

RESOLUTION NO. 262.23

TO RECOGNIZE THE INTRODUCTION OF INTRODUCTORY LOCAL LAW ____ OF 2023; TO AMEND CHAPTER 270, ZONING, OF THE TOWN CODE, RELATING TO A CHANGE OF ZONE FROM AGRICULTURAL (A-1) TO GENERAL BUSINESS (B-2) AND REFER TO THE PLANNING COMMISSION FOR REPORT AND RECOMMENDATION

WHEREAS, The Town has received an application for a Change of Zone request on ±17.3 acres from Agricultural (A-1) to General Business (B-2) where applicant would like to construct a 102,500 square foot BJ's Wholesale Club with associated 8 island fueling station at 900 Duanesburg Road, Tax Map No. 57-3-7.112, and 2,000 square foot retail building with associated drive thru at 880 Duanesburg Road, Tax Map No. 57.7-1-1.2; NOW

THEREFORE, UPON MOTION OF Councilmember _____,
seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby recognizes the introduction of Introductory Local Law No. ____ of 2023 to amend Chapter 270, Zoning, of the Town Code, for a change of zone from Agricultural (A-1) to General Business (B-2) at 900 Duanesburg Road, Tax Map No. 57-3-7.112, and 880 Duanesburg Road, Tax Map No. 57.7-1-1.2.

SECTION 2. The Town Board hereby refers this Introductory Local Law No. ____ of 2023 to the Planning Commission of the Town of Rotterdam for report and recommendation thereon.

SECTION 3. This resolution shall become effective August 9, 2023.

DATED: August 9, 2023

NAME	AYES	NOES	ABSTAIN
Christou			
Miller-Herrera			
Dodson			
Mastroianni			
Collins			

TOWN OF ROTTERDAM

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



LEGISLATIVE REQUEST FORM

DATE: August 1, 2023

TO: Mollie Collins, Town Supervisor

FROM: Joanne Schillaci, Zoning Officer

TITLE OF REQUEST: Refer to Planning Commission for Report and Recommendation for Change of Zone from Agricultural (A-1) to General Business (B-2).

TOWN BOARD MEETING: August 9, 2023

Background Information:

Owner: Flying J, Inc.
185 S. State Street, Suite 1300
Salt Lake City, Utah 84111

Applicant: GDPL Ville Rotterdam, LLC
145 Otterkill Road
Mountainville, NY 10953

Change of Zone request on ±17.3 acres from Agricultural (A-1) to General Business (B-2). The applicant would like to construct a 102,500 square foot BJ's Wholesale Club with associated 8 island fueling station at 900 Duanesburg Road (Tax Map No. 57-3-7.112), and 2,000 square foot retail building with associated drive thru at 880 Duanesburg Road (Tax Map No. 57.7-1-1.2).

Evaluation/Analysis:

Rotterdam Town Code 270-174 states that Change of Zone applications shall be referred to the Planning Board for a report and recommendation prior to a public hearing.

Recommendation(s):

Refer to Planning Commission for Report and Recommendation.

Attachment/Document(s):

Application Materials

Compliance with Purchasing Policy:

N/A

Effect(s) on Existing Law(s):

NYS Town Law Article 16
Proposed Local Law of the Year 2023

LEGISLATION WILL BE PREPARED BY:

Supervisors Office

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



ENGINEERS

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

DEDICATED
RESPONSIVE
PROFESSIONAL

July 28, 2023

Re: GDP LVille Rotterdam, LLC
900 Duanesburg Road
880 Duanesburg Road
Town of Rotterdam
Project #5657A

Mollie Collins, Town Supervisor
Town of Rotterdam
1100 Sunrise Boulevard
Schenectady, NY 12306

Dear Supervisor Collins:

The Applicants, BJ's Wholesale Club and GDP LVille Rotterdam, LLC (contract vendee), would like to relocate their current Rotterdam Market and develop the 17.3± acres with retail building, gas station, and drive thru building located on two parcels (Tax ID: 57-3-7.112 and 57.7-1-1.2), addresses 900 and 880 Duanesburg Road. The owner of the two parcels are Flying J Inc. (AKA FJ Management, Inc. The current zoning is Agriculture A-1 and proposing a change of zone to B-2 General Business. We hope you and the Town Board Members can see this stretch of Route 7 has become an important community commercial corridor.

Enclosed for the proposed change of zone for GDP LVille Rotterdam, LLC are twenty-two (22) copies of:

- 1.) Application for a change of zone.
- 2.) Rezone map prepared by ABD Engineers & Surveyors, LLP dated July 28, 2023.
- 3.) Copy of current deeds.
- 4.) Rezone description
- 5.) Long Environmental Assessment Form.

Also enclosed is a check for \$1,000.00 payable to the Town of Rotterdam.

We would greatly appreciate being scheduled to present this application to the Town Board and Planning Commission at their August 2023 meetings.

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: Tiffany Marsh w/encl. (via email)
MaryBeth Slevin w/encl. (via email)
Peter Comenzo w/encl (via email).
5657A-07242023



TOWN OF ROTTERDAM CHANGE OF ZONE APPLICATION

Application Fee \$1,000

Existing Zone Classification: A-1 Agricultural

Proposed Zone Classification: B-2 General Business

**PART II
GENERAL INFORMATION**

Legal Owner's Name: Flying J, Inc. (AKA FJ Management, Inc.)
Mailing Address: 185 S State Street, Suite 1300
City: Salt Lake City **State:** Utah **Zip:** 84111
Daytime Phone: _____ **E-mail:** _____

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

Owner's Designated Contact: Luigi A. Palleschi, P.E., ABD Engineers & Surveyors, LLP

Mailing Address: 411 Union Street
City: Schenectady **State:** NY **Zip:** 12305
Daytime Phone: 518-377-0315 **E-mail:** luigi@abdeng.com
Project/Proposal Site Area: (Acres or sq. ft.) 17.3± Acres
Assessor Tax Parcel No.(s) of Site: 57-3-7.112 & 57.7-1-1.2
Adjacent Parcels Owned or Controlled and Tax Map Parcel No: (Acres or sq. ft.) N/A

Street Address of Proposed Site (if any): 900 and 880 Duanesburg Road (NYS Route 7)

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

The land previously contained a barn structure. The remainder of the land (two parcels) is vacant.

