mechanical functionality of the built-in components and interrupters (ground fault circuit interrupters and circuit breakers).	1x per year
10	Check the functionality of the meters. For avoidance of doubt, functionality of the meters means that meters are operating,	1x per year

	communicating reliably, and measuring coherent values as compared to the backup meters.	
11	Inspect perimeter fence line and gate. Upon request by Owner, if holes or defects are noted, make necessary repairs.	1x per year
12	Inspect gate, verify all gates are secure from unauthorized entry.	Per visit
2.0	Inverter Maintenance	
Item	Service Description	Frequency
1	Annual maintenance as required to meet the manufacturer's warranty requirements. Operator will provide a detailed report of findings.	As required
2	General visual observation of the condition and functioning of the inverter.	1x per year
3	Check wiring and the connection tightness of the parts.	1x per year
4	Verify that the site of the inverter is clean, dry, and well ventilated and insulated.	1x per year
5	Check that the inverter works properly and that unusual noises are not coming from inside it.	1x per year
6	Check the equipment protection and alarms.	1x per year
7	Inspect air filters annually. Replace or clean, as necessary.	1x per year or as needed
8	Thermal Inspection of internal inverter components ensuring that temperatures are within acceptable ranges	1x per year or as needed
9	Confirm Firmware version is the current revision. Upgrade as required.	1x per year or as needed
3.0	BESS Racks	
Item	Service Description	Frequency
1	Annual maintenance as required to meet the manufacturer's warranty requirements. Operator will provide a detailed report of findings.	1x per year
2	General visual observation of the condition and functioning of the inverter.	1x per year
3	Check wiring and the connection tightness of the parts.	1x per year
4	Verify that the site of the BESS Rack is clean, dry, and well ventilated and insulated.	1x per year
5	Check cooling fans for proper operation, Clean or replace as required if exhibiting excessive vibration.	1x per year
6	Check the equipment protection and alarms.	1x per year
7	Check the E-stop functionality.	1x per year

	Check the communications between the BMS system and the BESS Racks. All sensors should be reporting. Investigate any warnings or faults that are reporting.	1x per year
8	Confirm Firmware version is the current revision. Upgrade as required.	1x per year or as needed
9	Confirm the BESS Rack voltage.	1x per year
4.0	BESS Containers	
Item	Service Description	Frequency
1	Annual maintenance of fire protection system as required to meet the manufacturer's warranty requirements. Operator will provide a detailed report of findings.	1x per year
2	Annual maintenance of HVAC cooling system as required to meet the manufacturer's warranty requirements. Operator will provide a detailed report of findings.	1x per year
3	Confirm door seals are clean and intact. Lubricate and clean seals as required.	1x per year or as needed
5.0	Controls	
Item	Service Description	Frequency
1	Annual maintenance of Power Plant Control system as required to meet the manufacturer's warranty requirements. Operator will provide a detailed report of findings.	1x per year
2	Confirm Firmware version is the current revision. Upgrade as required.	1x per year or as needed
3	Confirm conditions of metering equipment (PT, CT, meter). Verify meter is reporting correctly.	1x per year
6.0	Sensors	
Item	Service Description	Frequency
	Confirm conditions of weather station instrumentation metering equipment (GHI, Albedo, POA, ambient temperature, module temperature, windspeed, snow sensor). Verify instruments are reporting correctly.	1x per year
7.0	Landscape	
Item	Service Description	Frequency
1	Mowing and/or grazing to maintain a height a minimum of six inches below the lowest edge of modules (or greater if required by module or racking/tracking manufacturer), or if identified as necessary by vegetation management consultant.	2x per year or as required per contract
2	Maintain required vegetation buffer in accordance with the applicable ground lease.	As required

3	Vegetation Buffer maintenance if permitted, applied as needed. Applied underneath modules and at base of perimeter fencing and used in conjunction with weed-eating as needed to prevent overgrowth above panels, causing shading or growth within fence fabric.	As required
4	Fertilize as needed per recommendations based upon analysis of soil samples taken and tested during project construction or as required to maintain vegetation growth.	As required
5	Stormwater Pond maintenance.	As required

Division 01 General Requirements

01 11 10 Summary of Work

1. Contractor shall abide by this Operations and Maintenance Specification for BESS Facilities developing an operations and maintenance plan for each project site.

Contractor shall support the operations and maintenance of the BESS system.

The Work includes a scope that will result in the long-term functional operation of the Facility at the Site within the time of the Schedule. The Work shall provide for long-term Output, durability, and operation of the Facility throughout the Design Life. The Work shall, at minimum, meet Prudent Industry Practices of the BESS Industry and the construction industry. The Work shall comply with all applicable codes and Applicable Standards. The Work shall comply with the requirements of the Utility and the Interconnection requirements and standards. The Work shall comply with the permits, approvals and entitlements of the authorities having jurisdiction. The Work is further described in the Agreement and the Contract Documents.

The Contractor shall be an Operations and Maintenance (O&M) Contractor that has a minimum of three (3) years of experience in O&M of renewable energy projects and energy storage projects of equivalent size and characteristics defined in the Project Documents. Contractor shall have knowledge and familiarity with renewable energy, construction, and engineering industry and understand the responsibilities and performance of the Work.

The Contractor shall manage the quality of the Work and perform the Work in a safe manner and in conformance with all applicable standards of health and safety, protection of the environment and the property, and identified requirements of the property owner, Host, and property owner.

The Work is further described herein. Where the Work is described in specific terms, then the specific terms will supersede the General requirements, or the more general standards described herein.

