

**Town of Rotterdam
Planning Commission
June 16, 2026**

Workshop (Conference Room 2nd Floor) 7:00 pm

Action Items/Discussion:

1. **MRL Ventures, LLC – 1900 Altamont Avenue.** The Applicant requests an extension of time to July 31, 2026 in order to satisfy the conditions of final site plan approval for a ±2,331 square foot restaurant with drive-thru on a ±0.59-acre parcel (Arby's) which was granted on June 17, 2025 (Resolution PC-36-2025), retroactive to May 31, 2026.

Waiver(s):

1. **Barkingham Palace, LLC – 785 Burdeck Street, Building #2, Suite #4** – Waiver of Site Plan Review to operate a dog daycare and boarding facility in a ±4,000 square foot tenant space in an existing ±12,000 square foot commercial building and the construction of an additional ±3,000 square foot outdoor play area on a ±14.62-acre parcel.
2. **CNZ LLC (Contract Vendee) – 1185-1187 Fort Hunter Road.** - Waiver of Site Plan Review to construct a 3-bedroom 2-bathroom two family residence on an existing ±1.82-acre parcel.
Engineer: ABD Engineers, LLP.
3. **Misty Bleu Farm, LLC – 3350 S. Thompson Street.** The applicant requests a Waiver of Site Plan review for the issuance of a Seasonal Sales Permit license to allow for a Cannabis Showcase Event as defined by New York State Office of Cannabis Management to be conducted on Thursday-Friday (12pm-6pm) from August 6, 2026 to December 4, 2026.
4. **Sissy's Steak Sandwiches, LLC – 2068 Curry Road.** The applicant requests a Waiver of Site Plan review for the issuance of a Seasonal Sales Permit license to allow for the placement of a food trailer in the parking area for Sahr's for retail vending to be conducted from (11am-6pm) from June 17, 2026 to October 15, 2026.
5. **Douglas DeMarco – 404 Princetown Road.** The applicant requests a Waiver of Site Plan review to operate DeMarco's Pizza in former Lucia Two Go on a ±0.66-acre parcel.

Agenda (V. Dalton Bambury Hearing Room 2nd Floor) – 7:30 pm

Approval of the Summary of Minutes May 19, 2026

1. **Dave Gazillo – Ghents Road.** Final Four (4) Lot Subdivision Public Hearing: Lot 1 = ±40,561 sf, Lot 2 = ±45,046 sf, Lot 3 = ±46,899 sf, and Lot 4 = ±47,816 sf, all with proposed single-family residences. Engineer: Empire Engineering PLLC.
2. **Fort Hunter Philomena Holdings, LLC – 1175 Fort Hunter Road.** Preliminary Site Plan to construct 32 additional apartment units (4 - 8 Unit Buildings) in the existing 108-unit apartment complex known as the Residence at Fort Hunter on a 10.85-acre parcel.

Workshop (Conference Room 2nd Floor) 7:00 pm

Action Items/Discussion:

1. **MRL Ventures, LLC – 1900 Altamont Avenue.** The Applicant requests an extension of time to July 31, 2026 in order to satisfy the conditions of final site plan approval for a ±2,331 square foot restaurant with drive-thru on a ±0.59-acre parcel (Arby's) which was granted on June 17, 2025 (Resolution PC-36-2025), retroactive to May 31, 2026.

Waiver(s):

1. **Barkingham Palace, LLC – 785 Burdeck Street, Building #2, Suite #4** – Waiver of Site Plan Review to operate a dog daycare and boarding facility in a ±4,000 square foot tenant space in an existing ±12,000 square foot commercial building and the construction of an additional ±3,000 square foot outdoor play area on a ±14.62-acre parcel.
2. **CNZ LLC (Contract Vendee) – 1185-1187 Fort Hunter Road.** - Waiver of Site Plan Review to construct a 3-bedroom 2-bathroom two family residence on an existing ±1.82-acre parcel.
Engineer: ABD Engineers, LLP.
3. **Misty Bleu Farm, LLC – 3350 S. Thompson Street.** The applicant requests a Waiver of Site Plan review for the issuance of a Seasonal Sales Permit license to allow for a Cannabis Showcase Event as defined by New York State Office of Cannabis Management to be conducted on Thursday-Friday (12pm-6pm) from August 6, 2026 to December 4, 2026.
4. **Sissy's Steak Sandwiches, LLC – 2068 Curry Road.** The applicant requests a Waiver of Site Plan review for the issuance of a Seasonal Sales Permit license to allow for the placement of a food trailer in the parking area for Sahr's for retail vending to be conducted from (11am-6pm) from June 17, 2026 to October 15, 2026.
5. **Douglas DeMarco – 404 Princetown Road.** The applicant requests a Waiver of Site Plan review to operate DeMarco's Pizza in former Lucia Two Go on a ±0.66-acre parcel.

EXTENSION OF SITE PLAN APPROVAL

Date: June 16, 2026

PC2026-W27

The Town Planning Commission Office has received a request from the Applicant listed below seeking (1) a retroactive extension of time to satisfy the conditions of final subdivision approval for the below referenced Project and (2) a reaffirmation of the final subdivision approval previously granted for said Project.

APPLICANT: MRL Ventures LLC
c/o Bohler Engineering – Attn : Caryn Mlodzianowski
17 Computer Drive West
Albany, NY 12205

PROJECT LOCATION: 1900 Altamont Avenue

APPLICANT IDENTIFIED AS:	Owner(s)	X Lessee	Contract Vendee
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REQUEST: The Applicant requests an extension of time to July 31, 2026 in order to satisfy the conditions of final site plan approval for a ±2,331 square foot restaurant with drive-thru on a ±0.59-acre parcel (Arby's) which was granted on June 17, 2025 (Resolution PC-36-2025), retroactive to May 31, 2026.

Actions Taken by Commission:

1. The Planning Commission grants the request of the Applicant for an extension of time to July 31, 2026 in order to satisfy the conditions of final site plan approval for a ±2,331 square foot restaurant with drive-thru on a ±0.59-acre parcel (Arby's) which was granted on June 17, 2025, retroactive to May 31, 2026.
2. The Planning Commission grants the request of the Applicant for a reaffirmation of the conditional site plan approval granted on June 17, 2025, subject to the following condition(s):
 - a. All conditions set forth in the conditional final site plan approval dated June 17, 2025 (Resolution PC-36-2025) not previously satisfied and not specifically addressed herein shall remain in effect and shall be satisfied prior to the issuance on a final certificate of occupancy.

The foregoing Planning Commission action took place at the June 16, 2026 public meeting. The Planning Commission hereby authorizes the Commission Chairman to execute modification to Site Plan Condition #3 to extend the time period as set forth in Resolution PC-36-2025 to July 31, 2026.

Peter J. Comenzo
Senior Planner

Lynn Flansburg
Planning Commission Chairman

Rotterdam Planning Commission

RE: Arby's Lot Work

I am writing you today to ask for a time extension in order to complete the work required for the DOT right of way and sidewalks as well as the entrance closure. Based on the communications I have had with Bohler Engineering, FH Alexander, and the NYS DOT I would like to ask for a timeline extension from 5/31/26 out to 7/31/26. This extension will give all agencies the necessary time to finish the work with all required parties present.

We found out in late March that the DOT went to an online automated system and that the GC was not able to file for the work permit but rather it had to go through Bohler Engineering which caused a bit of back and forth to get the process started along with an additional contract with Bohler since it wasn't in their original scope.

I am attaching correspondences from the parties involved regarding the difficulties I have experienced while trying to get the final work accomplished.

Good morning Matthew,

We've summarized the recent DOT process below if you would like to share this with the Town:

- Bohler (Civil) and F.H. Alexander (GC) Permit coordination took place between 04/2026 – 05/2026 with back and forth with DOT to get them everything they need for Permit (COI, Perm 44 Bond, remaining fees to be paid, etc).
- Information uploaded to NYSDOT PermiTrack (5/07/2026)
- NYSDOT provided correspondence on 6/01/2026 indicating that the HWP will be issued shortly and that the contractor and consultant inspector can schedule a preconstruction meeting with DOT to discuss project scope, safety, and DOT expectations.

Thank you,

Caryn Mlodzianowski

I have been told that the work requires an independent supervisor onsite everyday as well as traffic control team. I think part of the hold up is coordinating all of the parties involved while they are performing other jobs. The work is budgeted/paid for/ expected to last two weeks (10 days) and is hopefully slated for last week of June and First week of July. With the July 4th holiday and any potential delays I would like to extend the request through the end of July. With this extension I will hope to rectify all that the town requires for the property on 1900 Altamont Ave in Rotterdam.

Matthew Lange

MRL Ventures V LLC

"A Nice Place to Live"

"A Nice Place to Do Business"



Town of Rotterdam
Office of the Planning Commission

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

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

Resolution Number PC36-2025

Moved by Mr. Miglucci seconded by Mr. Signore
Applicant : MRL Ventures, Inc.

Applicant : MRL Ventures, Inc.

Project Location: 1900 Altamont Avenue
Rotterdam, New York

Tax Number or Numbers: 59.9-7-5.111

Proposed Project: Final Site Plan Permit Public Hearing to convert a former $\pm 2,331$ square foot bank with a drive-thru into a fast-food restaurant with drive-thru on a ± 0.59 -acre parcel.

WHEREAS, public meetings were conducted by the Town of Rotterdam Planning Commission on May 20, 2025, and a public hearing on June 17, 2025, to consider the above referenced Site Plan; and,

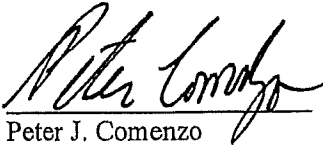
WHEREAS, this matter was discussed and approved, as meeting the standards for a Site Plan Review as set forth in Chapter 270 of the Code of the Town of Rotterdam entitled ZONING; and,

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

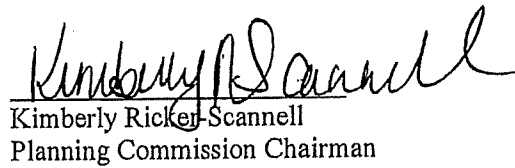
IT IS HEREBY RESOLVED THAT this Site Plan is approved with the following conditions as stipulated by the Planning Commission:

1. Final Fees Due: Final Site Plan \$150.00
 Advertising \$ 37.95
2. Prior to issuance of building permits, the applicant shall temporarily close off the existing Altamont Avenue in accordance with the updated plans provided by the Town Engineer.
3. Prior to the issuance of building permits, the applicant shall submit all relevant permit application required by the NYSDOT for the proposed work on the site plan and a copy provided to the Town. All work within the NYSDOT ROW as depicted on the site plan shall be completed no later than May 31, 2026.
4. Add note to site plan: "Previous freestanding sign has been removed and pole and base remain. Applicant shall remove from the NYSDOT property. Any new proposed ground mounted signage proposed shall conform to the current standards of the Town of Rotterdam and relocated to the applicant's property."

5. Final approval is contingent upon the applicant receiving permits (site development and building) from the DPLW Building Inspector.
6. Add note to site plan: "One water meter shall be installed on the service connection that reads in gallons with an outside reader without a wand to read. Final type and location to be approved by DPW.
7. Add note to site plan: "Owner/applicant shall install Knox Box for emergency personnel. Check with Fire District #2 for specifications."
8. Add note and show on site plan: "Landscaped areas shall contain an irrigation and/or sprinkler system."
9. Add note to site plan: "Landscaping shall be maintained in perpetuity and dead/dying plant materials shall be replace in-kind."