School District: Schalmont

Fire District: 6

Water Supply: Rotterdam

LEGAL INFORMATION

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

On NYS Route 7 just east of I-88 on ramp.

Name of Public Road(s) Providing Access: NYS Route 7

Width of Property Fronting on the Existing Public Road in Linear Feet: 700±

Does the Proposal Have Access to an Arterial or Planned Arterial?

☒ Yes () No

Name(s) of Arterial Road(s): NYS Route 7 - Duanesburg Road

A legal description of the proposed site must be attached:

☒ Yes () No

A copy of the assessor's map of the proposed site must be attached:

☒ Yes ☒ No

A copy of the most current deed(s) of the proposed site must be attached:

☒ Yes () No

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

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

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

The site fronts on NYS Route 7, which is a commercial corridor and is not suitable for agricultural use or those residential uses that are allowed. The site has access to water, gas, and other utilities. No public sewer available at this time so onsite septic system will be needed.

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

UTILITIES

Proposed Source of Water:

() Individual Wells (X) Public System () Private Community System
() Other, please describe _____

Proposed Means of Sewage Disposal:

() Public Sewer () Dry Sewer () Community System (X)
Septic Tank & Leachfield () Other, please describe _____

PART III

SURVEYOR/ARCHITECT/ENGINEER VERIFICATION

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

Signed: [Signature]
Address: 411 Union Street, Schenectady, NY

Date: July 25, 2023
Phone: 518-377-0315
Zip: 12305

PLEASE AFFIX SURVEYOR/ARCHITECT/ENGINEER SEAL HERE



LEGAL OWNER SIGNATURE

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

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

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

Name: Flying J, Inc.
Address: 185 S State Street, Suite 1300
Salt Lake City, UT

Date: _____
Phone: _____
Zip: 84111

Cherill Wright
Signature of applicant or representative

July 25, 2023
Date

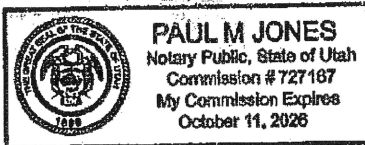
NOTARY

STATE OF NEW YORK) ss:
COUNTY OF _____)

SUBSCRIBED AND SWORN to before me this 26 day of July, 2023

NOTARY SEAL

[Signature]
Notary Signature



Utah
Notary Public in and for the State of ~~New York~~
Residing at: Cottonwood Heights, UT
My appointment expires: 10/11/2026

PLEASE AFFIX NOTARY SEAL HERE

TOWN OF ROTTERDAM



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

LETTER FROM PROPERTY OWNER GRANTING AUTHORIZATION TO ACT

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

I, Flying J, Inc., being duly sworn declare that I am the
(PROPERTY OWNER)

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

Tax Parcel Number(s): 57-3-7.112 & 57.7-1-1.2

I hereby grant Luigi A. Paleschi, P.E., ABD Engineers & Surveyors, LLC and/or their agent(s) to act on my behalf.

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

Signature (Authorized Representative): Cheril V. DeG, CEO

Date: July 26, 2023

NOTARY

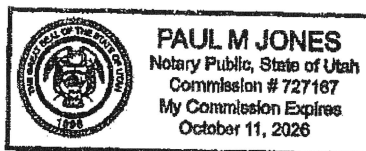
STATE OF NEW YORK) ss:

COUNTY OF _____

SUBSCRIBED AND SWORN to before me this 26th day of July, 2023

NOTARY SEAL

Notary Signature



Notary Public in and for the State of New York Utah

Residing at: Cottonwood Heights, UT

My appointment expires: 10/11/2026

Schenectady County Endorsement Page

JOHN J. WOODWARD
Schenectady County Clerk
620 State Street
Schenectady, NY 12305



Document Type Deed
From Party Peter & Virginia Collier
To Party Flying J, Inc.

RETURN TO Russel G. Workman
Flying J Inc
1104 Country Hill Dr, Murray UT 84052

RECORDED
09/14/2007 3:54:20 PM
County Clerk
JOHN J. WOODWARD
SCHENECTADY COUNTY, NY
Book/Page: DEED/1767/646
Total Pages: 5
Receipt No: 462297
Doc No: 2007-4302
Inst Num: 200739877
NY REALTY \$1,200.00
TRANSFER TAX
NY LAND SUR \$4.75
NY E & A FEES \$66.00
NY LAND COMP SUR \$14.25
CO GENERAL REVENUE \$32.50
CO LAND SUR \$0.25
CO E & A FEES \$9.00
CO LAND COMP SUR \$0.75
TOTAL PAID \$1,327.50
INV: 462297 USER: ENG

RECEIVED
\$ 1,200.00
REAL ESTATE
SEP 14, 2007
SCHENECTADY COUNTY
617

Visit our Webpage:
Schenectadycountyclerk.com

NOTICE: This endorsement page constitutes the Clerk's endorsement in accordance with Local Law #7 of 1996-DO NOT DETACH-This page becomes part of the document. Upon recording, this document becomes a public record-Please refrain from using personal identifying information that should not be disclosed to the public.

Name and Address of Preparer:
Mark A. Myers
The DeLorenzo Law Firm, LLP
201 Nott Terrace
Schenectady, NY 12307

Return to:
Russel G. Workman
Senior Corporate Counsel
Flying J Inc.
1104 Country Hills Dr.
Ogden, UT 84403

WARRANTY DEED

This indenture, made the 13 day of September, 2007 between
Peter M. Collier and Virginia R. Collier, Husband and Wife residing at 327 12th Street, Schenectady New
York, 12306
party of the first part, and Flying J Inc., a Utah Corporation with a principle place of business located at 1104
Country Hills Drive, Ogden Utah 84403
party of the second part,

Witnesseth, that the party of the first part, in consideration of ten dollars and other valuable consideration paid by the
party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and
assigns of the party of the second part forever,

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and
being in the Town of Rotterdam, County of Schenectady and State of New York more particularly described in
Schedule "A" which is attached hereto and intended to be a part hereof.