01 35 00 Special Procedures

01 35 23 Safety Requirements

1. Within sixty (60) business days prior to taking O&M actions on site, the Provider shall submit the site-specific safety plan. Management of arc flash/ incident energy risk at the main BESS interconnection circuit breaker is paramount and can be accomplished by either: 1) installing on the circuit breaker, at Provider's expense, a remotely mounted, lockable, 3 pushbutton station with a permissive to operate pushbutton, and open and close positions (this is an option only if the building is under construction); or, 2) purchasing, at Provider's expense, a remote actuation device such as those manufactured by CBS ArcSafe.
2. Provider shall submit the following:
 - (a) Certificates of Insurance shall be as specified by the SPPA, the utility, Lease Requirements, and building developer/GC if applicable. The highest limits for any single type of insurance shall be the requirement for that type of insurance. This applies to any Provider subcontractor and lower tier subcontractors.
 - (b) Safety Documentation including but not limited to:

- i. If the building is under construction, Provider must provide all safety documents required by the general contractor/ building developer. This applies to any Provider subcontractor and lower tier subcontractors.
- ii. In addition to the above, all Provider subcontractors and lower tier subcontractors must achieve pre-qualification on Landlord safety and access systems. The pre-qualification process needs to start sixty (60) days before such subcontractor is scheduled to start work on-site. Any entity, except government inspectors, the Landlord, or Landlord subcontractors, that is accessing the roof.
- iii. need to be vetted with Avetta. Six (6) weeks before kick-off meeting, provide the following:
 - iv. Landlord Safety Guidance
 - v. Landlord Provider Orientation
 - vi. Landlord Provider Pre-task Checklist
 - vii. Landlord Special Safety Conditions
- viii. Special procedures and reporting requirements for externalities such as a pandemic.
- ix. Fall protection plan (NOTE: BlueWave has a two-person rule (minimum) for roof access.)
- x. Evidence of OSHA 30 certification (required for supervisors) and OSHA 10 certification (required for all other project labor). This applies to any Provider subcontractor and lower tier subcontractors.
- xi. Inclement weather plan, include a plan for periods when the Air Quality Index is above 101.
- xii. Site specific safety plan
- xiii. Experience Modifier Rate (EMR) and Total Recordable Incident Rate (TRIR) for all Provider subcontractor and lower tier subcontractors.

Within 24 hours of a safety incident or near miss, an incident report shall be submitted by Provider to System Owner. Reporting shall be per OSHA and Landlord safety requirements. Systems should not resume operation until BlueWave and Landlord has reviewed and approved of the identified root cause and remediation plan.



Division 26 Electrical

26 01 00 Operation and Maintenance of Electrical Systems

26 01 01 Site and Grounds

1. Annual Visual inspection of the following:
 - (a) Verify no animals or insects have created burrows, nests, hives etc.
 - (b) Verify no dirt or debris buildup on the site.
 - (c) Verify the building and grounds show no signs of erosion, and conditions are clear for operators to access without safety issues.
 - (d) Verify all fences, gates and locks are built to print and in good working order.
 - (e) Verify all grounding and bonding of fencing are present and per print.
 - (f) Verify all access means (ladders, roof hatches) are in good working order.
 - (g) Verify the building and grounds are not flooded due to pooling or clogged drainage.
 - (h) Verify all roof penetrations for proper integrity.
 - (i) Verify there are no safety concerns upon entering the site.
 - (j) Verify all safety and identification labels are permanently fixed to equipment.
 - (k) Verify all SWPP and erosion controls are in place, in good working order and to print.
 - (l) Verify the vegetation is not impeding with site access or equipment access.

26 01 02 Transformers (XFMR)

2. Annual Visual inspection of the following:
 - (m) Verify no animals or insects have entered the equipment.
 - (n) Verify the conditions of metering CT if applicable.
 - (o) Verify conductor labeling conditions
 - (p) Verify conduit and penetrations are intact
 - (q) Verify all enclosures are free of signs of corrosion.
 - (r) Verify no dirt or debris buildup outside or on the equipment.
 - (s) Verify all enclosures exteriors and interiors are in good condition.
 - (t) Verify the enclosures are free of obstruction
 - (u) Verify the integrity of all mechanical systems.
 - (v) Verify equipment mounting conditions are in proper order.
 - (w) Verify no safety concerns are present at the equipment location.
 - (x) Verify the enclosures interior components show no signs of arcing.

- (y) Verify all mechanical and electrical fasteners are properly torqued per the applicable torque table specification. Torque marks should be in place upon completion.
 - (z) Verify all conduit fittings are seated against the enclosure and are tight.
 - (aa) Verify no moisture ingress into the enclosure.
 - (bb) Verify insulation measurement per the defined limits.
3. Annual servicing of the following:
- (a) IR scan of all accessible terminations

26 01 03 Low Voltage Electrical Distribution

1. Annual Visual inspection of wire, wire management systems for the following:
- (a) Verify no animals or insects have entered the equipment.
 - (b) Verify conductor labeling conditions
 - (c) Verify conductor routing and wire management conditions
 - (d) Verify conduit and penetrations are intact
 - (e) Verify all enclosures and materials are free of signs of corrosion.
 - (f) Verify all enclosures and hardware are free of mechanical damage.
 - (g) Verify no dirt or debris buildup outside or on the equipment.
 - (h) Verify all enclosures exteriors and interiors are in good condition.
 - (i) Verify the enclosures are free of obstruction and meet NEC code clearances.
 - (j) Verify all expansion joints are set to the temperature corrected gap, and bonding jumpers are in place where applicable.
 - (k) Verify the integrity of all mechanical systems.
 - (l) Verify equipment mounting conditions are in proper order.
 - (m) Verify no safety concerns are present at the equipment location.
 - (n) Verify the enclosures interior components show no signs of arcing.
 - (o) Verify all conduit fittings are seated against the enclosure and are tight.
 - (p) Verify no moisture ingress into the enclosure.
2. Annual servicing of the following:
- (a) Verify thermal imaging of all conductor terminations under load

26 01 04 Auxiliary AC Equipment less than 600VAC

1. Annual Visual inspection of main AC metering, switchboard, and panelboard, disconnect components for the following:
- (a) Verify no animals or insects have entered the equipment.
 - (b) Verify the conditions of metering CT if applicable.