Peter J. Comenzo
Senior Planner



Kimberly Ricker-Scannell
Planning Commission Chairman

WAIVER OF SITE PLAN REVIEW

Date Reviewed: June 16, 2026

PC2026-W29

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: Barkingham Palace, LLC
785 Burdeck Street, Building 2, Suite 4
Schenectady, NY 12306

ADDRESS:

PROJECT LOCATION: 785 Burdeck Street

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

REQUEST: The applicant requests a Waiver of Site Plan Review to operate a dog daycare and boarding facility in a ±4,000 square foot tenant space in an existing ±12,000 square foot commercial building and the construction of an additional ±3,000 square foot outdoor play area on a ±14.62-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. Site improvements shall conform with the proposed improvements as outlined in the Plan entitled "Layout, Landscaping & Lighting, Building 3 – Proposed Tenant Street No. 785 Burdeck Street" prepared by ABD Engineers and Surveyors and dated June 11, 2026.
2. Approvals are contingent upon compliance with all NYS Building and Fire Codes.
3. Applicant must obtain a Building Permit and be issued a Certificate of Completion from the Town of Rotterdam Building Inspector/Code Enforcement Officer.
4. Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.
5. Owner/applicant shall install Knox box for emergency personnel. Please contact Fire District #6 for specifics.
6. Owner/applicant shall install new water meter on the service connection (Neptune MACH 10 radio read meters with pressure sensing option). Check with DPW for specifics.

7. **Hours of Operation:** Outdoor exercise and play areas shall only be permitted between the hours of 7:00 AM and 8:00 PM. Drop-off and pick-up of dogs shall be restricted to scheduled appointments within permitted business hours.
8. **Staffing Ratios:** A minimum staff-to-dog ratio of 1:15 must be maintained during all group play sessions.
9. **Enclosed Housing:** All overnight boarding, feeding, and indoor play areas must be located within the building. No dogs shall be kept or exercised outdoors between 8:00 PM and 7:00 AM.
10. **Acoustic Standards:** The facility shall implement acoustic baffling for all HVAC/ventilation systems and walls to ensure noise levels at the property boundary do not exceed Town of Rotterdam limits.
11. **Bark Mitigation:** Staff must actively supervise outdoor play areas. Dogs exhibiting continuous nuisance barking for more than 10 minutes must be immediately brought indoors.
12. **Double-Gated Entry:** All entry and exit points to outdoor play areas and interior runs must feature a double-gated system to prevent accidental escapes.

The Commission action on the Waiver application took place at the Planning Commission meeting of June 16, 2026 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

Lynn Flansburg
Planning Commission Chairman



**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): Michael Flocuzzio

APPLICANT(S)/LESSEE: Chad Kaiser and Jack Carney

MAILING ADDRESS: 785 Burdeck Street, Building 2 Suite 4

CITY: Rotterdam STATE: NY ZIP: 12306

DAYTIME TELEPHONE: [REDACTED] EMAIL ADDRESS [REDACTED]

PROJECT ADDRESS: 785 Burdeck Street, Building 2 Suite 4, Rotterdam, NY 12306

APPLICANT IDENTIFIED AS: Owner ____ Lessee X Contract Vendee ____

REQUEST: Approval of our plan to open and maintain a dog daycare and boarding facility.

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 6/5/26

* 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.

LANDS N/F OF
H CAPRARA &
SAN CAPRARA
980 PG. 1154

FRAME
DWELLING

S 47°32'20" W ASPHALT DRIVE

GARAGE

WOOD FENCE

GRAVEL SURFACE

PREVIOUSLY
APPROVED
12,000 SF
BUILDING

GRAVEL
SURFACE

GRAVEL
SURFACE

10 EMPLOYEE
PARKING SPACES

8' TALL VINYL
FENCED AREA

DUMPSTER
AREA

PROPOSED
12,000 SF
WAREHOUSE
BUILDING 6
2 UNITS - EACH
@ 6,000 SF

OFFICE
600 SF

OFFICE
600 SF

BML-1

BML-1

BML-1

BML-1

ASPHALT
PAVEMENT

NO
PARKING
SIGN (TYP.)

7 PARKING SPACES

BML-1

BML-2

BML-1

BML-1

DOOR
BARKINGHAM
PALACE LLC
TENANT

PROPOSED
12,000 SF
WAREHOUSE
BUILDING 3
6 UNITS -
EACH @ 2,000 SF

PROPOSED EVERGREENS WS, BF &/OR HL

26.0'±

120'

WAIVER OF SITE PLAN REVIEW

Date Reviewed: June 16, 2026

PC2026-W29

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: CNZ LLC
ADDRESS: 2794 West Lydia Street
Schenectady, NY 12306

PROJECT LOCATION: 1185-1187 Fort Hunter Road

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

REQUEST: The applicant requests a Waiver of Site Plan review to construct a 3-bedroom 2-bathroom two family residence on an existing ± 1.82 -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. Compliance with all NYS Building and Fire Codes.
2. Prior to the issuance of a Certificate of Occupancy from the Building Inspector/Code Enforcement Officer, a paved turnaround shall be constructed to prevent vehicles from backing out onto Fort Hunter Road.

The Commission action on the Waiver application took place at the Planning Commission meeting of June 16, 2026 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

Lynn Flansburg, 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): J & N ADAMEC

APPLICANT(S)/LESSEE: CN2 LLC

MAILING ADDRESS: 2794 West Lydius St.

CITY: Schenectady STATE: NY ZIP: 12308

DAYTIME TELEPHONE: [REDACTED] EMAIL ADDRESS: [REDACTED]

PROJECT ADDRESS: 1185-1187 - Fort Hunter Rd.

APPLICANT IDENTIFIED AS: Owner ☐ Lessee ☐ Contract Vendee ☒

REQUEST: Waiver of Site Plan. 2 family residence
4,600 sf 2 bdr 3 br. 1.82 acre parcel.

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 6/5/26

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** 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.



**WAIVER OF SITE PLAN REVIEW
SEASONAL SALES PERMIT LICENSE**

Date Reviewed: **June 16, 2026**

PC2026-W28

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: **Misty Bleu Farm, LLC**

ADDRESS: **3350 S. Thompson Street
Schenectady, NY 12306**

PROJECT LOCATION: **3350 S. Thompson Street**

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

REQUEST: The applicant requests a Waiver of Site Plan review for the issuance of a Seasonal Sales Permit license to allow for a Cannabis Showcase Event as defined by New York State Office of Cannabis Management to be conducted on Thursday-Friday (12pm-6pm) from August 6, 2026 to December 4, 2026.

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 to comply fully with Town Sign Code and obtain a building permit for any signage.
2. Events shall be limited to Thursday and Friday only from 12 noon until 6pm.
3. Applicant must comply with Chapter 228-7 of the Town Code if seeking license renewal after 120 days.
4. All parking for site activity to occur on-site in area designated on site plan. No parking is to occur on public highway.
5. Ingress/egress onto South Thompson Street shall remain free and clear at all times.

The Commission action on the Waiver application took place at the Planning Commission meeting of June 16, 2026 and authorized the Commission Chairman to execute the Waiver and direct the Building Inspector to approve the application for both the Seasonal Sales Permit as well as any documents required by the NYS Office of Cannabis Management. 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

Lynn Flansburg
Planning Commission

6/16?

TOWN OF ROTTERDAM
SEASONAL SALES PERMIT APPLICATION

RECEIVED

JUN 09 2020

The below-identified applicant requests Seasonal Sales approval. The following documentation is attached as required for the Building Department Inspector's 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')
 - ❖ Interior floor plan of usable area by applicant
3. Descriptive narrative of Seasonal Sales occurring on the site including but not limited to:
 - ❖ Number of employees
 - ❖ Exact nature of business, hours of operation and expected customers to the site
4. \$100 application fee – made payable to the Town of Rotterdam.

PRESENT OWNER(S): Chris Kostyun, VP

APPLICANT(S): Misty Bleu Farm LLC

ADDRESS: 3350 S Thompson Str

TELEPHONE: (H) _____ (W) [REDACTED] (F) _____

PROJECT ADDRESS: 3350 S Thompson

APPLICANT IDENTIFIED AS: _____ Owner ☒ Lessee _____ Contract Vendee

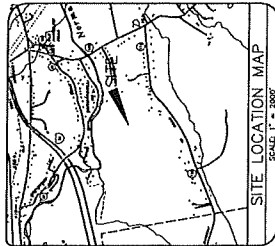
REQUEST: Approval for Retail Sales at our Production Facility
for Thursdays & Fridays Aug 6 - Dec 31; To apply to OCM, we need
a specific form completed. We still intend to seek permanent approval
from OCM when they are willing to discuss it.

By signing the application, it is understood by the applicant that he/she must fully
comply with Town Code 228, Seasonal Sales.

SIGNATURE OF APPLICANT [Signature] DATE 6/9/20

BUILDING INSPECTOR APPROVAL: _____

DATE: _____



SITE STATISTICS:

ZONE CLASSIFICATION	1-1 LIGHT INDUSTRIAL
MIN. LOT AREA	10,000 SQ. FT.
MIN. LOT WIDTH	100 FT.
MIN. LOT DEPTH	50 FT.
MIN. LOT AREA WITH 100 FT. FRONT SETBACK	15,000 SQ. FT.
MIN. LOT AREA WITH 100 FT. FRONT AND 25 FT. SIDE SETBACKS	20,000 SQ. FT.
MIN. LOT AREA WITH 100 FT. FRONT, 25 FT. SIDE, AND 25 FT. REAR SETBACKS	25,000 SQ. FT.
MIN. LOT AREA WITH 100 FT. FRONT, 25 FT. SIDE, AND 5 FT. REAR SETBACKS	30,000 SQ. FT.
MIN. LOT AREA WITH 100 FT. FRONT, 25 FT. SIDE, AND 10 FT. REAR SETBACKS	35,000 SQ. FT.
MIN. LOT AREA WITH 100 FT. FRONT, 25 FT. SIDE, AND 15 FT. REAR SETBACKS	40,000 SQ. FT.
MIN. LOT AREA WITH 100 FT. FRONT, 25 FT. SIDE, AND 20 FT. REAR SETBACKS	45,000 SQ. FT.
MIN. LOT AREA WITH 100 FT. FRONT, 25 FT. SIDE, AND 25 FT. REAR SETBACKS	50,000 SQ. FT.
MIN. LOT AREA WITH 100 FT. FRONT, 25 FT. SIDE, AND 30 FT. REAR SETBACKS	55,000 SQ. FT.
MIN. LOT AREA WITH 100 FT. FRONT, 25 FT. SIDE, AND 35 FT. REAR SETBACKS	60,000 SQ. FT.
MIN. LOT AREA WITH 100 FT. FRONT, 25 FT. SIDE, AND 40 FT. REAR SETBACKS	65,000 SQ. FT.
MIN. LOT AREA WITH 100 FT. FRONT, 25 FT. SIDE, AND 45 FT. REAR SETBACKS	70,000 SQ. FT.
MIN. LOT AREA WITH 100 FT. FRONT, 25 FT. SIDE, AND 50 FT. REAR SETBACKS	75,000 SQ. FT.
MIN. LOT AREA WITH 100 FT. FRONT, 25 FT. SIDE, AND 55 FT. REAR SETBACKS	80,000 SQ. FT.
MIN. LOT AREA WITH 100 FT. FRONT, 25 FT. SIDE, AND 60 FT. REAR SETBACKS	85,000 SQ. FT.
MIN. LOT AREA WITH 100 FT. FRONT, 25 FT. SIDE, AND 65 FT. REAR SETBACKS	90,000 SQ. FT.
MIN. LOT AREA WITH 100 FT. FRONT, 25 FT. SIDE, AND 70 FT. REAR SETBACKS	95,000 SQ. FT.
MIN. LOT AREA WITH 100 FT. FRONT, 25 FT. SIDE, AND 75 FT. REAR SETBACKS	100,000 SQ. FT.
MIN. LOT AREA WITH 100 FT. FRONT, 25 FT. SIDE, AND 80 FT. REAR SETBACKS	105,000 SQ. FT.
MIN. LOT AREA WITH 100 FT. FRONT, 25 FT. SIDE, AND 85 FT. REAR SETBACKS	110,000 SQ. FT.
MIN. LOT AREA WITH 100 FT. FRONT, 25 FT. SIDE, AND 90 FT. REAR SETBACKS	115,000 SQ. FT.
MIN. LOT AREA WITH 100 FT. FRONT, 25 FT. SIDE, AND 95 FT. REAR SETBACKS	120,000 SQ. FT.
MIN. LOT AREA WITH 100 FT. FRONT, 25 FT. SIDE, AND 100 FT. REAR SETBACKS	125,000 SQ. FT.