Being the same premises conveyed to the party of the first part by deed from Fred J. Dedrick, Sr. a/k/a Frederick
J. Dedrick, Sr. and Lola Dedrick, his wife, said deed dated 12/06/1983 and recorded 12/07/1983 in Liber 1983 at
page 832.

Together with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the
above described premises to the center lines thereof; together with the appurtenances and all the estate and rights of the
party of the first part in and to said premises; to have and to hold the premises herein granted unto the party of the
second part, the heirs or successors and assigns of the party of the second part forever.

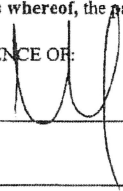
And the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part
will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to
be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the
cost of the improvement before using any part of the total of the same for any other purpose.

And the party of the first part covenants as follows: that said party of the first part is seized of the said premises in fee
simple, and has good right to convey the same; that the party of the second part shall quietly enjoy the said premises; that
the said premises are free from incumbrances, except as aforesaid; that the party of the first part will execute or procure
any further necessary assurance of the title to said premises; and that said party of the first part will forever warrant the
title to said premises.

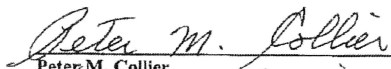
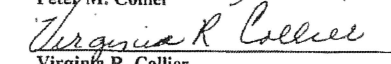
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

In witness whereof, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:


(Witness)


(Witness)


Peter M. Collier

Virginia R. Collier

To order this form call INFO-PRO at 800-655-2021

R57.07
SEC.
TRF. I.S.A.
TX MAP IDENT.
BUK
LOT 1.2

ACKNOWLEDGMENT - In New York State (RPL-309a)

State of New York, County of Schenectady, ss:

On the 13 day of September, in the year 2007, before me, the undersigned, personally appeared Peter M. Collier and Virginia R. Collier

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

MARK A. MYERS
Notary Public, State of New York
Qualified in Fulton County
No. 01MY8004592
Commission Expires 02/20

(signature of individual taking acknowledgment)

(name and office of individual taking acknowledgment)

ACKNOWLEDGMENT - outside of New York State (RPL-309b)

State of _____, County of _____, ss:

On the _____ day of _____, in the year _____, before me, the undersigned, personally appeared _____

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in _____

(insert city or political subdivision and state or county or other place acknowledgment taken)

(signature and office of individual taking acknowledgment)

(name and office of individual taking acknowledgment)

ACKNOWLEDGMENT BY SUBSCRIBING WITNESS

State of _____, County of _____, ss:

On the _____ day of _____, in the year _____, before me, the undersigned, personally appeared _____

the subscribing witness(es) to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say, that he/she/they reside(s) in _____

(include the street and street number, if any, thereof);

that he/she/they know(s) _____
to be the individual(s) described in and who executed the foregoing instrument; that said subscribing witness was present and saw said _____

execute the same; and that said witness at the time subscribed his/her/their name(s) as a witness thereto. And (if taken outside New York State) that said subscribing witness(es) made such appearance before the undersigned in _____

(insert city or political subdivision and state or county or other place acknowledgment taken)

(signature and office of individual taking acknowledgment)

(name and office of individual taking acknowledgment)



First American Title Insurance Company of New York

Title No. 3008-205644

SCHEDULE "A"

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF ROTTERDAM, COUNTY OF SCHENECTADY AND STATE OF NEW YORK AND DESCRIBED NO FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY SIDE OF THE SCHENECTADY-DUANESBURG STATE HIGHWAY WHERE IT IS INTERSECTED BY THE DIVISION LINE BETWEEN THE LANDS NOW OR FORMERLY OF EARL CROUNSE AND LELAND E. COOK AND BERDELLA M. COOK, AND

RUNS THENCE NORTH 18° 21' WEST. 272 FEET ALONG THE LANDS NOW OR FORMERLY OF EARL CROUNSE;

THENCE NORTH 45° EAST 100 FEET ALONG THE LANDS OF EARL CROUNSE;

THENCE SOUTH 19° 20' EAST, 351.3 FEET THROUGH THE LANDS OF COOK TO THE NORTHERLY SIDE OF THE SCHENECTADY-DUANESBURG STATE HIGHWAY; AND

THENCE SOUTH 85° 51' WEST 100 FEET ALONG THE NORTHERLY SIDE OF THE SCHENECTADY-DUANESBURG STATE HIGHWAY TO THE POINT OF BEGINNING.

ALSO, ALL THAT TRACT OR PARCEL OF LAND, SITUATE ON THE NORTHERLY SIDE OF THE SCHENECTADY-DUANESBURG STATE HIGHWAY, ROUTE 7 IN THE TOWN OF ROTTERDAM, COUNTY OF SCHENECTADY AND STATE OF NEW YORK BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY SIDE OF THE SCHENECTADY DUANESBURG STATE HIGHWAY ROUTE 7 WHERE THE SAME IS INTERSECTED BY THE DIVISION LINE OF THE LANDS OF EDWARD H. KNIGHT AND RUTH E. KNIGHT AND THE LANDS NOW OR FORMERLY OF LELAND E. COOK AND BERDELLA M. COOK; AND

RUNS THENCE NORTH 19° 20' WEST, 351.3 FEET ALONG THE LANDS NOW OR FORMERLY OF LELAND E. COOK AND BERDELLA M. COOK TO THE LANDS OF EARL CROUNSE;

THENCE NORTH 45° 00' EAST, 25 FEET ALONG THE LANDS OF EARL CROUNSE TO A POINT;

THENCE SOUTH 19° 52' EAST, 358.72 FEET THROUGH THE LANDS NOW OR FORMERLY OF LELAND E. COOK AND BERDELLA M. COOK TO THE NORTHERLY SIDE OF THE SCHENECTADY-DUANESBURG STATE HIGHWAY ROUTE 7; AND

THENCE SOUTH 85° 51' WEST, 25 FEET ALONG THE NORTHERLY SIDE OF THE SCHENECTADY-DUANESBURG STATE HIGHWAY ROUTE 7, TO THE POINT OR PLACE OF BEGINNING.

CONTINUED...