- (c) Verify conductor labeling conditions.
- (d) Verify conductor routing and wire management conditions.
- (e) Verify conduit and penetrations are intact.
- (f) Verify all enclosures are free of signs of corrosion.
- (g) Verify no dirt or debris buildup outside or on the equipment.
- (h) Verify the display screens are operational.
- (i) Verify all enclosures exteriors and interiors are in good condition.
- (j) Verify the enclosures are free of obstruction.
- (k) Verify all expansion joints are set to the temperature corrected gap, and bonding jumpers are in place where applicable.
- (l) Verify all ground bonds are intact.
- (m) Verify the integrity of all mechanical systems.
- (n) Verify equipment mounting conditions are in proper order.
- (o) Verify no safety concerns are present at the equipment location.
- (p) Verify the enclosures interior components show no signs of arcing.
- (q) Verify all mechanical and electrical fasteners are properly torqued per the applicable torque table specification. Torque marks should be in place upon completion.
- (r) Verify all conduit fittings are seated against the enclosure and are tight.
- (s) Verify no moisture ingress into the enclosure.

2. Annual servicing of the following:

- (a) Verify thermal imaging of all conductor terminations under load

26 01 05 Inverter and Converters

1. Annual Visual inspection of power inverters and converters for the following:

- (a) Verify no animals or insects have entered the equipment.
- (b) Verify the conditions of metering CT if applicable.
- (c) Verify conductor labeling conditions.
- (d) Verify conductor routing and wire management conditions.
- (e) Verify conduit and penetrations are intact.
- (f) Verify all enclosures are free of signs of corrosion.
- (g) Verify no dirt or debris buildup outside or on the equipment.
- (h) Verify the display screens are operational.
- (i) Verify all enclosures exteriors and interiors are in good condition.

- (j) Verify the enclosures are free of obstruction.
- (k) Verify all expansion joints are set to the temperature corrected gap, and bonding jumpers are in place where applicable.
- (l) Verify all ground bonds are intact.
- (m) Verify the integrity of all mechanical systems.
- (n) Verify equipment mounting conditions are in proper order.
- (o) Verify no safety concerns are present at the equipment location.
- (p) Verify the enclosures interior components show no signs of arcing.
- (q) Verify all mechanical and electrical fasteners are properly torqued per the applicable torque table specification. Torque marks should be in place upon completion.
- (r) Verify all conduit fittings are seated against the enclosure and are tight.
- (s) Verify no moisture ingress into the enclosure.

2. Annual servicing of power inverters and converters for the following:

- (a) Firmware or software updates
- (b) Manufacturer required service plan
- (c) Verify thermal imaging of all conductor terminations under load

26 01 06 DC Balance of System

1. Annual Visual inspection of main DC switches and protection systems components for the following:

- (a) Verify no animals or insects have entered the equipment.
- (b) Verify the conditions of metering CT if applicable.
- (c) Verify conductor labeling conditions.
- (d) Verify conductor routing and wire management conditions.
- (e) Verify conduit and penetrations are intact.
- (f) Verify all enclosures are free of signs of corrosion.
- (g) Verify no dirt or debris buildup outside or on the equipment.
- (h) Verify the display screens are operational.
- (i) Verify all enclosures exteriors and interiors are in good condition.
- (j) Verify the enclosures are free of obstruction.
- (k) Verify all expansion joints are set to the temperature corrected gap, and bonding jumpers are in place where applicable.
- (l) Verify all ground bonds are intact.
- (m) Verify the integrity of all mechanical systems.

- (n) Verify equipment mounting conditions are in proper order.
- (o) Verify no safety concerns are present at the equipment location.
- (p) Verify the enclosures interior components show no signs of arcing.
- (q) Verify all mechanical and electrical fasteners are properly torqued per the applicable torque table specification. Torque marks should be in place upon completion.
- (r) Verify all conduit fittings are seated against the enclosure and are tight.
- (s) Verify no moisture ingress into the enclosure.

2. Annual servicing for the following:

- (a) Verify thermal imaging of all conductor terminations under load

26 01 07 SCADA and DAS Systems

1. Annual Visual inspection of the SCADA and DAS components for the following:

- (a) Verify no animals or insects have entered the equipment.
- (b) Verify the conditions of metering CT if applicable.
- (c) Verify conductor labeling conditions.
- (d) Verify conductor routing and wire management conditions.
- (e) Verify conduit and penetrations are intact.
- (f) Verify all enclosures are free of signs of corrosion.
- (g) Verify no dirt or debris buildup in or on the equipment.
- (h) Verify the display screens are operational.
- (i) Verify all enclosures exteriors and interiors are in good condition.
- (j) Verify the enclosures are free of obstruction.
- (k) Verify all expansion joints are set to the temperature corrected gap, and bonding jumpers are in place where applicable.
- (l) Verify all ground bonds are intact.
- (m) Verify the integrity of all mechanical systems.
- (n) Verify equipment mounting conditions are in proper order.
- (o) Verify no safety concerns are present at the equipment location.
- (p) Verify the enclosures interior components show no signs of arcing.
- (q) Verify all mechanical and electrical fasteners are properly torqued per the applicable torque table specification. Torque marks should be in place upon completion.
- (r) Verify all conduit fittings are seated against the enclosure and are tight.
- (s) Verify no moisture ingress into the enclosure.

2. Annual servicing of power inverters and converters for the following:
 - (a) Firmware or software updates
 - (b) Verify battery capacity of the UPS system

26 01 08 Battery Racks

1. Annual Visual inspection of the battery racks and components for the following:
 - (a) Verify no animals or insects have entered the equipment.
 - (b) Verify the conditions of metering CT if applicable.
 - (c) Verify conductor labeling conditions.
 - (d) Verify conductor routing and wire management conditions.
 - (e) Verify conduit and penetrations are intact.
 - (f) Verify all enclosures are free of signs of corrosion.
 - (g) Verify no dirt or debris buildup in or on the equipment.
 - (h) Verify the display screens are operational.
 - (i) Verify all enclosures exteriors and interiors are in good condition.
 - (j) Verify the enclosures are free of obstruction.
 - (k) Verify all expansion joints are set to the temperature corrected gap, and bonding jumpers are in place where applicable.
 - (l) Verify all ground bonds are intact.
 - (m) Verify the integrity of all mechanical systems.
 - (n) Verify equipment mounting conditions are in proper order.
 - (o) Verify no safety concerns are present at the equipment location.
 - (p) Verify the enclosures interior components show no signs of arcing.
 - (q) Verify all mechanical and electrical fasteners are properly torqued per the applicable torque table specification. Torque marks should be in place upon completion.
 - (r) Verify all conduit fittings are seated against the enclosure and are tight.
 - (s) Verify no moisture ingress into the enclosure.
 - (t) Verify condition and operation of cooling fans.
 - (u) Verify E-stop function.
2. Annual servicing of power inverters and converters for the following:
 - (a) Firmware or software updates
 - (b) Verify battery capacity of the UPS system
 - (c) Verify thermal imaging of all conductor terminations under load