PROPOSED: 335

REQUIRED: 335

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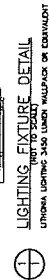
EXISTING PROPERTY LINE	PROPOSED PROPERTY LINE
REAR SETBACK (25 FT.)	REAR SETBACK (25 FT.)
REAR SETBACK (10 FT.)	REAR SETBACK (10 FT.)
ADJACENT PROPERTY LINE	ADJACENT PROPERTY LINE
PROPOSED EASEMENT	PROPOSED EASEMENT
EXISTING DRIVE	EXISTING DRIVE
EXISTING TIE-IN	EXISTING TIE-IN
EXISTING HYDRANT	EXISTING HYDRANT
EXISTING UTILITY POLE	EXISTING UTILITY POLE
EXISTING SIGN	EXISTING SIGN
EXISTING CATCH BASIN	EXISTING CATCH BASIN
EXISTING OVERHEAD WIRE	EXISTING OVERHEAD WIRE
EXISTING WATERMAIN	EXISTING WATERMAIN
PROPOSED EXTERIOR LIGHT FIXTURE	PROPOSED EXTERIOR LIGHT FIXTURE
PROPOSED VEGETATED SWALE	PROPOSED VEGETATED SWALE

TAX MAP ID:
48.17-7.4

SITE AREA:
0.31 AC

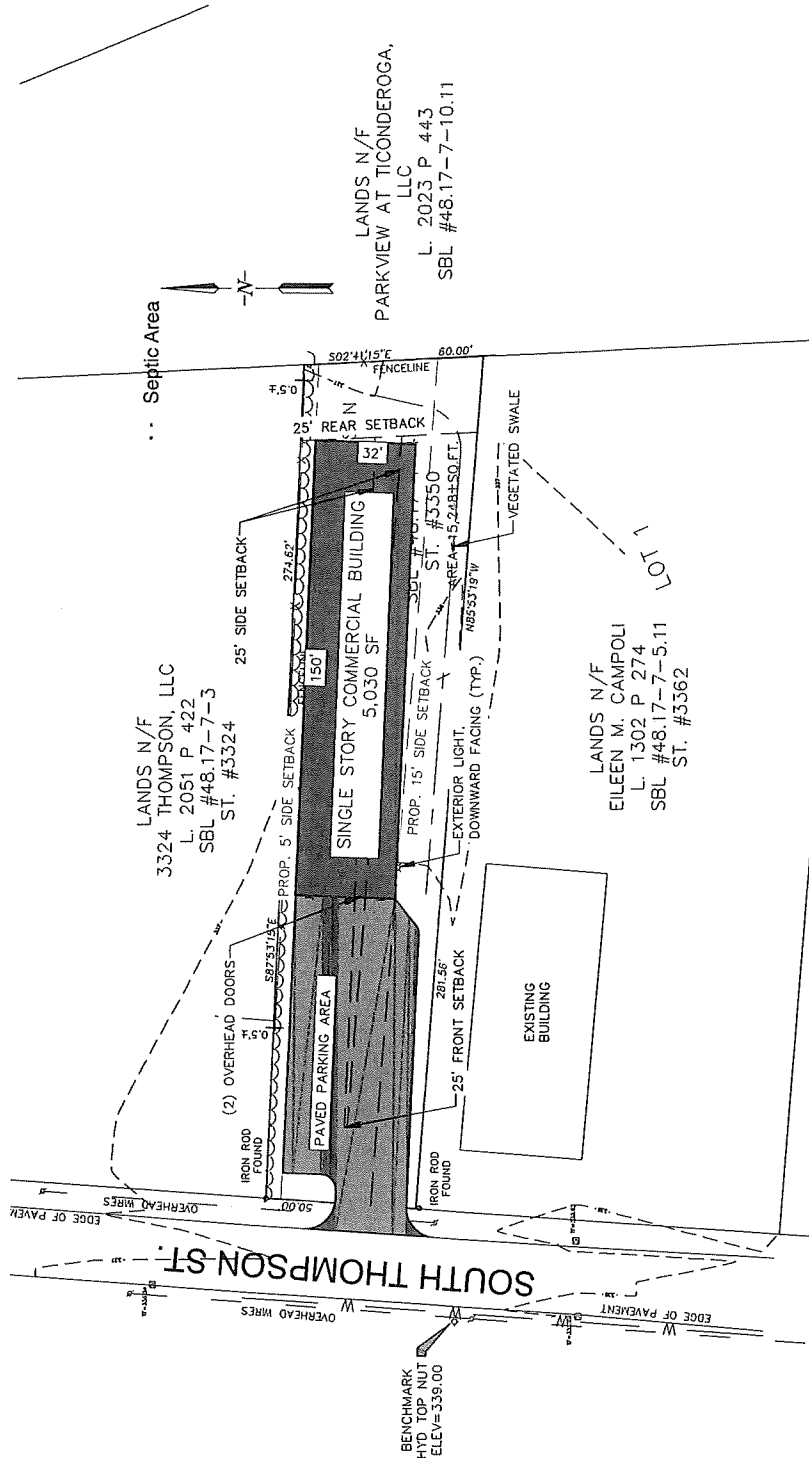
OWNER:
LANDS N/F
3324 SOUTH THOMPSON ST. LLC
250 SUTTS ROAD
DUANESBURG, NY 12055

APPLICANT:
FLOCCUZO CONSTRUCTION
1000 SUTTS ROAD
DUANESBURG, NY 12055



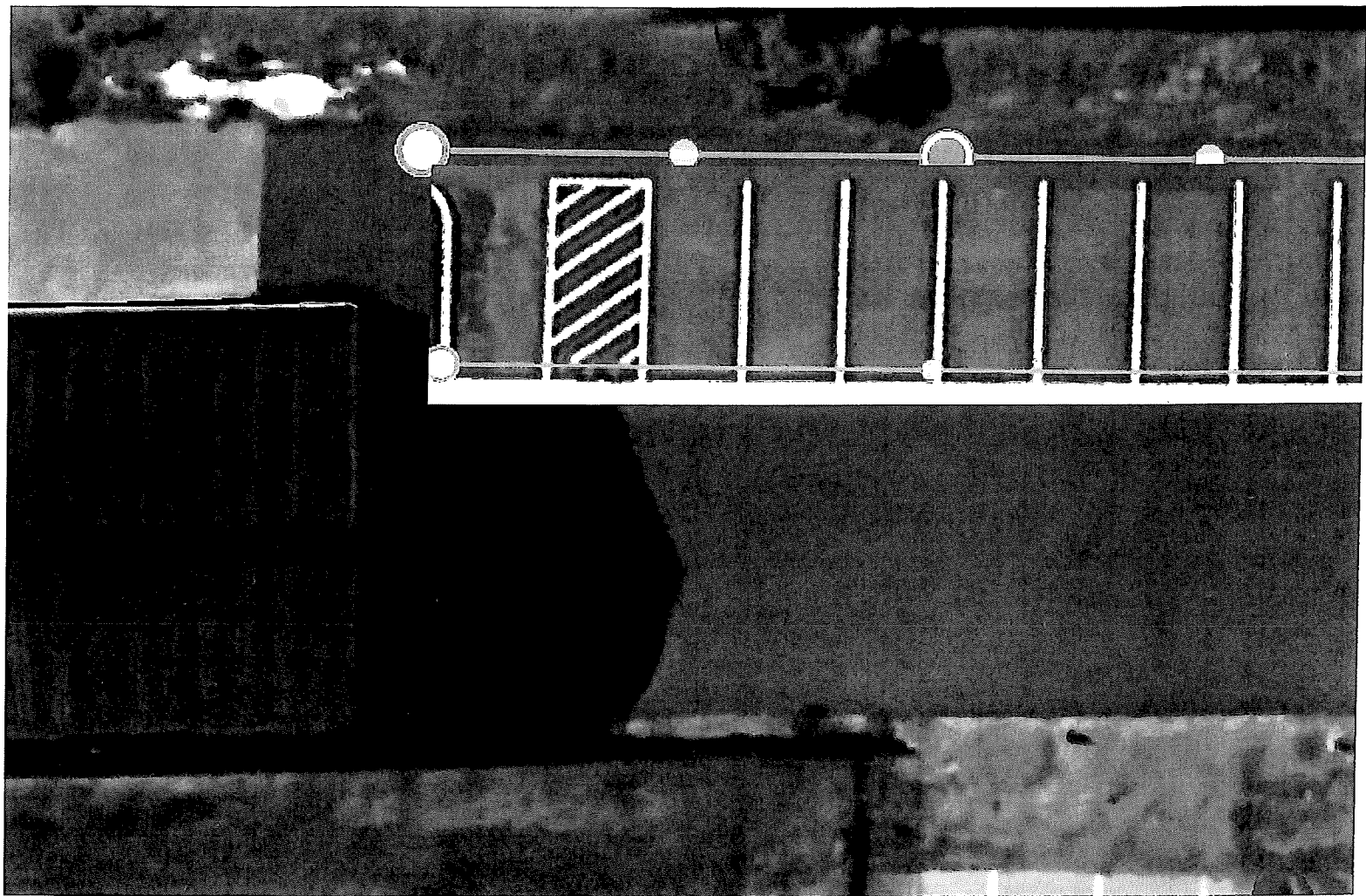
LIGHTING FIXTURE DETAIL
TYPE: 10' TALL
UNIFORM LIGHTING AND LIGHT REDUCTION IN EXISTING

NOTE: 48 HOURS PRIOR TO ANY CONSTRUCTION ACTIVITIES, THE CONTRACTOR SHALL CONTACT THE TOWN OF ROTTERDAM TO LOCATE ALL UNDERGROUND UTILITIES. 1-800-442-7842



FOR MUNICIPAL APPROVAL ONLY
NOT FOR CONSTRUCTION

CONCEPT PLAN FLOCCUZO CONSTRUCTION 3350 SOUTH THOMPSON STREET TOWN OF ROTTERDAM COUNTY OF SCHENECTADY STATE OF NEW YORK DATE: JANUARY 18, 2022 SCALE: 1" = 20' SHEET 1 OF 1	
ingalls ingalls & associates, llc 1000 SUTTS ROAD DUANESBURG, NY 12055 PHONE: 518-442-7842 FAX: 518-442-7843 WWW.INGALLS-LLC.COM	LANDS N/F 3324 THOMPSON, LLC L. 2051 P 422 SBL #48.17-7-3 ST. #3324 LANDS N/F EILEEN M. CAMPOLI L. 1302 P 274 SBL #48.17-7-5.11 ST. #3362



*Town of Rotterdam, NY
Thursday, June 11, 2026*

Chapter 228. Seasonal Sales

[HISTORY: Adopted by the Town Board of the Town of Rotterdam 11-24-1993 by L.L. No. 23-1993. Amendments noted where applicable.]

GENERAL REFERENCES

Advertising materials — See Ch. 68.
Carnivals and tent shows — See Ch. 98.
Garage sales — See Ch. 145.
Hawking, peddling and soliciting — See Ch. 150.
Zoning — See Ch. 270.

§ 228-1. Intent.

It is the intent of this chapter to permit and establish regulations and procedures for seasonal outdoor sales of Christmas trees, produce, holiday decorations and certain other seasonal activities conducted for financial gain.

§ 228-2. License required.