First American Title Insurance Company of New York

TITLE NO. 3008-205644
SCHEDULE A CONTINUED

EXCEPTING AND RESERVING THEREFROM THE PREMISES AMOUNTING TO 0.013 ACRES FOR THE CONSTRUCTION OF INTERSTATE ROUTE 508 AS APPROPRIATED IN NOTICE OF APPROPRIATION DATED MAY 8, 1979 AND FILED JULY 15, 1979 IN THE SCHENECTADY COUNTY CLERK'S OFFICE AT BOOK 1028 OF DEEDS AT PAGE 1136, TO WHICH REFERENCE IS HEREBY MADE OF A MORE COMPLETE DESCRIPTION.

THE policy to be issued under this report will insure the title to such buildings and improvements erected on the premises, which by law constitute real property.

FOR CONVEYANCING ONLY: TOGETHER with all the right, title and interest of the party of the first part, of in and to the land lying in the street in front of and adjoining said premises.

Schenectady County Endorsement Page

JOHN J. WOODWARD
Schenectady County Clerk
620 State Street
Schenectady, NY 12305



Document Type Deed

From Party Kenneth Earl Crainse
Anthony Fazzone personal rep of
Mildred M Crainse

TO: Flying J Inc

RETURN TO Russell Workman

Flying J Inc

1104 Country Hills Drive

Ogden, UTAH 84403

RECORDED
09/14/2007 3:20:41 PM
County Clerk
JOHN J. WOODWARD
SCHENECTADY COUNTY, NY

Book/Page: DEED/1767/634
Total Pages: 4

Receipt No: 462285
Doc No: 2007-4299
Inst Num: 200739861

NY REALTY	\$14,000.00
TRANSFER TAX	
NY LAND SUR	\$4.75
NY E & A FEES	\$66.00
NY LAND COMP SUR	\$14.25
CO GENERAL REVENUE	\$29.00
CO LAND SUR	\$0.25
CO E & A FEES	\$9.00
CO LAND COMP SUR	\$0.75
TOTAL PAID	\$14,124.00
INV: 462285 USER: WLB	

RECEIVED
\$ 14,000.00
REAL ESTATE
SEP 14, 2007
SCHENECTADY COUNTY
614

Visit our Webpage:
Schenectadycountyclerk.com

NOTICE: This endorsement page constitutes the Clerk's endorsement in accordance with Local Law #7 of 1996-DO NOT DETACH-This page becomes part of the document. Upon recording, this document becomes a public record-Please refrain from using personal identifying information that should not be disclosed to the public.

This Indenture

Made the 14th day of September, Two Thousand and Seven

Between

Kenneth Earl Crounse, residing at 900 Duanesburg Road, Schenectady, New York and Anthony Fazzone, Esq. as Personal Representative of the Estate of Mildred M. Crounse, having his principal offices at 1536 Union Street, Schenectady, New York, parties of the first part and

Flying J Inc. a Utah corporation, having its principal office at 1104 Country Hills Drive, Ogden, Utah, party of the second part

Witnesseth that the parties of the first part, in consideration of Three Million Five Hundred Thousand dollars (\$3,500,000.00) lawful money of the United States, paid by the party of the second part, do hereby grant and release unto the party of the second part, its heirs and assigns forever,

ALL

See Schedule A attached and made a part hereof

Being the same premises conveyed to the parties of the first part herein by deed recorded on 2/17/2000 in Liber 1573 Page 62.

Together with the appurtenances and all the estate and rights of the parties of the first part in and to said premises,

To have and to hold the premises herein granted unto the party of the second part, their heirs and assigns forever.

And said parties of the first part covenant as follows:

First, That the party of the second part shall quietly enjoy the said premises;

Second, That said parties of the first part will forever Warrant the title to said premises.

Third, That in Compliance with Sec. 13 of the Lien Law, the grantors will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

R 57.003 9/10 7.112
SEC. 57.003 9/10 7.112
RP, I.S.A. RAP IDEND
BLK LOT

In Witness Whereof, the parties of the first part have hereunto set their hands and seals the day and year first above written.

In Presence of

Kenneth Earl Crounse
By: Richard Besenval POA
Go I f
By: John H. Dennis POA

STATE OF NEW YORK)
) ss.
COUNTY OF ALBANY)

On this 14th day of September, 2007, before me the undersigned, personally appeared Earl Crounse, by Richard Besenval and John H. Dennis, Powers of Attorney personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, that by their signatures on the instrument, the individuals or the person on behalf of which the individuals acted, executed the instrument.

[Signature]
Notary Public

LUCAS MIHUTA
Notary Public, State of New York
No. 02M16122291
Qualified in Schenectady County
Commission Expires Feb. 7, 2009

STATE OF NEW YORK)
) ss.
COUNTY OF ALBANY)

On this 13th day of September, 2007, before me the undersigned, personally appeared Anthony Fazzone, Esq. as Personal Representative of the Estate of Mildred M. Crounse, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, that by their signatures on the instrument, the individuals or the person on behalf of which the individuals acted, executed the instrument.

[Signature]
Notary Public

LUCAS MIHUTA
Notary Public, State of New York
No. 02M16122291
Qualified in Schenectady County
Commission Expires Feb. 7, 2009

SCHEDULE A

All that tract, piece or parcel of land located in the Town of Rotterdam, County of Schenectady and State of New York, being more particularly described as follows:

Beginning at a Granite Monument in the northerly boundary of the Schenectady - Duaneburg State Highway where it is intersected by the division line between lands of Collier described in Book 1068 of Deeds at Page 832 on the east and lands herein described on the west; thence running along the northerly bounds of the said State Highway the following four courses:

1. South 66° 31' 50" West a distance of 12.46 feet;
2. South 82° 05' 00" West a distance of 151.74 feet;
3. South 69° 03' 55" West a distance of 207.06 feet to a Granite Monument;
4. South 61° 34' 50" West a distance of 344.80 feet to a point;

Thence running along the southeasterly boundary of the Interstate Route 508 (Route 7 to Route 7 Connector) the following five courses:

1. North 33° 45' 20" West a distance of 489.52 feet;
2. North 20° 39' 15" East a distance of 212.66 feet;
3. North 43° 31' 05" East a distance of 710.06 feet;
4. South 41° 25' 40" East a distance of 282.62 feet;
5. North 49° 22' 35" East a distance of 831.00 feet to a concrete monument in the division line between lands of Avery as described in Book 1506 of Deeds at Page 256 on the east and herein described on the west;

Thence running South 51° 49' 20" East along the lands of said Avery a distance of 113.23 feet to an iron pin at the northeasterly corner of lands of Mastrianni as described in Book 608 of Deeds at Page 478; thence South 59° 43' 10" West along the lands of Mastrianni a distance of 264.44 feet to a point ; thence South 31° 48' 15" West along the lands of Mastrianni and lands of the Mohawk Valley Library Association as described in Book 857 of Deeds at Page 429 a distance of 539.63 feet to an iron pipe; thence South 30° 06' 30" West along the lands of the Library and the lands of Collier a distance of 342.78 feet to an iron pipe; thence South 32° 23' 00" East a distance of 269.57 feet to the point or place of beginning. Containing 16.429± acres.