26 01 09 Battery Container

Annual Visual inspection of the battery racks and components for the following:

- (a) Verify no animals or insects have entered the equipment.
- (b) Verify the conditions of metering CT if applicable.
- (c) Verify conductor labeling conditions.
- (d) Verify conductor routing and wire management conditions.
- (e) Verify conduit and penetrations are intact.
- (f) Verify all enclosures are free of signs of corrosion.
- (g) Verify no dirt or debris buildup outside or on the equipment.
- (h) Verify the display screens are operational.
- (i) Verify all enclosures exteriors and interiors are in good condition.
- (j) Verify the enclosures are free of obstruction.
- (k) Verify all expansion joints are set to the temperature corrected gap, and bonding jumpers are in place where applicable.
- (l) Verify all ground bonds are intact.
- (m) Verify the integrity of all mechanical systems.
- (n) Verify equipment mounting conditions are in proper order.
- (o) Verify no safety concerns are present at the equipment location.
- (p) Verify the enclosures interior components show no signs of arcing.
- (q) Verify all mechanical and electrical fasteners are properly torqued per the applicable torque table specification. Torque marks should be in place upon completion.
- (r) Verify all conduit fittings are seated against the enclosure and are tight.
- (s) Verify no moisture ingress into the enclosure.
- (t) Verify condition and operation of HVAC cooling fans and coolant lines.
- (u) Verify condition of HVAC filters.
- (v) Verify refrigerant levels of HVAC.
- (w) Verify operation of thermostat.
- (x) Verify operation of fire detection systems.
- (y) Verify operation fire suppressant systems.
- (z) Verify operation of fire controls systems.
- (aa) Verify E-stop function.

Annual servicing of power inverters and converters for the following:

- (a) Firmware or software updates
- (b) Verify battery capacity of the UPS system
- (c) Verify thermal imaging of all conductor terminations under load

DPW Comments
June 20, 2023

4. **Michael & Catherine McGuire – 2917 Hamburg Street.** Report and Recommendation to the Town Board on a Change of Zone from Retail Business (B-1) and Single Family Residential (R-1) to Retail Business (B-1) for the construction of a two-family residence on newly created ±14,575 square foot parcel. Surveyor: Raymond A. Koch, P.L.S.
- 1 Proposed Change of Zone was referred to the Planning Commission by the Town Board on Wednesday, June 14, 2023.
 - 2 Variances for lot area and lot width have been granted by the Zoning Board of Appeals on April 19, 2023.
 - 3 A 2-lot subdivision of this property was granted by the Planning Commission on May 2, 2023.

SEQR Requirement: 6 NYCRR 617 Unlisted Action. Rotterdam Town Board should declare lead agency for the Change of Zone.

Involved/Interested Agencies

Schenectady County Economic Development and Planning
New York State Department of Environmental Conservation - Region #4
New York State Department of Transportation
Rotterdam Planning Commission
Rotterdam Police Department
Carman Fire District

RECEIVED
MAY 09 2023
TOWN OF ROTTERDAM
PUBLIC WORKS



TOWN OF ROTTERDAM CHANGE OF ZONE APPLICATION

Application Fee **\$1,000**

Existing Zone Classification: R1 and B1 - same lot

Proposed Zone Classification: B1 the whole lot

**PART II
GENERAL INFORMATION**

Legal Owner's Name: Michael & Catherine McGuire
Mailing Address: 1222 Angelo Dr.
City: Schenectady State: NY Zip: 12303
Daytime Phone: 518-421-3429 E-mail: erminia2@verizon.net

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

Owner's Designated Contact: _____

Mailing Address: _____
City: _____ State: _____ Zip: _____
Daytime Phone: _____ E-mail: _____

Project/Proposal Site Area: (Acres or sq. ft.) 14,575 sq. ft.
Assessor Tax Parcel No.(s) of Site: 59-19-1-4.1
Adjacent Parcels Owned or Controlled and Tax Map Parcel No: (Acres or sq. ft.) _____

Street Address of Proposed Site (if any): _____

Describe Existing Use(s) on Proposed Site: (commercial vacant, residential, buildings, well, sewer drainfield, etc.)

Currently there is a residential bldg on lot that
needs either tear down or refurbish.

School District: Mohonasen

Fire District: Fire district #3

Water Supply: public

LEGAL INFORMATION

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

2917 Hamburg St., Across from St.
Adalbert Cemeteres, Next to St. Peters Rehab

Name of Public Road(s) Providing Access: Rt. 146, Hamburg St.

Width of Property Fronting on the Existing Public Road in Linear Feet: 20 ft.

Does the Proposal Have Access to an Arterial or Planned Arterial? () Yes ☒ No

Name(s) of Arterial Road(s): _____

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

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

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

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

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

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

lot is currently zoned 6022 sq. feet B1
and 8479 sq. ft. R1 - zoning line goes
right thru current residence - would like to
streamline into B1 zoning for possible duplex.