- A. It shall be a violation of this chapter for any person to store or sell Christmas trees, holiday decorations, produce and other seasonal sales out-of-doors in the Town of Rotterdam without having a license therefor.
- B. It shall be a violation of this chapter for any owner to allow his property to be used for the storage and sale of Christmas trees, related holiday decorations, produce and other seasonal sales out-of-doors by any person or persons who do not have a license therefor.

§ 228-3. Application; approval.

- A. All applications for a license that allows the outdoor storage and sale of Christmas trees, related holiday decorations, produce and other seasonal sales shall be made to the Town Building Inspector/Code Enforcement Officer on a form prescribed by him.^[1]

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*

- B. The application shall be accompanied by a plan, drawn to 40-scale, identifying the size of the lot, where such storage and sales are to take place and also showing provisions for site access and parking, and buildings or structures thereon.
- C. The Building Inspector/Code Enforcement Officer shall transmit the application and all materials to the Rotterdam Planning Commission, which shall act upon the application as prescribed in Chapter 270, Zoning, Article XVII, Site Plan Approval.^[2]

[2] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*

§ 228-4. Fees.

The application shall be subject to fees as prescribed in Chapter 270, Zoning Article XVII, Site Plan Approval.

§ 228-5. Permissible locations.

Any outdoor seasonal sales may be permitted on any lot in the Town of Rotterdam that meets the specifications for issuance of a license.

§ 228-6. Conditions for issuance of license; revocation.

- A. The Planning Commission may approve an application and direct the Building Inspector/Code Enforcement Officer to issue a license if it finds that the lot is suitable for the sale in terms of vehicular access, parking and pedestrian safety, and further provided that such use of the lot will not generate hazardous traffic or fire conditions. All vehicular parking must be off-street, and adequate utilities must be provided for the use. The Planning Commission shall grant only one seasonal business activity per license application.^[1]
[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*
- B. No offensive noise, vibration, smoke, dust, odors, heat or glare shall be, produced from the seasonal sales.
- C. Signs shall not exceed one foot square and must be denoted on the required plan.
- D. The license may be revoked at any time if the licensee deviates from the plan as submitted and/or if the sale is deemed to create a public health or safety hazard. If the license is revoked, all sales shall be terminated until a new license is obtained, subject to the provisions of §§ 228-3 through 228-6.
- E. The Planning Commission may impose any condition upon the application it deems appropriate and necessary to ensure congestion on any public street is avoided.
- F. Only one license for seasonal business activities may be issued for a specific premises per year.

§ 228-7. Term of license; renewals.

All licenses shall be issued for a period not to exceed 120 days and are renewable pursuant to the terms of this chapter. Renewals shall be subject to the Planning Commission review prior to their reissuance.

§ 228-8. Penalties for offenses; enforcement.

[Amended 7-9-2003 by L.L. No. 9-2003; 6-12-2013 by L.L. No. 7-2013]

Enforcement of the provisions of this chapter shall be by the Building Inspector/Code Enforcement Officer of the Town of Rotterdam. 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.

§ 228-9. Exceptions.

This chapter shall not apply to garden shops or nurseries which are open for business during the other parts of the year or commercial establishments which may be subject to Article XVII of Chapter 270 of the Rotterdam Zoning Code.

WAIVER OF SITE PLAN REVIEW

Date: June 16, 2026

PC2026-W25

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: Sissy's Steak Sandwiches LLC
Christina Fazio

ADDRESS: 2046 Patton Drive
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 for the issuance of a Seasonal Sales Permit license to allow for the placement of a food trailer in the parking area for Sahr's for retail vending to be conducted from (11am-6pm) from June 17, 2026 to October 15, 2026.

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 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. Applicant shall obtain Schenectady County Health Department approval.

The Commission action on the Waiver application took place at the Planning Commission meeting of June 16, 2026 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

Lynn Flansburg, Chairman
Planning Commission

Narrative of Seasonal Sales for Sissy's Steak Sandwiches LLC

2026

The proposed operation is a seasonal mobile food trailer, operating under the name Sissy's Steak Sandwiches, offering a casual, quick-service dining experience. The menu will feature hot dogs, steak sandwiches, and sausages prepared with peppers, onions, and mushrooms, with optional cheese toppings. Additional offerings will include carnitas tacos, as well as pre-packaged ice cream products. A selection of cold beverages, including soda and bottled water, will also be available.

The business will operate on a seasonal basis, with anticipated hours of operation from 11:00 a.m. to 6:00 p.m., serving both lunch and early dinner customers. The operation is designed to accommodate a steady and orderly flow of patrons throughout the day, with peak activity expected during midday and late afternoon hours.

Daily customer volume is projected at approximately 50 patrons per day. Service will be conducted through a walk-up ordering window, with food prepared to order within the trailer to ensure quality, consistency, and efficiency. The nature of the operation is fast-paced yet well-managed, allowing for prompt service and appropriate customer turnover without congestion. Staffing will consist of two employees on-site at all times, including the owner/operator.

Responsibilities will include food preparation, order taking, customer service, and maintaining strict adherence to cleanliness and food safety standards in full compliance with all applicable local and state health regulations.

The business is intended to provide a convenient, affordable, and high-quality food option for the surrounding community, while also supporting local economic growth through collaboration with another small business, Sahr's Wholesale, helping to generate additional customer traffic and visibility for their establishment. The operation will maintain a clean, orderly, and well-managed site at all times, with careful attention to waste disposal, site maintenance, traffic flow, and the overall safety and well-being of patrons and the general public.

WAIVER OF SITE PLAN REVIEW

Date: June 16, 2026

PC2026-W26

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: Douglas Demarco
Christina Fazio
ADDRESS: 404 Princetown Road
Schenectady, NY 12306

PROJECT ADDRESS: 404 Curry Road

APPLICANT IDENTIFIED AS: Owner ☒ Lessee Contract Vendee

REQUEST: The applicant requests a Waiver of Site Plan review to operate DeMarco's Pizza in former Lucia Two Go on a ±0.66 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. Compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the Building Inspector/Code Enforcement Officer prior to operation.
3. Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.
4. Owner/applicant shall install Knox box for emergency personnel. Please contact Fire District #6 for specifics.
5. Owner/applicant shall obtain a Plumbing Permit from the Building Inspector and install a new water meter on the service connection (Neptune MACH 10 radio read meters with pressure sensing option). Check with DPW for specifics.
6. Applicant shall obtain Schenectady County Health Department approval.
7. Applicant shall install a handicapped sign in compliance with ADA requirements.

The Commission action on the Waiver application took place at the Planning Commission meeting of June 16, 2026 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

Lynn Flansburg, Chairman
Planning Commission



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

RECEIVED

MAY 26 2026

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): Dani Corrad

APPLICANT(S)/LESSEE: Douglas Demarco

MAILING ADDRESS: 404 Princeton RD

CITY: Schenectady STATE: NY ZIP: 12306

DAYTIME TELEPHONE: [REDACTED] MAIL ADDRESS: [REDACTED]

PROJECT ADDRESS: 404 Princeton RD

APPLICANT IDENTIFIED AS: Owner ____ Lessee 1 Contract Vendee ____

REQUEST: taking over former lucias two go with new tavern + restaurant.

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 5/11/26

* 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.

Daily Business includes but
is not limited to. Customers coming
in for take out or sit down meal.
A quick lunch/dinner. Operating
hours are Monday-Saturday
11am-9pm. Closed Sundays &
most calendar holidays.
Number of employees varies on
day. Anywhere between 6-11 regularly.
Daily customers vary on day
we are looking at roughly 200-500.

Thank you.

Any questions feel free to
reach out to ~~XXXXXXXXXXXX~~

RECEIVED

MAY 26 2026

TOWN OF ROTTERDAM
PUBLIC WORKS

Dyglas

Site plan:

One structure - 2 units.

Sunmark credit union.

Demarcos pizza.

24 parking spaces available

3 handicap accessible parking spaces.

No proposed site improvements.

RECEIVED

MAY 26 2015

TOWN OF ROTTERDAM
PUBLIC WORKS

DPW Comments
June 16, 2026

1. **Dave Gazillo – Ghents Road.** Final Four (4) Lot Subdivision Public Hearing: Lot 1 = ±40,561 sf, Lot 2 = ±45,046 sf, Lot 3 = ±46,899 sf, and Lot 4 = ±47,816 sf, all with proposed single-family residences. Engineer: Empire Engineering PLLC.
 1. Final SWPPP documents shall be reviewed and approved by the Rotterdam Stormwater Management Officer prior to Chairman's Signature.
 2. Pin and cap all lot corners prior to Chairman's Signature.
 3. Owner/applicant will be required to install new water meter on the service connection (Neptune MACH 10 radio read meters with pressure sensing option)". Check with DPW for specifics.
 4. Add note to subdivision plan: "Water service to lots shall not be placed underneath driveways."
 5. Add note to subdivision plan: "No stockpiling or burying of construction debris, slash, stumps, or construction material is permitted."
 6. Add note to subdivision plan: "Highway work permits shall be obtained for driveway access prior to any land development activities."
 7. Add note to subdivision plan: "Foundation location surveys shall be required prior to building construction."

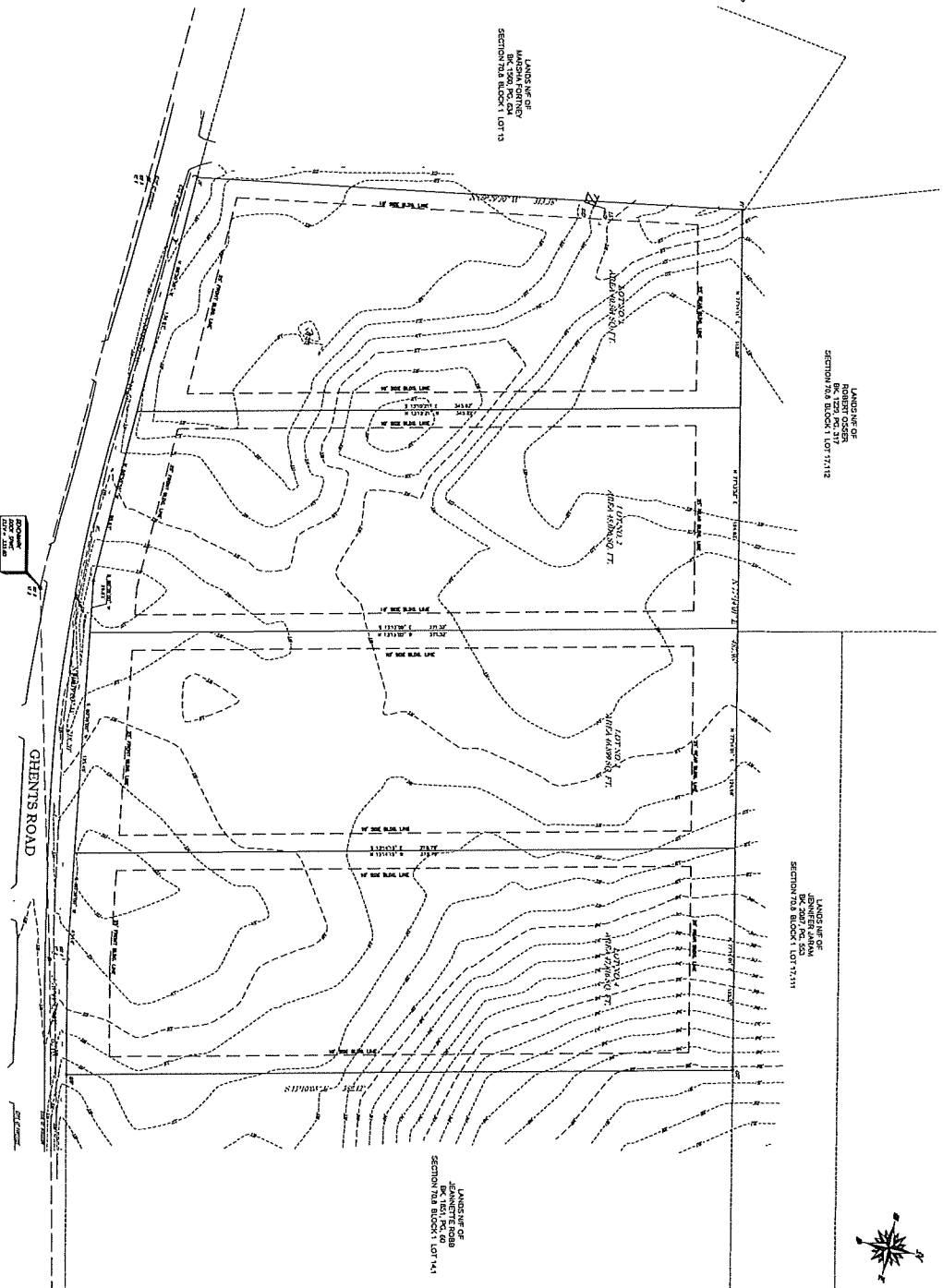
DPW Comments April 21, 2026

1. Property was rezoned to Single Family Residential (R-1) on February 25, 2026.
2. NYSDEC has determined that no jurisdictional wetlands are present (see correspondence dated March 23, 2026).
3. Perc tests have been performed on each lot and witnessed by Schenectady County Health. High groundwater exists on-site.
4. Stormwater Management Officer to review basic SWPPP that has been prepared for this project.