0.0185

DESCRIPTION OF LAND
PROPOSED ZONE CHANGE

BEGINNING at a point in the northerly highway boundary of the Schenectady/Duanesburg state highway at its intersection with the division line between Lands Now or Formerly of Collier as described in Liber 1068 of Deeds at Page 832 on the east and Lands herein described on the west; thence running westerly along said northerly highway boundary of the Schenectady/Duanesburg state highway 716 Feet more or less to a point in the southeasterly highway boundary of Route 7 to Route 7 connector; thence northerly, easterly, southerly and easterly 2,527 Feet more or less to a point in the division line between the Lands Now or Formerly of Avery as described in Liber 1506 of Deeds at Page 256 on the east and the herein described parcel on the west; thence along said division line 113 Feet more or less to a point at the northeasterly corner of Lands Now or Formerly of Mastrianni as described in Liber 608 of Deeds at Page 478; thence westerly and southwesterly 1,022 Feet more or less to a point; thence southerly 349 Feet more or less to a point in the aforementioned northerly highway boundary of the Schenectady/Duanesburg state highway; thence along said northerly highway boundary of the Schenectady/Duanesburg state highway 124 Feet more or less to the point and place of beginning and containing 17.3 acres of land more or less.

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Change of Zone		
Project Location (describe, and attach a general location map): 900 Duanesburg Road and 880 Duanesburg Road		
Brief Description of Proposed Action (include purpose or need): Rezoning of 17.3± acres from A-1 Agricultural to B-2 General Business to construct a retail building, gas station, and drive thru building.		
Name of Applicant/Sponsor: GDP Lville Rotterdam, LLC		Telephone: 845-534-0100 E-Mail:
Address: 145 Otterkill Road, PO Box 55		
City/PO: Mountainville	State: NY	Zip Code: 10953
Project Contact (if not same as sponsor, give name and title/role): Luigi A. Palleschi, P.E., ABD Engineers & Surveyors, LLP		Telephone: 518-377-0315 E-Mail: luigi@abdeng.com
Address: 411 Union Street		
City/PO: Schenectady	State: NY	Zip Code: 12306
Property Owner (if not same as sponsor): Flying J, Inc		Telephone: E-Mail:
Address: 185 S State Street, Suite 1300		
City/PO: Salt Lake City	State: UT	Zip Code: 84111

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, ☒ Yes ☐ No or Village Board of Trustees	Rotterdam Town Board	July 28, 2023
b. City, Town or Village ☒ Yes ☐ No Planning Board or Commission	Rotterdam Planning Commission	July 28, 2023
c. City, Town or ☐ Yes ☒ No Village Zoning Board of Appeals		
d. Other local agencies ☐ Yes ☒ No		
e. County agencies ☒ Yes ☐ No	Schenectady County Planning	TBS
f. Regional agencies ☐ Yes ☒ No		
g. State agencies ☐ Yes ☒ No		
h. Federal agencies ☐ Yes ☒ No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		☐ Yes ☒ No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		☐ Yes ☒ No
iii. Is the project site within a Coastal Erosion Hazard Area?		☐ Yes ☒ No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☒ Yes ☐ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☒ Yes ☐ No

If Yes, identify the plan(s):

NYS Heritage Areas: Mohawk Valley Heritage Corridor

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☒ No

c. Is a zoning change requested as part of the proposed action? ☒ Yes ☐ No
If Yes,

i. What is the proposed new zoning for the site? Rezone from A-1 Agricultural to B-2 General Business

C.4. Existing community services.

a. In what school district is the project site located? Schalmont

b. What police or other public protection forces serve the project site?

NYS Police, Schenectady County Sheriff, Rotterdam Police Department

c. Which fire protection and emergency medical services serve the project site?

District 6

d. What parks serve the project site?

Featherstonhaugh State Forest, Plotter Kill Preserve, DiCaprio Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Commercial

b. a. Total acreage of the site of the proposed action? 17.3± acres

b. Total acreage to be physically disturbed? 0 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 17.3± acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☒ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % Units:

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☒ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed?

iv. Minimum and maximum proposed lot sizes? Minimum Maximum

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☒ No

i. If No, anticipated period of construction: months

ii. If Yes:

- Total number of phases anticipated

- Anticipated commencement date of phase 1 (including demolition) month year

- Anticipated completion date of final phase month year

- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

f. Does the project include new residential uses? ☐ Yes ☒ No If Yes, show numbers of units proposed. <u>One Family</u> <u>Two Family</u> <u>Three Family</u> <u>Multiple Family (four or more)</u>				
Initial Phase				
At completion				
of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☒ Yes ☐ No If Yes, i. Total number of structures <u>1</u> ii. Dimensions (in feet) of largest proposed structure: <u>28'</u> height; <u>270'</u> width; and <u>390'</u> length iii. Approximate extent of building space to be heated or cooled: <u>104,500±</u> square feet				
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h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☒ No If Yes, i. Purpose of the impoundment: _____ ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____ iii. If other than water, identify the type of impounded/contained liquids and their source. _____ iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____				
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D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☒ No (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) If Yes: i. What is the purpose of the excavation or dredging? _____ ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No If yes, describe. _____ v. What is the total area to be dredged or excavated? _____ acres vi. What is the maximum area to be worked at any one time? _____ acres vii. What would be the maximum depth of excavation or dredging? _____ feet viii. Will the excavation require blasting? ☐ Yes ☐ No ix. Summarize site reclamation goals and plan: _____				
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b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☒ No If Yes: i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____				
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ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments?