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

UTILITIES

Proposed Source of Water:

☐ Individual Wells

☒ Public System

☐ Private Community System

☐ Other, please describe _____

Proposed Means of Sewage Disposal:

☒ Public Sewer

☐ Dry Sewer

☐ Community System

☐

Septic Tank & Leachfield

☐ Other, please describe _____

PART III

SURVEYOR/ARCHITECT/ENGINEER VERIFICATION

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

Signed: _____

Address: _____

137 MADAWICK AVE

SCOTIA, NY

Date: 5/9/2023

Phone: 518-3930989

Zip: 12302

PLEASE AFFIX SURVEYOR/ARCHITECT/ENGINEER SEAL HERE

LEGAL OWNER SIGNATURE

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

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

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

Name: Michael McGuire
Address: 1222 Angelo Dr.
Schenectady, NY

Michael McGuire
Signature of applicant or representative

Date: _____
Phone: 518-421-8429
Zip: 12303

5/9/23
Date

NOTARY

STATE OF NEW YORK) ss: NY
COUNTY OF Albany

SUBSCRIBED AND SWORN to before me this 9th day of May, 2023

NOTARY SEAL

[Signature]
Notary Signature

AALIYABANU M. VOHRA
Notary Public, State of New York
No. 01VO6433412
Qualified in Schenectady County
Commission Expires May 16, 2024

Notary Public in and for the State of New York
Residing at: Albany NY
My appointment expires: May 16th 2024

PLEASE AFFIX NOTARY SEAL HERE

LEGAL OWNER SIGNATURE

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

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

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

Name: Catherine McGuire
Address: 1222 Angelo Dr.
Schenectady, NY

Catherine McGuire
Signature of applicant or representative

Date: _____
Phone: 518-421-8429
Zip: 12303
519123
Date

NOTARY

STATE OF NEW YORK) ss:

COUNTY OF Albany

SUBSCRIBED AND SWORN to before me this 9th day of May, 2023

NOTARY SEAL

[Signature]
Notary Signature

AALIYABANU M. VOHRA
Notary Public, State of New York
No. 01VO6433412
Qualified in Schenectady County
Commission Expires May 16, 2024

Notary Public in and for the State of New York

Residing at:

Albany NY

My appointment expires:

May 16th 2024

PLEASE AFFIX NOTARY SEAL HERE

Name and Address of All Adjacent Landowners:

NAME: Battaglino Group
ADD: 2921 W. Old State Road
Schenectady, NY 12303
Property at 2925 Hamburg Street Tax ID # 59.19-1-6.1

NAME: R.A. O'Connor & L. Cook
ADD: 252 Stoodley Place
Rotterdam, NY 12303
Tax ID 59.15-8-7.1

NAME: D.A. Kerzlok
ADD: 2909 Hamburg Street
Rotterdam, NY 12303
Tax ID 59.19-1-3.1

NAME: M. Goff
ADD: 256 Stoodley Place
Rotterdam, NY 12303
Tax ID 59.15-8-8

NAME: E.M. Brennan & J. Blissonett
ADD: 250 Stoodley Place
Rotterdam, NY 12303
Tax ID 59.15-8-7.2

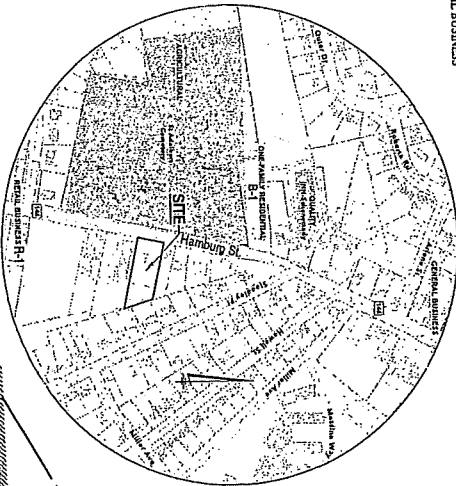
NAME: _____
ADD: _____

NAME: _____
ADD: _____

NAME: _____
ADD: _____

R-1 ONE-FAMILY RESIDENTIAL
B-1 RETAIL BUSINESS

SITE LOCATION MAP
SCALE: 1" = 500'



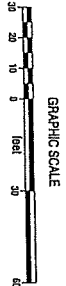
SITE STATISTICS
OWNER: JAMES J. COLEMAN, JR.
ADDRESS: 1222 Appleton Drive
Schenectady, NY 12309

SUBJECT INFORMATION
TAX PARCEL: 20-24-14-1
DEED: Book 1441 Page 341
ZONING: Property is located in the R-1 & B-1 Zone, which is the Central Commercial Overlay District in the Town of Rotterdam.

OBJECTIVE
Subdivide the subject parcel into two lots, creating an improved building lot in the rear and a smaller lot in the front.

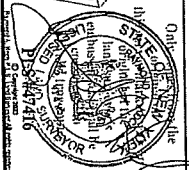
NOTES
1. ZONING LINE location is depicted on this map as it is depicted on a map provided by the Town of Rotterdam. Said map may be used for reference only. The actual location of the zoning line may vary slightly from the map shown on this map.

DISCLAIMER NOTE: All rights, improvements and/or easements have been either physically located and/or shown on the map, unless otherwise noted. Any unrecorded easements and/or improvements shown on the map are shown for reference only and do not constitute a warranty. The map is not a warranty of any kind. The map is provided for reference only. The actual location of the zoning line may vary slightly from the map shown on this map. The map is not a warranty of any kind. The map is provided for reference only. The actual location of the zoning line may vary slightly from the map shown on this map.