SEQR Requirement: 6 NYCRR 617 Unlisted Action. Rotterdam Town Board conducted a coordinated review and issued a Negative Declaration on February 25, 2026.

Involved/Interested Agencies

Schenectady County Economic Development and Planning
Schenectady County Department of Health
New York State Department of Environmental Conservation – Region #4
Rotterdam Highway Department
Rotterdam Planning Commission
Fire District #2



LANDS NE OF
MARSHA FORTNEY
BK 1500, PG. 604
SECTION 70.8 BLOCK 1 LOT 13

LANDS N/E OF
ROBERT OSSEER
BK 1229, PG. 317
SECTION 70.8, BLOCK 1, LOT 17, 112

LANDS N/F OF
JENNIFER JARAMA
BK 2007, PG. 553
SECTION 70.8 BLOCK 1 LOT 17.111

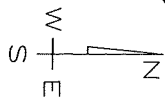
LANDS N/F OF
JEANNETTE ROAD
BK 1631, PG. 60
SECTION 70.2 BLOCK 1 LOT 14.1

GENERAL NOTES:

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CLIENTS ROAD 		SUPPLEMENT MAP OF THE LANDS OF R. CHARLES FERRE	
DATE	REVISION	TOWN OF RIVINGTON	SECTION OF RIVINGTON, N. Y.
	SCALE: 1" = 40' DRAWN BY: W.	LOCATED: 12-22-01 PROJECT NO: 24411	
AMBRO & Waldorf Ltd., Surveyors L.P. 303 CANTON STREET, JERSEY CITY, NJ 07310			
WASHINGTON ASSURED P.L.L.C. 1411 15th Street, N.W. WASHINGTON, D.C. 20004			





TEST PIT LOG		
TEST PIT	PROFILE	STABILIZED MATERIAL
TP 1	0-1" DARK BROWN TOPSOIL 1-4" PINE SAND 4-10" DARK BROWN SAND 10-12" DARK BROWN SAND 12-14" DARK BROWN SAND 14-16" DARK BROWN SAND 16-18" DARK BROWN SAND 18-20" DARK BROWN SAND 20-22" DARK BROWN SAND 22-24" DARK BROWN SAND 24-26" DARK BROWN SAND 26-28" DARK BROWN SAND 28-30" DARK BROWN SAND 30-32" DARK BROWN SAND 32-34" DARK BROWN SAND 34-36" DARK BROWN SAND 36-38" DARK BROWN SAND 38-40" DARK BROWN SAND 40-42" DARK BROWN SAND 42-44" DARK BROWN SAND 44-46" DARK BROWN SAND 46-48" DARK BROWN SAND 48-50" DARK BROWN SAND 50-52" DARK BROWN SAND 52-54" DARK BROWN SAND 54-56" DARK BROWN SAND 56-58" DARK BROWN SAND 58-60" DARK BROWN SAND 60-62" DARK BROWN SAND 62-64" DARK BROWN SAND 64-66" DARK BROWN SAND 66-68" DARK BROWN SAND 68-70" DARK BROWN SAND 70-72" DARK BROWN SAND 72-74" DARK BROWN SAND 74-76" DARK BROWN SAND 76-78" DARK BROWN SAND 78-80" DARK BROWN SAND 80-82" DARK BROWN SAND 82-84" DARK BROWN SAND 84-86" DARK BROWN SAND 86-88" DARK BROWN SAND 88-90" DARK BROWN SAND 90-92" DARK BROWN SAND 92-94" DARK BROWN SAND 94-96" DARK BROWN SAND 96-98" DARK BROWN SAND 98-100" DARK BROWN SAND	PT 1: 1.28, 2.15, 3.00 PT 2: 2.15, 3.00, 3.85 PT 3: 3.00, 3.85, 4.70 PT 4: 3.85, 4.70, 5.55 PT 5: 4.70, 5.55, 6.40 PT 6: 5.55, 6.40, 7.25 PT 7: 6.40, 7.25, 8.10 PT 8: 7.25, 8.10, 8.95 PT 9: 8.10, 8.95, 9.80 PT 10: 8.95, 9.80, 10.65 PT 11: 9.80, 10.65, 11.50 PT 12: 10.65, 11.50, 12.35 PT 13: 11.50, 12.35, 13.20 PT 14: 12.35, 13.20, 14.05 PT 15: 13.20, 14.05, 14.90 PT 16: 14.05, 14.90, 15.75 PT 17: 14.90, 15.75, 16.60 PT 18: 15.75, 16.60, 17.45 PT 19: 16.60, 17.45, 18.30 PT 20: 17.45, 18.30, 19.15 PT 21: 18.30, 19.15, 20.00 PT 22: 19.15, 20.00, 20.85 PT 23: 20.00, 20.85, 21.70 PT 24: 20.85, 21.70, 22.55 PT 25: 21.70, 22.55, 23.40 PT 26: 22.55, 23.40, 24.25 PT 27: 23.40, 24.25, 25.10 PT 28: 24.25, 25.10, 25.95 PT 29: 25.10, 25.95, 26.80 PT 30: 25.95, 26.80, 27.65 PT 31: 26.80, 27.65, 28.50 PT 32: 27.65, 28.50, 29.35 PT 33: 28.50, 29.35, 30.20 PT 34: 29.35, 30.20, 31.05 PT 35: 30.20, 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Peter Comenzo

From: Mary Barrie
Sent: Thursday, June 11, 2026 9:50 AM
To: Peter Comenzo
Subject: 4-lot Subdivision at Ghents Road
Attachments: Site_Development_Permit_2.pdf

Page 4 of the SWPPP should state this project is in the Town of Rotterdam and that the Town is an MS4 municipality.

The SWPPP needs to have a Certified Contractor form as well as any subcontractor certifications that will be involved with earth work.

The SWPPP needs to have Contractor Maintenance Inspection Report Form.

Table 1 of the NYS DEC GP 0-25-001 is applicable with the below criteria. Please confirm that this project will meet be under the maximum of 25% impervious.

Single-family residential subdivisions with 25% or less impervious cover at total site build-out and not located in one of the watersheds listed in Appendix C and not directly discharging to one of the 303(d) segments listed in Appendix D.

Once DEC Authorization is obtained a Site Development Permit will be required. See attached. An escrow account should be set up for the Town oversight SWPPP inspections in the amount of \$800.

Thank you,

Mary O. Barrie
Stormwater Program Coordinator
Town of Rotterdam
Department of Public Works
1100 Sunrise Boulevard
Schenectady, NY 12306
518-355-7575 Ext. 358
mbarrie@rotterdamny.org

CONFIDENTIALITY NOTICE: *The contents of this email message and any attachments are intended solely for the addressee(s) and may contain confidential and/or privileged information and may be legally protected from disclosure. If you are not the intended recipient of this message or their agent, or if this message has been addressed to you in error, please immediately alert the sender by reply email and then delete this message and any attachments. If you are not the intended recipient, you are hereby notified that any use, dissemination, copying, or storage of this message or its attachments is strictly prohibited.*

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, February 25, 2026, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 85.26

TO ADOPT A SEQR NEGATIVE DECLARATION ON A CHANGE OF ZONE APPLICATION ON A ±4.14-ACRE PARCEL FROM AGRICULTURE (A-1) TO SINGLE FAMILY RESIDENTIAL (R-1) LOCATED BETWEEN 2229 & 2193 GHENTS ROAD NORTH SIDE

THEREFORE, UPON MOTION OF Councilmember **MATELITZ**, seconded by Councilmember **DESANTIS**,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby adopts the Negative Declaration dated February 25, 2026, as prepared by the Senior Planner, for a Change of Zone Request on ±4.14 acres parcel from Agriculture (A-1) to Single Family Residential (R-1). Property is located between 2229 & 2193 Ghents Road on the north side and is known as Tax Map No. 70.8-1-14.2.

SECTION 2. The Town Board hereby authorizes the Senior Planner to distribute all documents necessary to comply with 6NYCRR Part 612.12(State Environmental Quality Review).

SECTION 3. This resolution shall become effective February 25, 2026.

DATED: February 25, 2026

NAME	AYES	NOES	ABSTAIN
Schlag(ABSENT)			
Desantis	X		
Gallucci	X		
Matelitz	X		
Polimeni	X		

I, Megan Griffin, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board Meeting of the Town of Rotterdam on February 25, 2026, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this February 27, 2026.


Megan Griffin, Town Clerk



ZONING COORDINATION REFERRAL

SCHENECTADY COUNTY DEPT. OF ECONOMIC DEVELOPMENT & PLANNING

Recommendations shall be made within 30 days after receipt of a full statement of the proposed action.

For Use By SCDEDP

Received 04-30-26
Case No. R-6-26
Returned 5-11-26

FROM: ☐ Legislative Body
☐ Zoning Board of Appeals
☒ Planning Board

Schenectady County

Municipality:

Town of Rotterdam

APR 30 2026

TO: Schenectady County Department of Economic Development and Planning
Schaffer Heights, 107 Nott Terrace, Suite 303
Schenectady, NY 12308

(tel.) 386-2225
(fax) 382-5539

ACTION: ☐ Zoning Code/Law Amendment
☐ Zoning Map Amendment
☒ Subdivision Review
☐ Site Plan Review
☐ Special Permit
☐ Use Variance
☐ Area Variance
☐ Other (specify) _____

PUBLIC HEARING OR MEETING DATE: May 19, 2026

SUBJECT: David Gazillo - Ghents Road. Four (4) Lot Subdivision: Lot 1 = ±40,561 sf, Lot 2 = ±45,046 sf, Lot 3 = ±46,899 sf, and Lot 4 = ±47,816 sf, all with proposed single-family residences. Engineer: Empire Engineering PLLC.

REQUIRED ENCLOSURES: 1. Public hearing notice & copy of the application.
2. Map of property affected. (Including Tax Map I.D. number if available)
3. Completed environmental assessment form and all other materials required by the referring body in order to make its determination of significance pursuant to the state environmental quality review act.

1. This zoning case is forwarded to your office for review in compliance with Sections 239-l, 239-m and 239-n of Article 12-B of the General Municipal Law, New York State.
2. This material is sent to you for review and recommendation because the property affected by the proposed action is located within 500 feet of the following:
 - ☐ the boundary of any city, village or town;
 - ☐ the boundary of any existing or proposed County or State park or other recreation area;
 - ☐ the right-of-way of any existing or proposed County or State parkway, thruway, expressway, road or highway;
 - ☐ the existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines;
 - ☐ the existing or proposed boundary of any County or State-owned land on which a public building or institution is situated;
 - ☐ the boundary of a farm operation located in an agricultural district, as defined by Article 25-AA of the agriculture and markets law. The referral requirement of this subparagraph shall not apply to the granting of area variances.