☐ Yes ☐ No

If Yes, describe:

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?

☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water?

☒ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: _____ 10,500± gallons/day

ii. Will the proposed action obtain water from an existing public water supply?

☒ Yes ☐ No

If Yes:

- Name of district or service area: Rotterdam
- Does the existing public water supply have capacity to serve the proposal? ☒ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☒ No
- Is expansion of the district needed? ☒ Yes ☐ No
- Do existing lines serve the project site? ☒ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project?

☐ Yes ☒ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

☐ Yes ☒ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes?

☒ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: _____ 9,500± gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

Sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities?

☐ Yes ☒ No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

• Do existing sewer lines serve the project site? _____ • Will a line extension within an existing district be necessary to serve the project? _____ If Yes: • Describe extensions or capacity expansions proposed to serve this project: _____	☐ Yes ☐ No ☐ Yes ☐ No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____	
If Yes: • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____	
If Yes: i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or <u>9±</u> acres (impervious surface) _____ Square feet or <u>17.3</u> acres (parcel size) ii. Describe types of new point sources. <u>On-site stormwater system</u> iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? <u>Stormwater will be handled on-site in stormwater management areas.</u>	
• If to surface waters, identify receiving water bodies or wetlands: _____	
• Will stormwater runoff flow to adjacent properties? _____	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____	
If Yes, identify: i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____ ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____ iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____	
If Yes: i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____ ii. In addition to emissions as calculated in the application, the project will generate: • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☒ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend
☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? ☐ Yes ☐ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☒ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐ No

l. Hours of operation. Answer all items which apply.

i. During Construction: • Monday - Friday: _____ 7 am - 7 pm • Saturday: _____ 8 am - 3 pm • Sunday: _____ 8 am - 3 pm • Holidays: _____ N/A	ii. During Operations: • Monday - Friday: _____ 8 am - 9 pm • Saturday: _____ 8 am - 9 pm • Sunday: _____ 8 am - 9 pm • Holidays: _____ varies
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m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☒ No If yes: i. Provide details including sources, time of day and duration: _____	
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No Describe: _____	
n. Will the proposed action have outdoor lighting? ☒ Yes ☐ No If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: Pole and building mounted, LED down type lighting	
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☒ No Describe: _____	
o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☒ No If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____	
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☒ Yes ☐ No If Yes: i. Product(s) to be stored Gasoline and diesel ii. Volume(s) _____ per unit time _____ (e.g., month, year) iii. Generally, describe the proposed storage facilities: Underground tanks	
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☒ No If Yes: i. Describe proposed treatment(s): _____	
ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No	
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☒ Yes ☐ No If Yes: i. Describe any solid waste(s) to be generated during construction or operation of the facility: • Construction: _____ TBD tons per _____ (unit of time) • Operation : _____ TBD tons per _____ (unit of time) ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste: • Construction: _____ • Operation: _____ iii. Proposed disposal methods/facilities for solid waste generated on-site: • Construction: Construction waste to be managed by licensed hauler. • Operation: Solid waste generated by normal site operations will be handled by licensed hauler.	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	9±	+9±
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	17.3	8.3±	8.3±
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____	0	0	0

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☒ No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☒ Yes ☐ No
If Yes,
i. Identify Facilities:
Schalmont schools

e. Does the project site contain an existing dam? ☐ Yes ☒ No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☒ No
If Yes:
i. Has the facility been formally closed? ☐ Yes ☐ No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☒ No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☒ No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No
☐ Yes – Spills Incidents database Provide DEC ID number(s): _____
☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
☐ Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☒ No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☒ No																							
• If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No • Explain: _____																							
E.2. Natural Resources On or Near Project Site																							
a. What is the average depth to bedrock on the project site? _____ 10+ feet																							
b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %																							
c. Predominant soil type(s) present on project site: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Silt loam</td> <td style="width: 40%; text-align: right;">90 %</td> </tr> <tr> <td>Silt Clay</td> <td style="text-align: right;">10 %</td> </tr> <tr> <td> </td> <td style="text-align: right;">%</td> </tr> </table>		Silt loam	90 %	Silt Clay	10 %		%																
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d. What is the average depth to the water table on the project site? Average: _____ 0-10+ feet																							
e. Drainage status of project site soils: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">☐ Well Drained:</td> <td style="width: 60%; text-align: right;">% of site</td> </tr> <tr> <td>☒ Moderately Well Drained:</td> <td style="text-align: right;">40 % of site</td> </tr> <tr> <td>☒ Poorly Drained</td> <td style="text-align: right;">60 % of site</td> </tr> </table>		☐ Well Drained:	% of site	☒ Moderately Well Drained:	40 % of site	☒ Poorly Drained	60 % of site																
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f. Approximate proportion of proposed action site with slopes: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">☒ 0-10%:</td> <td style="width: 60%; text-align: right;">90 % of site</td> </tr> <tr> <td>☒ 10-15%:</td> <td style="text-align: right;">10 % of site</td> </tr> <tr> <td>☐ 15% or greater:</td> <td style="text-align: right;">% of site</td> </tr> </table>		☒ 0-10%:	90 % of site	☒ 10-15%:	10 % of site	☐ 15% or greater:	% of site																
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g. Are there any unique geologic features on the project site? ☐ Yes ☒ No If Yes, describe: _____																							
h. Surface water features. <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?</td> <td style="width: 20%; text-align: right;">☐ Yes ☒ No</td> </tr> <tr> <td>ii. Do any wetlands or other waterbodies adjoin the project site?</td> <td style="text-align: right;">☐ Yes ☒ No</td> </tr> <tr> <td colspan="2">If Yes to either i or ii, continue. If No, skip to E.2.i.</td> </tr> <tr> <td>iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?</td> <td style="text-align: right;">☐ Yes ☒ No</td> </tr> <tr> <td colspan="2">iv. For each identified regulated wetland and waterbody on the project site, provide the following information:</td> </tr> <tr> <td>• Streams: Name _____</td> <td>Classification _____</td> </tr> <tr> <td>• Lakes or Ponds: Name _____</td> <td>Classification _____</td> </tr> <tr> <td>• Wetlands: Name _____</td> <td>Approximate Size _____</td> </tr> <tr> <td colspan="2">• Wetland No. (if regulated by DEC) _____</td> </tr> <tr> <td colspan="2">v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☒ No</td> </tr> <tr> <td colspan="2">If yes, name of impaired water body/bodies and basis for listing as impaired: _____</td> </tr> </table>		i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?	☐ Yes ☒ No	ii. Do any wetlands or other waterbodies adjoin the project site?	☐ Yes ☒ No	If Yes to either i or ii, continue. If No, skip to E.2.i.		iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?	☐ Yes ☒ No	iv. For each identified regulated wetland and waterbody on the project site, provide the following information:		• Streams: Name _____	Classification _____	• Lakes or Ponds: Name _____	Classification _____	• Wetlands: Name _____	Approximate Size _____	• Wetland No. (if regulated by DEC) _____		v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☒ No		If yes, name of impaired water body/bodies and basis for listing as impaired: _____	
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i. Is the project site in a designated Floodway? ☐ Yes ☒ No																							
j. Is the project site in the 100-year Floodplain? ☐ Yes ☒ No																							
k. Is the project site in the 500-year Floodplain? ☐ Yes ☒ No																							
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☒ Yes ☐ No If Yes: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">i. Name of aquifer: Principal Aquifer</td> <td style="width: 20%;"></td> </tr> </table>		i. Name of aquifer: Principal Aquifer																					
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m. Identify the predominant wildlife species that occupy or use the project site: _____ Typical Suburban wildlife _____ _____	
n. Does the project site contain a designated significant natural community? ☐ Yes ☒ No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☒ No If Yes: i. Species and listing (endangered or threatened): _____ _____	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☒ No If Yes: i. Species and listing: _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☒ No If yes, give a brief description of how the proposed action may affect that use: _____ _____	
E.3. Designated Public Resources On or Near Project Site	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☒ No If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☒ No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☒ No If Yes: i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☒ No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☒ No	
If Yes: i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☒ Yes ☐ No	
g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☒ No	
If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☒ No	
If Yes: i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☒ No	
If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No	