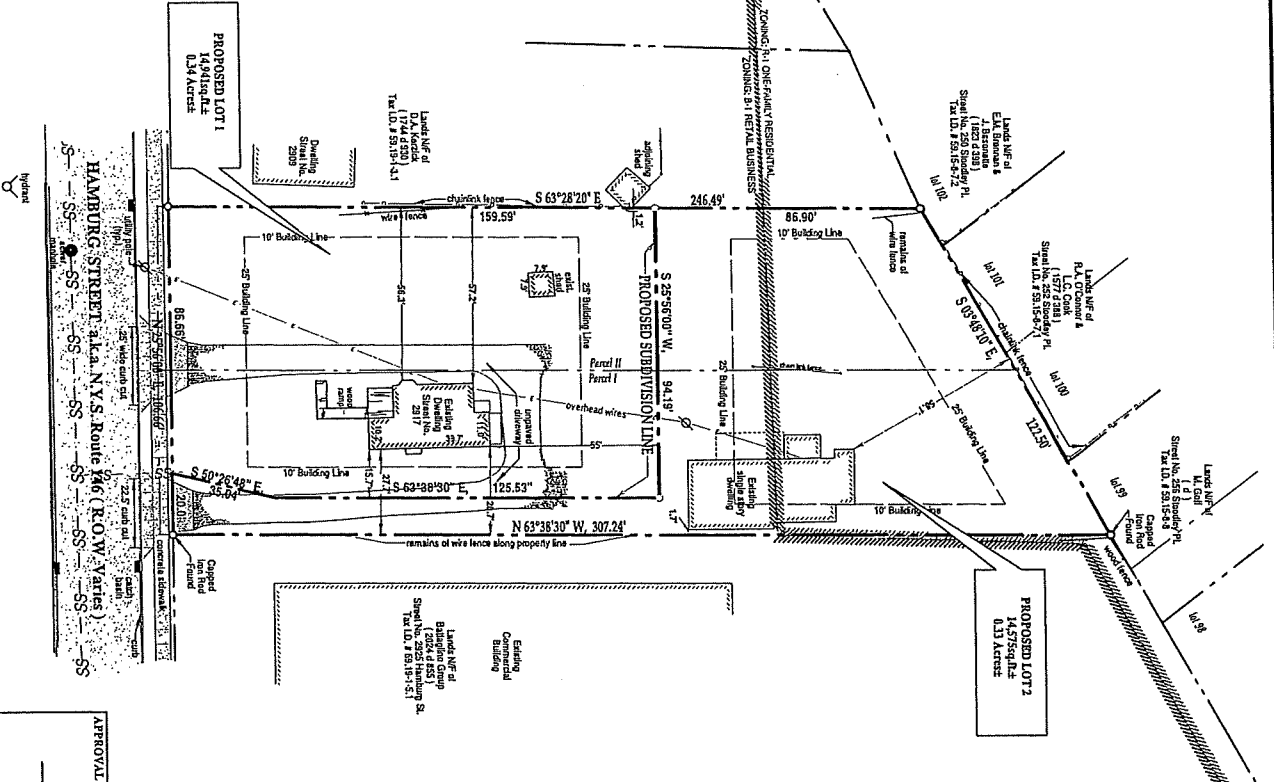


TITLE:
PROPOSED SUBDIVISION AND ZONING CHANGE
OF PREMISES KNOWN AS
STREET No. 2917

HAMBURG STREET



RAYMOND A. KOCH
P.L.S.
133 MOHAWK AVENUE
SCOTIA, NEW YORK 12302
phone: (518) 391-0989 email: kochsurveyor@gmail.com



MAP REFERENCE

1. Schenectady Guidebook Rd. S.H. No. 577H - Map No. 308, Sheet 1 of 2 sheets. Made by the New York State Department of Public Works found in the Schenectady County Clerk's Office in book 2017 of Deeds at page 988.
2. "Fagers, Subdivision No. 4, Rotterdam, Schenectady Co., N.Y., Made November 16, 1895, filed in the Schenectady County Clerk's Office in Plat Cabinet B as map number 45.
3. "Hamburg Street Safety Improvement, NYS Route 146, S.H. 577 Town of Rotterdam, County: Schenectady region 91" made by The Chazan Companies, known as contract number 0263411, drawing no. sheet no. 4, provided by The Town of Rotterdam.

LEGEND

- SUBJECT PROPERTY LINE
- PROPOSED SUBDIVISION LINE
- BUILDING WALL
- ORIGINAL LOT LINE
- ADJOINER'S PROPERTY LINE
- OVERHEAD WIRES
- SANITARY SEWER
- WOOD FENCE
- CHAIN LINK FENCE
- AS NOTED
- AS NOTED
- ZONING LINE
- WIRE FENCE
- UTILITY POLE
- CATCH BASIN
- SEWER MANHOLE
- HYDRANT
- SUBJECT PROPERTY CORNER

APPROVAL
TOWN OF ROTTERDAM

DATE

REMARKS
Change in property line and area

118
4/2/23

Short Environmental Assessment Form

Part 1 - Project Information

RECEIVED
MAY 26 2023
TOWN OF ROTTERDAM
PUBLIC WORKS

Instructions for Completing

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

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

Part 1 - Project and Sponsor Information			
Name of Action or Project: <i>Michael & Catherine McGuire</i>			
Project Location (describe, and attach a location map): <i>2917 Hamburg St. Rotterdam, NY 12303 Lot #2</i>			
Brief Description of Proposed Action: <i>lot is 14575 sq. feet of which 6022 sq. ft. are B1 and 8479 sq. feet are R1 - we would like to streamline into B1 zoning the whole lot.</i>			
Name of Applicant or Sponsor:		Telephone: <i>518-421-8429</i>	
<i>Michael & Catherine McGuire</i>		E-Mail: <i>erminia2@verizon.net</i>	
Address: <i>1222 Angelo Dr.</i>			
City/PO: <i>Schenectady, NY</i>		State:	Zip Code: <i>12303</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			☐ ☒
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO YES
If Yes, list agency(s) name and permit or approval:			☒ ☐
3. a. Total acreage of the site of the proposed action?		<i>14575 acres sq. feet</i>	
b. Total acreage to be physically disturbed?		<i>14575 acres</i>	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>14941 acres sq. feet Adjacent Lot</i>	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☒ Residential (suburban)			
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):			
☐ Parkland			

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

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

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

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

NO	YES
☒	☐

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

NO	YES
☒	☐

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

NO	YES
☒	☐

a. Will storm water discharges flow to adjacent properties?