SUBMITTED BY:

Name: Peter Comenzo

Title: Senior Planner

Address: 1100 Sunrise Boulevard, Schenectady, NY 12306

E-mail: pcomenzo@rotterdamny.org

Phone: 518-355-7575 Ext 338

Peter Comenzo
Signature

Date: 4 22 26



PLANNING & ZONING COORDINATION REFERRAL

Case No. R-6-26

Applicant David Gazillo

Referring Officer Peter Comenzo

Municipality Rotterdam

Considerations: Applicant is proposing to split a 4.14 acre wooded lot into four +/-40,000sq.ft. through +/-47,000 sq.ft. lots, with proposed single-family residence on each.

RECOMMENDATION

Receipt of zoning referral is acknowledged on 04/30/26. Please be advised that the undersigned Commissioner of Economic Development and Planning of the County of Schenectady (having under the Schenectady County Charter the powers and duties of a County Planning Board) has reviewed the proposed action stated on the opposite side of this form and makes the following recommendations:

- ☐ *Approve of the proposal.
- ☐ Defer to local consideration (No significant county-wide or inter-community impact)
- ☒ Modify/Conditionally Approve. Conditions:
County Department of Environmental Health approval of wastewater treatment system.

☐ Advisory Note:

☐ Disapprove. Reason:

*A recommendation of approval should not be interpreted that the County has reviewed all local concerns and/or endorses the project; rather the proposed action has met certain County considerations.

Section 239-m of the general Municipal Law requires that within 30 days after final action, the referring body shall file a report of the final action it has taken with the Schenectady County Department of Economic Development and Planning. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

05/11/26

Date

Kate Maynard, Commissioner
Economic Development and Planning



Department of
Environmental
Conservation

KATHY HOCHUL
Governor

AMANDA LEFTON
Commissioner

LETTER OF NO JURISDICTION – FRESHWATER WETLANDS

03/23/2026

Christopher Longo

1900 Duanesburg Rd, Duanesburg, NY, 12056, USA

Sent via email to: clongo@empireeng.net

Re: DEC Freshwater Wetlands Parcel Jurisdictional Determination for Parcel
42280070.8-1-14.2, Schenectady County

Dear Christopher Longo,

Based on the parcel identified in your request, the New York State Department of Environmental Conservation (DEC) has determined that there are **no** DEC regulated freshwater wetlands and/or adjacent areas identified on the parcel referenced above. Therefore, in accordance with Article 24 of the Environmental Conservation Law (ECL) and 6 NYCRR Part 663, no freshwater wetlands permit is required. Pursuant to ECL section 24-0703, this letter shall remain valid for a period of five years from the date it is issued (through 03/21/2031).

Please note that the current jurisdictional acreage threshold of 12.4 acres will decrease to 7.4 acres on January 1, 2028. Therefore, as of January 1, 2028, additional wetland areas may become jurisdictional after the effective term of this determination.

This determination pertains only to state-regulated, freshwater wetlands and regulated adjacent areas. DEC also regulates protected streams, tidal wetlands, coastal erosion hazard areas, and other important environmental resources. Work affecting those areas may also require DEC permits. More information on other DEC permit programs is available online at <https://dec.ny.gov/regulatory/permits-licenses/environmental-permits>.

Please note that this letter does not relieve you of the responsibility of obtaining any other necessary permits or approvals from other local, state, or federal agencies.

DPW Comments
May 19, 2026

2. **Fort Hunter Philomena Holdings, LLC – 1175 Fort Hunter Road.** Preliminary Site Plan to construct 32 additional apartment units (4 - 8 Unit Buildings) in the existing 108-unit apartment complex known as the Residence at Fort Hunter on a 10.85-acre parcel. Engineer: ABD Engineers, LLP.

1. See TDE comment response letter from ABD dated June 5, 2026.
2. See correspondence from DEC dated June 3, 2026 and address all comments.
3. See correspondence from Schenectady County Planning and Economic Development dated May 26, 2026 and address all comments.
4. See correspondence from NYSDOT dated May 27, 2026 and address all comments.
5. As required by the complete street's legislation adopted by the Town, add sidewalks internally from proposed Building #1 east along the length of the main access roadway.
6. As required by the complete street's legislation adopted by the Town, add sidewalks along Carman Road across the extent of the property road frontage and connect to the existing sidewalk on the roadway.
7. A CDTA bus stop exists at the entrance to this apartment complex. Applicant should coordinate with CDTA and incorporate a concrete pad and bench for residents to use.
8. The large existing mailbox area at Carman Road will need to be expanded. This area should be widened and upgraded to better accommodate pedestrian and vehicular use.
9. Project includes the removal of many large trees and only proposes the replacement of 5 trees in the entire complex. Additional trees should be added to the landscaping plans. Applicant should consider replacing proposed sugar maples with American Linden (Basswood) given the proposed locations.
10. Prior to scheduling for final approval, the applicant shall provide comments from FD #3 confirming the adequacy of the hydrant location and access for emergency services.
11. Identify ground cover types (asphalt area, grass, rocks) in all areas and add to the legend.

DPW Comments April 7, 2026

- 1) Applicant has reduced the project scope and received ZBA approvals for the entire existing and proposed number of bedrooms in the complex. Revised layout is being presented for the Planning Board's consideration.
- 2) Water system needs to be evaluated and pressure tests performed.
- 3) Provide building elevations with next submittal.
- 4) Extensive grading has occurred to the south and contours altered. Provide updated contours and revised grading plan along with a temporary grading easement for the Lands N/F Adamec if needed.
- 5) Applicant shall install a new water meter on all service connections which should be noted on the site plan. (Neptune MACH 10 radio read meters with pressure sensing option). Check with DPW for specifics.

DPW Comments November 6, 2025

1. Provide existing/proposed number of bedrooms and add statistics to site plan. Are variances required? Density of project should be discussed.
2. Planning Commission should consider requiring some type of recreational or clubhouse amenities due to the increased size of the complex. This is a fairly large development with 140+ units and the loss of trees & open space should be considered.
3. Planning Commission should authorize the Chairman to enter into an agreement with a TDE to assist with the review of this project.

SEQR Requirement: 6 NYCRR 617 Unlisted Action. Rotterdam Planning Commission declared lead agency on November 6, 2025. Revised site plans were distributed to agencies on April 29, 2026.

Involved/Interested Agencies

Schenectady County Economic Development and Planning
Schenectady County Department of Health
Schenectady County Department of Public Works
New York State Department of Environmental Conservation – Region #4
New York State Department of Transportation – Audrey Burneson
Rotterdam Police Department
Carman Fire District #3

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



ENGINEERS

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

DEDICATED
RESPONSIVE
PROFESSIONAL

June 5, 2026

**Re: 1175 Fort Hunter Road
Proposed Apartment Buildings
Town of Rotterdam
Project # 5781A**

Peter Comenzo
Town of Rotterdam
1100 Sunrise Boulevard
Schenectady, NY 12306

Dear Peter,

In response to the comments (*in italics*) of LaBella's letter of May 19, 2026, we respond as follows (**in bold**):

Planning and Zoning

PZ 1-1. The Applicant shall indicate the template for the "B" and "V" designated parking stalls on the site plan.

Please clarify comment.

Site Plans

SP 1-1. Some existing utilities are not shown on the Existing Conditions Plan but are shown on the proposed Layout Plan, particularly in the area where two of the proposed buildings are connecting to existing water and sewer utilities. The Existing Conditions Plan shall be updated to show all existing utilities in these areas.

Existing utilities are now shown on Layout Plan

SP 1-2. The Applicant has submitted site plans that identify various proposed improvements and construction practices. However, corresponding construction details are not included for all proposed items. Examples include, but are not limited to, silt fence, roadway sections, pipe trenching details, etc. The Applicant shall revise the site plans to include applicable construction details, specifications, and notes for all proposed improvements and practices shown on the plans.

Additional details are shown on the Site Details Sheet.

SP 1-3. The Applicant shall incorporate contour labels onto the Existing Conditions and Erosion and Sediment Control plan to ensure erosion and sediment control practices are properly located.

Existing contour labels are provided on Existing Conditions and Erosion and Sediment Control Plan.

SP 1-4. The Applicant shall provide additional detail/clarification regarding the proposed 185 LF of HDPE around proposed Building No. 1, which is associated with the proposed gutter/downspout roof drainage system. As presented, the extents and alignment of the pipe are difficult to determine, particularly along the eastern side of the building.

The pipe extends around the rear of the building and discharges Infiltration Basin 3.

SP 1-5. The Applicant shall correct the proposed HDPE pipe size labeling that is mislabeled as 8' HDPE.

Pipe label has been corrected on Grading and Drainage Plan.

SP 1-6. The plans shall include a top of berm elevation for each of the proposed infiltration basins.

Top of berm elevations for each basin are provided on cross section details on Site Details Sheet.

SP 1-7. The plans included a proposed retaining wall. The Applicant shall provide more detail surrounding the proposed wall, including top of wall elevations, material, dimensions, etc.

Top/bottom of retaining wall elevations are provided on Grading and Drainage Plan

SWPPP Report

SW 1-1. This review refers to the self-described "Basic" Stormwater Pollution Prevention Plan – Erosion & sediment Control Only as the "SWPPP" and the Stormwater Management Report as the "SMR".

Noted

SW 1-2. The SWPPP states that SPDES General Permit coverage is not required because stormwater will not discharge to waters of the U.S. or a municipal storm sewer system. While we acknowledge the stormwater management approach and modeling through the 100-year design storm, we request the Applicant to provide additional documentation supporting this determination. The plans and SWPPP shall also clarify where stormwater would flow under a worst-case condition if the proposed infiltration practices are overwhelmed or do not function as intended, to properly justify the lack of permit coverage.

See Frozen Ground Conditions Section in SWPPP.

SW 1-3. The submitted materials do not indicate that soil test pits or infiltration testing were performed in support of the proposed development. The Applicant shall complete the applicable soil investigations and infiltration testing in accordance with the NYS Stormwater Management Design Manual to confirm site conditions and support the design assumptions and stormwater modeling inputs for the proposed infiltration practices.

Soil test pits and infiltration test information is now provided on Grading and Drainage Plan.

SW 1-4. The submitted SMR includes a routing diagram for the post-development conditions. Based on the subcatchment labeling, there are inconsistencies between the infiltration basin labels used in the stormwater modeling and the labels shown on the plans. For example, the stormwater modeling report shows post-development Subcatchment 3 draining to Infiltration Basin 3; however, the corresponding basin is labeled as Infiltration Basin 1 on the plans. The Applicant shall review and revise the plans and/or stormwater modeling as necessary to provide consistent labeling and drainage routing throughout the submission. This information shall be coordinated to clearly demonstrate how each subcatchment is routed and to confirm conformance between the plans and SMR.

The routing of subcatchments to infiltration basins in the HydroCAD now corresponds to the infiltration basin numbers identified on the plans.

SW 1-5. The SMR includes several pre- and post-development drainage areas with times of concentration (T_c) less than the typical standard minimum of 0.1 hours, or 6 minutes. The Applicant shall provide justification for the use of T_c values below 6 minutes or revise the stormwater analysis using a minimum T_c of 6 minutes where applicable.

A minimum T_c of 6 minutes is used for pre and post development drainage areas where applicable, see HydroCAD.

SW 1-6. Pursuant to Town Code § 270-215(J)(2), post-construction stormwater practices shall be designed in accordance with the technical standards set forth in the New York State Stormwater Management Design Manual. The Applicant shall provide details and cross sections for the proposed infiltration basins, along with any additional supporting information necessary to demonstrate compliance with the applicable design requirements for infiltration practices.

Cross section details are provided on Site Details Sheet. GI worksheet now provided to confirm infiltration basin sizing in SMR.