F. Additional Information

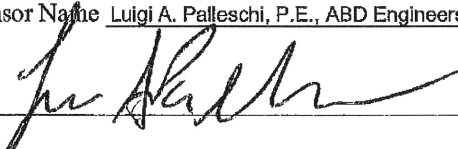
Attach any additional information which may be needed to clarify your project.

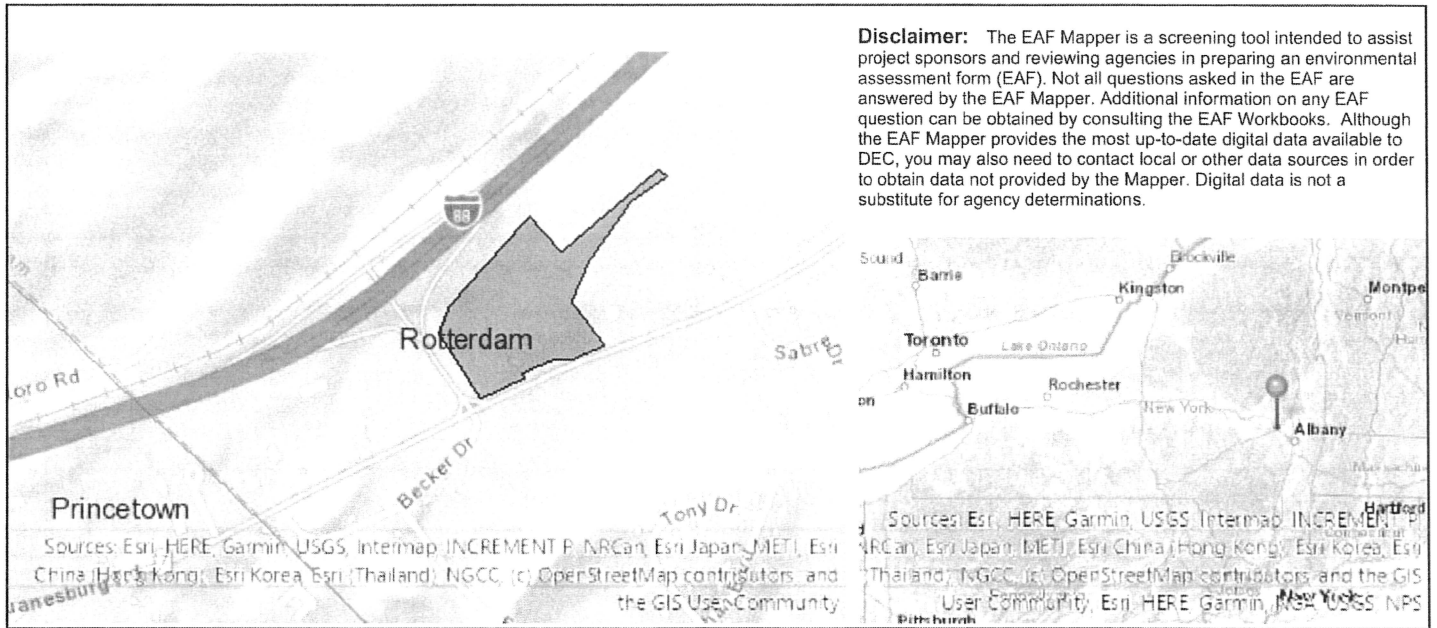
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