☒	☐
-------------------------------------	--------------------------

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

☒	☐
-------------------------------------	--------------------------

If Yes, briefly describe:

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

NO	YES
☒	☐

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

NO	YES
☒	☐

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

NO	YES
☒	☐

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

Applicant/sponsor/name:

Michael McDure
Catherine McGuire

Date: *5/26/23*

Signature:

Title:

owner

DPW Comments
June 20, 2023

5. **Kimberly & Larry Noyes – Parklawn Avenue.** Sketch Five (5) Lot Boundary Line Adjustment Subdivision: Lot 1 = 17,013 square feet (new lot with proposed single-family residence), Lot 2 = 17,758 square feet (new lot with proposed single-family residence), Lot #3 = 16,388 square feet (existing lot with two-family residence) Lot #4 = 11,020 square feet (existing lot with single-family residence) and Lot #5 = 15,052 square feet (existing lot with two-family residence). Surveyor: Blackstone Land Surveyors.
1. Variances for lot area have been granted by the Zoning Board of Appeals on May 17, 2023.
 2. Applicant is proposing an easement on Lot #1 to provide sanitary sewer access to Lot #2. Provide legal description for easement.
 3. Pin and cap all lot corners for Lot #1 and Lot #2 prior to Chairman's Signature.
 4. Add note to plan: "Water service to lots shall not be placed underneath driveways."

DPW Comments from March 21, 2023

1. See attached Planning Commission minutes from March 19, 2019.
2. Property line and Town ROW issues have been resolved.
3. Applicant/representative will need to submit new application/SEQR as current lot sizes do not match previous submission. Also, application and fees have changed since this concept was last presented 4 years ago.
4. Concept map contains insufficient detail to provide comments.
5. Property is in Sewer District #2.

DPW Comments March 19, 2019

1. Applicant and/or representative to address residence located at 1657 Helderberg Avenue being in the Town right-of-way.
2. Variances will be required on lot sizes and possible setbacks on new lots.
3. Currently parking for DeMarco Stone Funeral Home occurs on these parcels. How will this be addressed in future?
4. Proposed subdivision application contains insufficient detail to provide detailed comments.

SEQR Requirement: 6 NYCRR 617 Unlisted Action. Rotterdam Planning Commission declared lead agency on March 21, 2023. Application and map have been updated and were submitted on June 12, 2023. After Planning Commission meeting it should be circulated to agencies.

Involved/Interested Agencies

Schenectady County Economic Development and Planning
Schenectady County Department of Health
Rotterdam Highway Department
Rotterdam Police Department
Fire District #2
Mohonasen School District



RECEIVED

JUN 09 2023

TOWN OF ROTTERDAM
PUBLIC WORKS

Town of Rotterdam

Office of the Planning Commission

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

TOWN OF ROTTERDAM SUBDIVISION APPLICATION

Initial Sketch Plan \$150

Final Major Subdivision \$200 per lot

Final Minor Subdivision \$160 per lot

Parkland Fees \$1,000 per additional lot created or \$600 per unit (MULTI-FAMILY)

Advertising Fee = Actual cost of legal notices

PART II GENERAL INFORMATION

Legal Owner's Name: Kimberly & Larry Noyes
Mailing Address: 1657 Helderberg Avenue
City: Schdy State: NY Zip: _____
Daytime Phone: 518 355 5770 E-mail: _____

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

Owner's Designated Contact: _____
Mailing Address: _____
City: _____ State: _____ Zip: _____
Daytime Phone: _____ E-mail: _____
If you do not hold title to property, what is your interest in it? _____

Street Address of Proposed Site (if any): _____

Project/Proposal Site Area: (Acres or sq. ft.) 77,231 sq. ft.

Assessor Tax Parcel No.(s) of Proposal Site: 59.05 - 3 - 2, 3 & 4

Describe Existing Use(s) on Proposed Site: (buildings, well, sewer drainfield, etc.) _____
existing residences on each lot

Existing Zoning Classification: B-1 & R-1

LEGAL INFORMATION

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

At intersection of westerly side of Helderberg Avenue
with southerly side of Parklawn Avenue

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

Width of Property Fronting on Public Road in Linear Feet: Helderberg & Parklawn
186.14 & 393.68

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

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

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

What impact will the proposed subdivision have on the adjacent properties? _____
No significant impacts will result by the creation of two
new building lots.

What factors support this subdivision? Lot sizes will be consistent with
neighborhood lot sizes. Town sanitary sewer availability
minimizes disturbance areas.

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

Two new building lots on existing street with lot areas /
widths equal to or greater than neighborhood lots
will not require any mitigation efforts.

SUBDIVISION INFORMATION

Number of Lots: 5
Typical Lot Size: 15446 sq ft
Smallest Lot Size: 11020 " "
Gross Area: 77231 sq ft.
Proposed Net Density: _____
Minimum Frontage: 50'

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

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

Do You Have Any Plans for Future Additions, Expansions or Further Activity Related to this Proposal?
() Yes ☒ No If yes, please explain: _____

PRELIMINARY SUBDIVISION IMPROVEMENT INFORMATION

Level of Street Improvements Proposed:

- ☒ Public Roads
() Arterial Roads

Describe Any Combination of Above: _____

Estimated Time Period Expected for Complete Development of Subdivision: one year

Is phasing of the finalization of the subdivision proposed?
() Yes. If yes, show phasing on subdivision map.
☒ No.

Is dedication of land for public use proposed? (Roads, parks, schools, open space, others)
() Yes. If yes, please explain below:
☒ No.

INCLUDE WITH PART II

SURVEYOR/ENGINEER VERIFICATION

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

Name: Mark C Blackstone License No 49542

Address: _____

Telephone No. 518 355 1791

E-mail or Fax: markblackstone298@gmail.com

INCLUDE WITH PART II

LEGAL OWNER SIGNATURE

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

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

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

#1 Name: _____

Date: _____

Address: _____

Phone: _____

Zip: _____

Signature of Applicant or Representative

Date

#2 Name: _____

Date: _____

Address: _____

Phone: _____

Zip: _____

Signature of Applicant or Representative

Date

INCLUDE WITH PART II

LEGAL OWNER SIGNATURE

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

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

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

#1 Name: Larry E. Noyes Date: 3/8/19
Address: 1657 Helderberg Ave Phone: 518-355-3041
Schenectady, NY, 12306 Zip: 12306
[Signature] Date: 3/8/19
Signature of Applicant or Representative

#2 Name: Kimberly A Noyes Date: 3/8/19
Address: 1657 Helderberg Ave Phone: 518-355-3041
Schenectady NY 12306 Zip: 12306
[Signature] Date: 3/8/19
Signature of Applicant or Representative

Notary
(For Above)

STATE OF NEW YORK) ss:
COUNTY OF SCHENECTADY)

SUBSCRIBED AND SWORN to me this 8th day of March, 2019.