Water Supply and Wastewater

WW 1-1. A minimum 18-inch vertical separation and 10-foot horizontal separation shall be provided between the proposed water line and sanitary sewer. The Applicant shall provide a detail demonstrating the required separation, including any necessary waterline offsets at utility crossings.

Detail is now added to Site Details Sheet.

WW 1-2. The Applicant shall provide sanitary sewer and water connection details for the proposed connections to the existing lines.

Details are provided on Site Details Sheet.

WW 1-3. The Applicant shall provide a water report demonstrating that the existing water distribution system has sufficient capacity to serve the proposed development, including domestic demand and fire flow.

The water system is already being improved onsite with metering all buildings. My understanding is permits have already been issued by the Town and is more than adequate to serve the proposed development.

WW 1-4. The Applicant shall receive correspondence from the Town of Rotterdam to confirm the existing Town sewer system has capacity to take additional wastewater flow to their system.

Noted

Landscaping and Lighting Plan

LP 1-1. Pursuant to Town Code § 270-52, all portions of a multiple-family development not used for buildings, structures, parking, circulation roadways, sidewalks, preserve areas, or similar purposes shall be suitably landscaped and permanently maintained with plantings of trees and shrubbery, as approved by the Planning Board. The Applicant shall provide a landscaping plan with corresponding details, including but not limited to proposed planting areas, plant beds, tree and shrub plantings, seed mixes, planting details, and maintenance notes. The plan shall demonstrate how the proposed landscaping will minimize erosion and stormwater runoff and blend with the residential character of the development and neighborhood.

Landscaping is provided on layout plan and details provided on Site Details Sheet.



ENGINEERS



SURVEYORS

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Light pole locations are provided on Layout Plan. Detail of lighting is provided on Site Details Sheet. The light fixtures will have a 1 footcandle radius at 20 feet from the pole base. Since the light poles are centrally within the site, glare will not be created onto adjacent properties.

Enclosed for continued Site Plan review are the following:

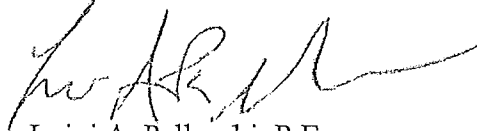
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Should you have any questions or need anything further, please do not hesitate to contact me.

Very truly yours,

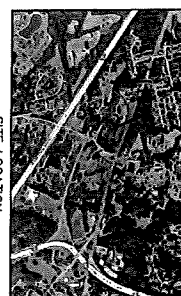
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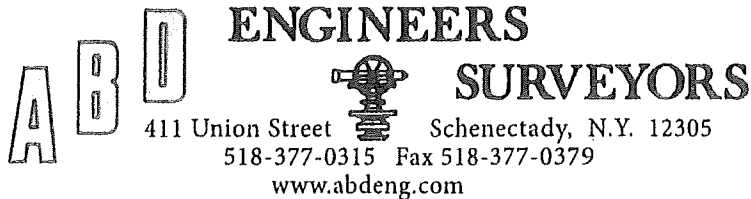
Luigi A. Palleschi, P.E.
Partner

LAP:clv
encl.

cc: Paul Nichols w/encl. (via email)
5781A-06052026



PARTNERS
LUIGI A. PALLESCHI, P.E.
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DEDICATED
RESPONSIVE
PROFESSIONAL

June 5, 2026

Re: 1175 Fort Hunter Road
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Town of Rotterdam
Project # 5781A

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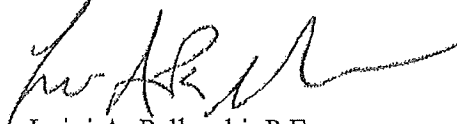
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Should you have any questions or need anything further, please do not hesitate to contact me.

Very truly yours,
ABD ENGINEERS & SURVEYORS, LLP



Luigi A. Palleschi, P.E.
Partner

LAP:clv
encl.
cc: Paul Nichols w/encl. (via email)
5781A-06052026



Department of
Environmental
Conservation

KATHY HOCHUL
Governor

AMANDA LEFTON
Commissioner

June 3, 2026

Peter Comenzo, Senior Planner
Town of Rotterdam Department of Public Works
1100 Sunrise Blvd
Rotterdam, New York 12306
Emailed to: pcomenzo@rotterdamny.org

Re: Lead Agency Coordination Response
Fort Hunter Philomena Holdings LLC
Residence at Fort Hunter Expansion
1175 Fort Hunter Rd
Town of Schenectady, Schenectady County

Dear Peter Comenzo:

This letter responds to your correspondence received by the New York State Department of Environmental Conservation on May 4, 2026, regarding lead agency coordination for the project referenced herein, under Article 8 (State Environmental Quality Review – SEQR) of the Environmental Conservation Law (ECL) and 6 NYCRR Part 617. The New York State Department of Environmental Conservation (DEC) has the following interest in this project:

Name of Action: Residence at Fort Hunter Expansion; the construction of 4 new buildings at the existing apartment complex consisting of 32 new units with landscaping, parking areas, and stormwater utilities to connect to the municipal sewer and water.

DEC Contact Person: Maranda Welch, Environmental Analyst

SEQR Classification: ☐ Type I ☒ Unlisted ☐ Type II

DEC Position: Based on the information provided:

- ☒ DEC has no objection to your agency assuming lead agency status for this action.
- ☐ DEC wishes to assume lead agency status for this action.
- ☐ DEC needs additional information to respond (see comments).
- ☐ DEC cannot serve as the lead agency because it lacks jurisdiction in this action.

****The DEC must be notified immediately if the project/proposed action scope changes or the Environmental Assessment Form (EAF) is revised.***

Possible DEC Permitting Requirements

A review of NYS protected resources near or within the project site was conducted using existing GIS data (see enclosed NYS Resources Map with Project Location). Please note that jurisdictional maps are intended to provide approximate sizes and locations of resources. Actual field conditions may differ from those shown on the maps. The following summarizes potential State permitting requirements for the project, based on the results of the protected resources review and the project information submitted with your correspondence.

SPDES General Permit for Construction Activities Stormwater Discharge

Any project that results in a disturbance of one acre or more of land must comply with the State Pollutant Discharge Elimination System (SPDES) Phase II regulations for Stormwater Discharges Associated with Construction Activities. Information regarding the SPDES General Permit for Stormwater Discharges can be found on DEC's website at <http://www.dec.ny.gov/chemical/8468.html>.

Endangered or Threatened Species Incidental Take Permit

If the proposed action will result in a "take" of a threatened or endangered species, a Part 182 Incidental Take Permit must be obtained from the DEC before starting any work on the project. A "take" is defined within ECL §11-0535 regulations as an activity interfering with an essential behavior or habitat occupied by threatened or endangered species.

Additional Information

Cultural Resources

Your project site appears to be located within an area of potential historical or archeological significance. If approvals or permits are ultimately required from DEC, consulting with the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) will likely be necessary to better assess this project's impacts on these resources. To initiate consultation with OPRHP, please visit their project submission website at <https://cris.parks.ny.gov/>.

Please note that construction activities that could impact historic or archaeological resources are not eligible for coverage under the SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-25-001) unless documentation of satisfactory compliance with Section 106 of the National Historic Preservation Act is received from OPRHP for the project site.

Sanitary Sewer

If an extension of any existing public sanitary sewer service is necessary, DEC may require review and approval before construction, especially if it is designed to carry 2,500 gallons per

day or more of residential sewage, alone or combined with stormwater, as specified in 6 NYCRR Part 750. Please submit plans for DEC review if this applies to your project.

Threatened or Endangered Species and/or Significant Habitats

The information available in the New York Natural Heritage Program database regarding known occurrences of rare or state-listed animals and plants, significant communities and other significant habitats has been reviewed. The subject parcel is located within an area that has known occurrences of Karner Blue butterflies. An on-site assessment may be required to determine if this species may exist within the project site boundaries. Additional information on protected species and habitats is available on our website at <http://www.dec.ny.gov/animals/29338.html>. Please contact our Bureau of Wildlife for more information at 518-357-2355 or by email at R4.Wildlife.Review@dec.ny.gov.

Please feel free to contact me by e-mail at maranda.welch@dec.ny.gov or by telephone at (518) 357-2446 if you have any questions.

Sincerely,



Maranda Welch
Environmental Analyst

Encl.: Project Location & NYS Resources Map

ecc: Town Supervisor, Town of Rotterdam
DEC R4 BOW

NYS RESOURCES MAP WITH PROJECT LOCATION

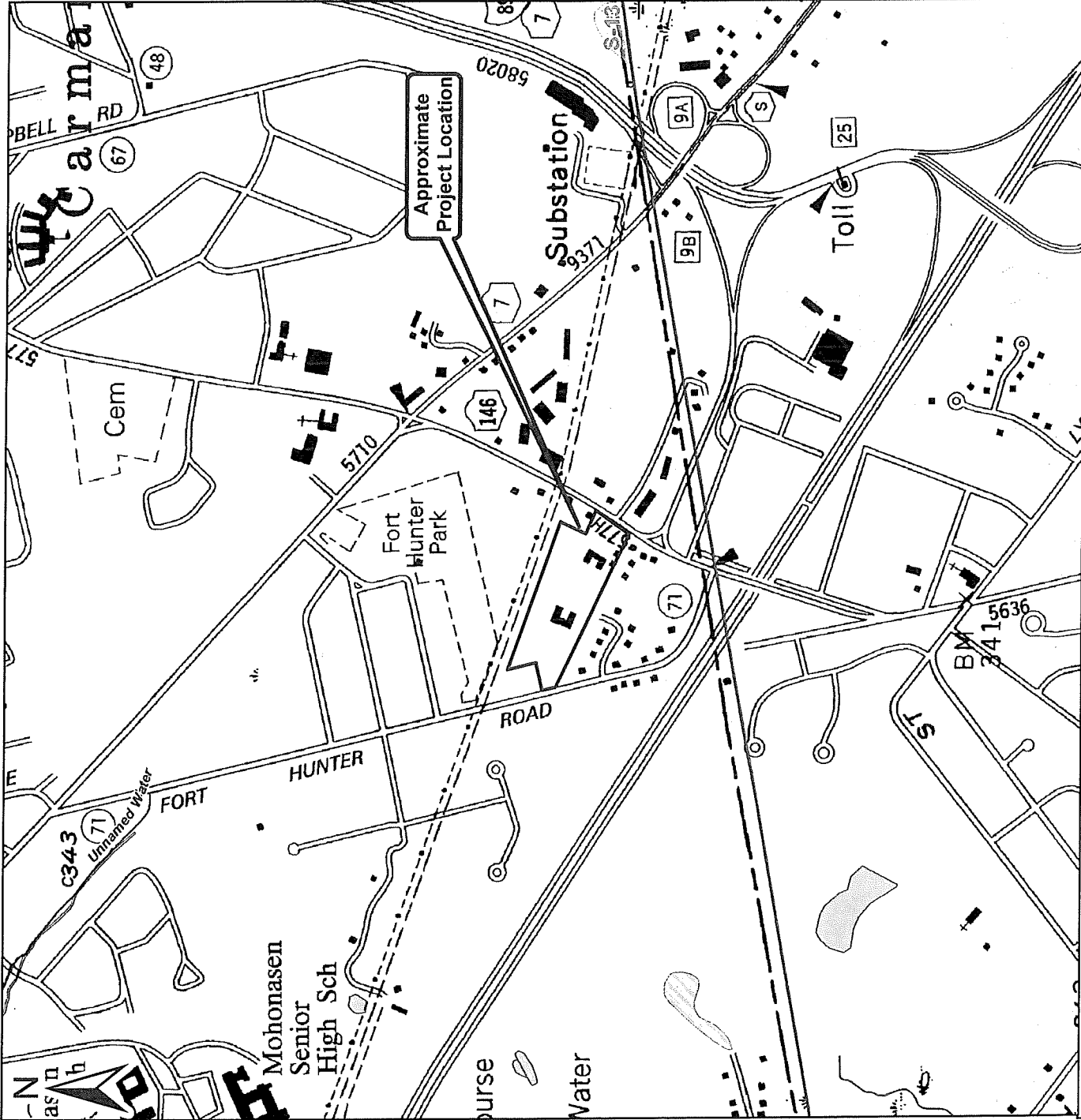
Fort Hunter Philomena Holdings
LLC
Construction of 4 New Buildings
(Apartment Units)
1175 Fort Hunter Rd
Town of Rotterdam
Schenectady County
June 1, 2026



1 inch equals 1,000 feet

Legend

- 1175 Fort Hunter Rd
- Previously Mapped Freshwater Wetlands
 - Class 1
 - Class 2
 - Class 3
 - Class 4
- National Wetlands Inventory**
 - Freshwater Forested/Shrub Wetland
 - Pond; Lake; Riverine
- Water Quality Classifications**
 - Unprotected Streams
 - Protected Streams
- Endangered or Threatened Species**
 - Mammals
 - Birds
 - Reptiles and Amphibians
 - Insects and Snails
- Archeological Sensitivity**
 - Archeological Sensitivity



Disclaimers: This map was prepared by Region 4 NYSDEC Division of Environmental Permits using the most current data available. It is deemed accurate but is not guaranteed. NYSDEC is not responsible for any inaccuracies in the data and does not necessarily endorse any interpretations or products derived from the data. This map may contain information that is considered sensitive and therefore the distribution of this map is strictly prohibited. Additional resources may be present but not depicted on this map.