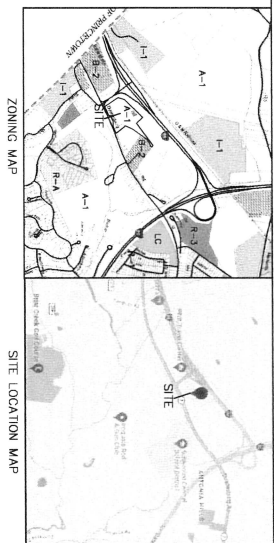
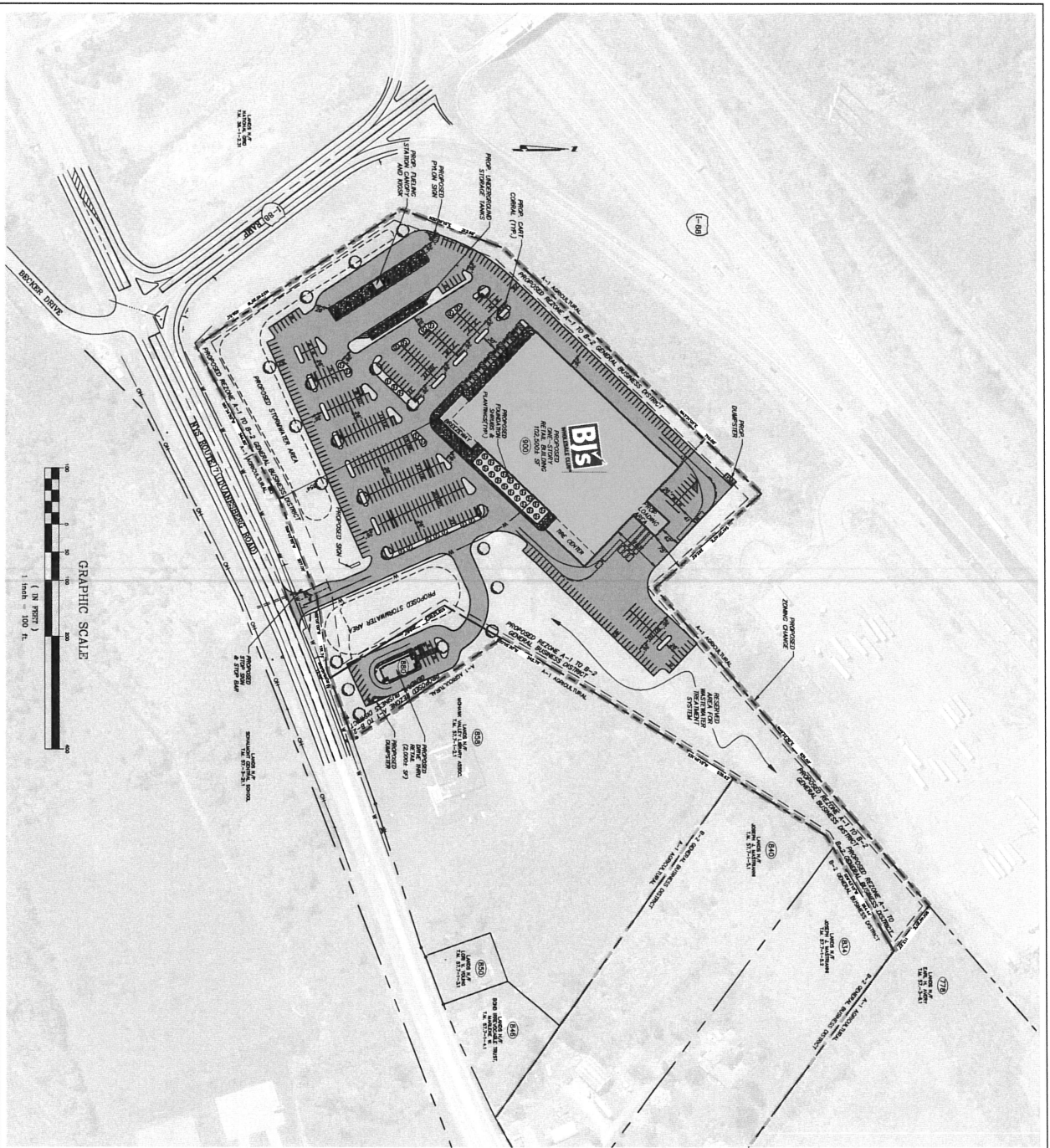
Applicant/Sponsor Name Luigi A. Palleschi, P.E., ABD Engineers & Surveyors Date July 25, 2023

Signature  Title Professional Engineer



B.1.i [Coastal or Waterfront Area]	No
B.1.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas: Mohawk Valley Heritage Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No

E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No



- NOTES:**
- BASE MAPS PROVIDED BY AEC CONSULTING, LTD. FROM THE TOWN OF ROTTERDAM.
 - THE PLAN SHOWS SOME EXISTING STRUCTURES, ADJACENT TO THE PROPOSED BUILDING. THE EXISTING STRUCTURES ARE NOT TO BE CONSIDERED AS PART OF THE PROJECT. THE EXISTING STRUCTURES ARE NOT TO BE CONSIDERED AS PART OF THE PROJECT. THE EXISTING STRUCTURES ARE NOT TO BE CONSIDERED AS PART OF THE PROJECT.

EXISTING: TOWN OF ROTTERDAM	
STREETS	20'
SEWER	15'
WATER	15'
MINIMUM LOT COVERAGE	20%

PROPOSED: TOWN OF ROTTERDAM	
STREETS	20'
SEWER	15'
WATER	15'
MINIMUM LOT COVERAGE	20%

PARKING REQUIREMENTS	
TOWN OF ROTTERDAM	PROVIDED
RETAIL SPACE PER 1,000 SF OF GROSS FLOOR AREA (GFA) = 5 - 5.5 SPACES	
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TOTAL REQUIRED SPACES = 323 SPACES	313 TOTAL SPACES PROVIDED

COMPARATIVE STATISTICS	
BUILDINGS	PROPOSED
PARKING	104,500 SF
GREEN SPACE	35,418 SF
TOTAL	75,412 SF (11.20 ACRES) 100%

OWNER: THE TOWN OF ROTTERDAM, LLC
 PROJECT: 100 & 880 DIANBURG ROAD
 ADDRESS: 100 & 880 DIANBURG ROAD
 CITY: ROTTERDAM, NY
 COUNTY: SCHENECTADY
 TAX MAP: 57-2-712 & 57-1-12

CONCEPT PLAN

ATTENTION: THE DOCUMENT SUBJECT TO A LEGAL REVIEW BY A PROFESSIONAL ENGINEER OR ARCHITECT.

DATE: JULY 28, 2023

SCALE: 1" = 100'

SHEET: 1 OF 1

WITH: PUEBLING STATION PLAZA

100 & 880 DIANBURG ROAD

STATE OF NEW YORK

COUNTY OF SCHENECTADY

ABO ENGINEERS & SURVEYORS

401 West Street, Schenectady, NY 12305

518-377-5555

www.aboengineers.com