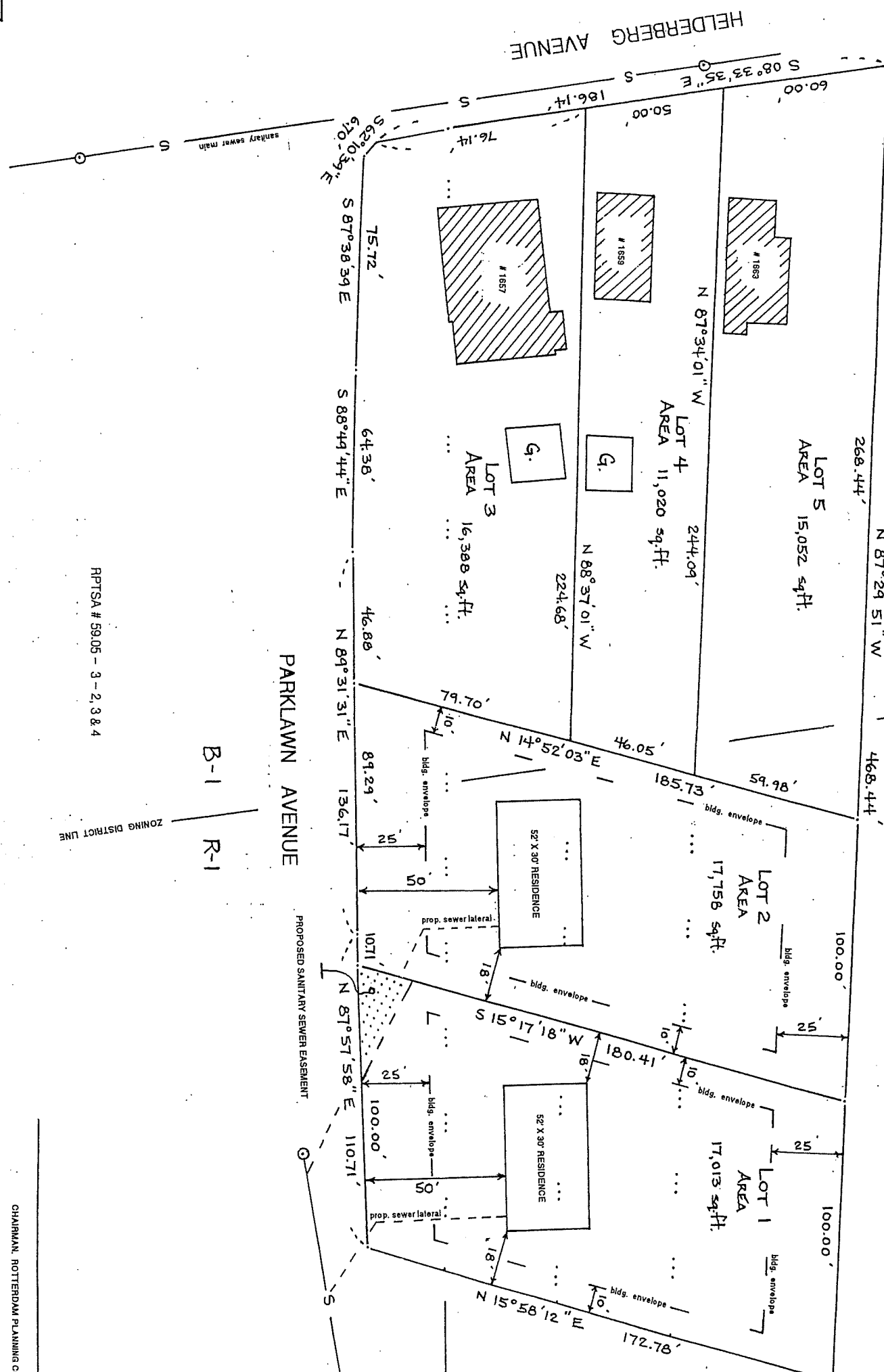
NOTARY SEAL

[Signature]
Notary Signature

Notary Public in and for the State of New York

My appointment expires: 4/19/22

ERIC C BEEM
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01BE6220628
Qualified in Schenectady County
Commission Expires April 19, 2022





BLACKSTONE LAND SURVEYORS

1152 FORT HUNTER ROAD SCHENECTADY, NY 12303 (518)3551791

Noyes Subdivision Parcel Description, Helderberg Avenue & Parklawn Avenue

ALL THAT TRACT, PIECE OR PARCEL OF LAND, situate, lying and being in the Town of Rotterdam, County of Schenectady and State of New York, being along the westerly side of Helderberg Avenue and the southerly side of Parklawn Avenue and being more particularly bounded and described as follows:

BEGINNING at the intersection of the division line between lands N/F Lombardi (1036/32), on the south, and lands N/F Noyes, on the north, with the westerly side of Helderberg Avenue;

THENCE North 87°29'51" West a distance of 468.44 feet along the Lombardi / Noyes division line, to a point;

THENCE North 15°58'12" East a distance of 172.78 feet along the easterly bounds of lands N/F Olsen (1929/227), to a point on the southerly side of Parklawn Avenue;

THENCE North 87°57'58" East a distance of 110.71 feet, to a point;

North 89°31'31" East a distance of 136.17 feet, to a point;

South 88°49'44" East a distance of 64.38 feet, to a point;

South 87°38'39" East a distance of 75.72 feet, to a point; and

South 62°10'39" East a distance of 6.70 feet, all five courses and distances being along the southerly side of Parklawn Avenue, to a point on the westerly side of Helderberg Avenue;

THENCE South 08°33'35" East a distance of 186.14 feet along the westerly side of Helderberg Avenue, to a point, being the point or place of beginning.

CONTAINS 77,231 square feet OR 1.773 +/- acres.