Department of
Environmental
Conservation

NEW YORK
STATE OF
OPPORTUNITY



PLANNING & ZONING COORDINATION REFERRAL

Case No. R-11-26

Applicant Fort Hunter Phenomena Holdings

Referring Officer Peter Comenzo

Municipality Rotterdam

Considerations: Applicant proposes to construct 32 additional apartment units, four - eight unit buildings and additional parking, in an existing 108 unit apartment complex known as The Residence at Fort Hunter, located along Fort Hunter Rd.

RECOMMENDATION

Receipt of zoning referral is acknowledged on 5-1-26. Please be advised that the undersigned Commissioner of Economic Development and Planning of the County of Schenectady (having under the Schenectady County Charter the powers and duties of a County Planning Board) has reviewed the proposed action stated on the opposite side of this form and makes the following recommendations:

☐ *Approve of the proposal.

☒ Defer to local consideration (No significant county-wide or inter-community impact)

☐ Modify/Conditionally Approve. Conditions:

☒ Advisory Note:

1. With the removal of trees, landscaping and grading required to build the new structures, design requirements per Rotterdam Town Code should be referenced, such as proper screening, landscaping, pedestrian circulation and common open space.
2. Site plan does not show sidewalk connection to established sidewalks on Carmen Rd or access between buildings, for safe pedestrian circulation, will these connections be made?

☐ Disapprove. Reason:

*A recommendation of approval should not be interpreted that the County has reviewed all local concerns and/or endorses the project; rather the proposed action has met certain County considerations.

Section 239-m of the general Municipal Law requires that within 30 days after final action, the referring body shall file a report of the final action it has taken with the Schenectady County Department of Economic Development and Planning. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

05.26.26

Date

Kate Maynard, Commissioner
Economic Development and Planning

ZONING COORDINATION REFERRAL

SCHENECTADY COUNTY DEPT. OF ECONOMIC DEVELOPMENT & PLANNING
Recommendations shall be made within 30 days after receipt of a full statement of the proposed action.

For Use By SCDEDP

Received 5/7/26
Case No. R-11-26
Returned 5/25/26

FROM: ☐ Legislative Body
☐ Zoning Board of Appeals
☒ Planning Board

Schenectady County

Municipality:

MAY 07 2026

Town of Rotterdam

TO: Schenectady County Department of Economic Development and Planning
Schaffer Heights, 107 Nott Terrace, Suite 303
Schenectady, NY 12308

(tel.) 386-2225
(fax) 382-5539

ACTION: ☐ Zoning Code/Law Amendment
☐ Zoning Map Amendment
☒ Subdivision Review
☒ Site Plan Review

☐ Special Permit
☐ Use Variance
☐ Area Variance
☐ Other (specify) _____

PUBLIC HEARING OR MEETING DATE: May 19, 2026

SUBJECT: Fort Hunter Philomena Holdings, LLC - 1175 Fort Hunter Road. Site Plan to construct 32 additional apartment units (4 - 8 Unit Buildings) in the existing 108-unit apartment complex known as the Residence at Fort Hunter on a 10.85-acre parcel. Engineer: ABD Engineers, LLP.

REQUIRED ENCLOSURES:

1. Public hearing notice & copy of the application.
2. Map of property affected. (Including Tax Map I.D. number if available)
3. Completed environmental assessment form and all other materials required by the referring body in order to make its determination of significance pursuant to the state environmental quality review act.

1. This zoning case is forwarded to your office for review in compliance with Sections 239-l, 239-m and 239-n of Article 12-B of the General Municipal Law, New York State.
2. This material is sent to you for review and recommendation because the property affected by the proposed action is located within 500 feet of the following:
 - ☐ the boundary of any city, village or town;
 - ☐ the boundary of any existing or proposed County or State park or other recreation area;
 - ☐ the right-of-way of any existing or proposed County or State parkway, thruway, expressway, road or highway;
 - ☐ the existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines;
 - ☐ the existing or proposed boundary of any County or State-owned land on which a public building or institution is situated;
 - ☐ the boundary of a farm operation located in an agricultural district, as defined by Article 25-AA of the agriculture and markets law. The referral requirement of this subparagraph shall not apply to the granting of area variances.

SUBMITTED BY:

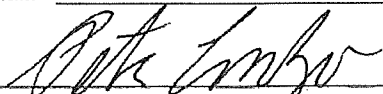
Name: Peter Comenzo

Title: Senior Planner

Address: 1100 Sunrise Boulevard, Schenectady, NY 12306

E-mail: pcomenzo@rotterdamny.org

Phone: 518-355-7575 Ext 338


Signature

Date: 4 29 26



**Department of
Transportation**

KATHY HOCHUL
Governor

MARIE THERESE DOMINGUEZ
Commissioner

MICHAEL G. ARTHUR, P.E.
Regional Director

May 27th, 2026

Mr. Peter Comenzo, Senior Planner
Town of Rotterdam
1100 Sunrise Boulevard
Rotterdam, NY 12306

**Re: Residence at Fort Hunter Expansion
1175 Fort Hunter Road,
Schenectady, NY 12303**

Dear Peter Comenzo:

The New York State Department of Transportation has reviewed the SEQR documentation received per the correspondence dated **April 29th** and offers the following:

1. The NYSDOT acknowledges the **Town of Rotterdam Planning Commission** will be designated as the Lead Agency for this environmental review. NYSDOT believes we are an **involved** agency under SEQR.

The project site is 10.85-acre residential development with 108 apartment units in an area zoned R-3 Multi-Family Residential. The project calls for the development of 32 apartments across 4 buildings with landscaping, parking areas, and stormwater utilities. The EAF states that the project will connect to municipal sewer and water, and that an on-site stormwater infiltration basin, dry wells, and rain gardens are proposed. (EAF, 1-3).

The EAF states that there are not any public transportation services available at or near the site (EAF, 2). This is incorrect; the CDTA 763 bus route stops directly outside of the project site on Carman Road/Route 146. The EAF also states that there are not any pedestrian accommodations or bicycle routes on or near the site (EAF, 2). This is also incorrect; Route 146 is New York State Bike Route 5, and there is public sidewalk outside of the project site that connects to pedestrian crossings and a coffee shop south of the project site.

2. Generally, this project is in close alignment with the Town of Rotterdam's 2022 Comprehensive Plan (Comp. Plan), especially around density, infill, and multi-family development (III-11; III-3). The 146 Corridor and the Carman-Hamburg Node are noted extensively in the Comp. Plan, which describes the town's intent for this area as, "to promote mixed-use development and redevelopment with a focus on commercial office and retail establishments and high-density residential options such as a first-floor business with second floor apartments...the corridor should be a consistent design and streetscape

while promoting multi-modal transportation options and connections to neighborhoods" (III-5). The Comp. Plan also notes this node as a "gateway into the Hamburg Street corridor" presenting opportunities for enhancement, and the challenge of "balancing commercial growth and aesthetic improvements with existing successful businesses and residential areas". (III-11-12). The project does little to directly impact the corridor's aesthetics, but it does present changes and externalities that require minimization.

The project is also misaligned with certain aspects of the Comp. Plan including land use practices and pedestrian connections. The Comp. Plan has Complete Streets recommended actions for the town:

- To encourage land use practices and design that supports alternate travel modes, thereby reducing vehicular traffic as growth occurs.
- To infill missing sidewalk gaps and provide new sidewalk connections from neighborhoods to commercial corridors to promote and encourage walkability (IV-3).

This project is out of alignment with these goals, but basic changes to the project could bring the project into closer alignment with the Comp. Plan. The misalignment with land use practices and design stems from the isolated nature of this project with limited pedestrian and public transit network in the vicinity, and the excess planned parking. Current and future residence of this development are highly reliant on personal vehicles and are thus adding numerous trips to the network. The excess parking does not incentivize public transit usage, nor does the CDTA bus stop on Route 146 at the property, as it lacks basic amenities.

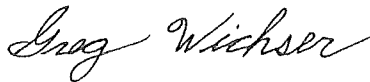
The misalignment with pedestrian connections is simply the lack of sidewalk and curbing along the entire length of the property on Route 146—or at least to the northern driveway—and the wide northern driveway. While it is recognized that installing additional sidewalk north of the driveway does not provide a direct connection to destinations, it is likely that pedestrians use the utility corridor, and installed sidewalk presents an opportunity for future connection.

Regarding traffic impacts, the EAF states that the proposed action will not result in a substantial increase in traffic above present levels. What is the basis for this claim? Increased vehicular traffic, turning movements, and congestion could result from this project. Route 146 in the project area has a high AADT of 13429, the two driveway entrances onto 146 appear bi-directional, and their proximity to the roundabout adds to the complexity of northbound turning movements on to Route 146.

3. To bring the project into closer alignment with the Comp. Plan, the following is recommended:
 - The EAF should be amended to correct question 8.
 - The location of all stormwater-management infrastructure should be identified in future site plans.
 - The number of parking spaces should be reconsidered. It is suggested that the total number does not exceed the town's required.
 - The sidewalk on Route 146 should be extended to the northern property boundary.
 - In partnership with CDTA, the southbound 736 bus stop on Route 146 should be improved with, at minimum, benching.
 - A traffic study should be considered to address increased traffic and turning movements onto Route 146.
4. Reference any correspondence NYSDOT has received about the project – do not offer comment, informational only.
5. Please note that NYSDOT does not allow new development to directly discharge stormwater into the highway stormwater management system.
6. A NYSDOT Highway Work Permit (PERM 33-com) will be necessary for any work within the State right-of-way along Route 146.
7. In anticipation of the Highway Work Permit, a Traffic Impact Study may be required.
8. A PERM 32 NYSDOT permit application will be required for any utility work in the NYSDOT right-of-way. Please submit documentation the Town will take ownership of any proposed utilities in NYSDOT right-of-way.

If you have any questions pertaining to the Utility Permit process or requirements, please contact Matt Haggerty at Matt.Haggerty@dot.ny.gov or (518) 461-3669. For questions about the Highway Work Permit process and requirements, contact Jim McNally, Regional Permit Engineer at Jim.McNally@dot.ny.gov or (518)-485-9637.

Sincerely,



Greg Wichser, P.E.
Regional Program and Planning Manager

cc: Jim McNally Region 1 Traffic
Matt Haggerty, Region 1 Construction
Tom Cashdollar, Resident Engineer, Schenectady County
Brian Sleasman, Region 1 Design