

**Town of Rotterdam Planning Commission
Minutes of November 7, 2024 Meeting**

The Rotterdam Planning Commission held a meeting on Tuesday, November 7, 2024, at 7:30 p.m. at the Rotterdam Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York 12306.

Present:	Kimberly Ricker Scannell	Excused: Mark D'Alessandro
	Lynn Flansburg, Vice Chairman	
	Clark Collins	
	Wayne Calder	
	Joseph Signore	
	Joseph Miglucci	
	Peter Comenzo, Town Planner	
	Stephen Valiquette, Attorney	
	Marlo Carter, Secretary	

Chairman Scannell called the workshop to order at 7:00 p.m.

Waivers:

There were no waivers on the agenda.

Attendance was taken and determined there is a quorum.

The Pledge of Allegiance to the Flag was recited.

Ms. Scannell: All right, first order of business is to approve the minutes of our last meeting.

Mr. Collins: I'll make that motion.

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

Mrs. Flansburg: I'll second.

Ms. Scannell: Thank you. Please remember if you were not here to abstain. Marlo, could you please call the roll.

Ms. Carter: Mr. Collins?

Mr. Collins: Yes.

Ms. Carter: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Ms. Carter: Mr. Calder?

Mr. Calder: Yes.

Ms. Carter: Mr. Signore?

Mr. Signore: Yes.

Ms. Carter: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Carter: Ms. Scannell?

Ms. Scannell: Yes.

Motion carried. Thank you.

1. **Titan Valley Development Inc. – Arlene Street. Sketch Site Plan to create up to 46 parking spaces on a ±0.47-acre parcel for additional parking for the Palazzo Ristorante located at 2780 Hamburg Street. Engineer: Hershberg & Hershberg.**

Mr. Mafri: All the way around from Hamburg Street all the way through to Arlene. The buffers are pretty significant when you think about what's out there. The edge of pavement on the northwest side, it's about 19 feet away from the property line and the existing residence is another 20 feet or so beyond that. On the southeast side, the closest point to the property line on the corner is about 17 feet, and that's adjacent to the existing garage. Getting into the DPW comments. Item number two (2), annual parking should be reconfigured. That's this parking. This was backed out and served the building here. We can reconfigure that. What I've done to kind of go through, well, let me jump to item three (3), stormwater.

Ms. Scannell: That's four (4).

Mr. Mafri: Excuse me, item four (4), stormwater. What we're proposing is the entire grade would sheet out to Arlene Street to the existing storm sewers that's here. Nothing would sheet to either side of the residences on the north, south, east, or northwest. Currently, this entire area is about a half an acre, maybe a little less. Sheets in the east-west direction to Arlene Street. Our stormwater plan really is to limit this 20-foot strip of grass, so we're reducing the runoff in the northwest significantly by directing the drainage from the parking lot out to an existing storm sewer system. We'll be putting in a lip gutter and edge just to make sure nothing jumps curb. So that's our stormwater plan as it exists now. The other items from the DPW, I'm going to just hand out some things.

I have a "Inaudible" sketch of how I think we can, I only have a couple of them. There's three (3) of those sketches, and I can explain them to you. These are also photos that I'll show you. So that hand-drawn sketch that I just sent out basically shows the elimination of one curb cut, internal circulation, and we lose basically a net of five (5) spaces or six (6) spaces. So, I think the bang for a buck, it's better. We'll have more screening out front. We do lose five (5) spaces, like I said, but I think we can live with that.

The photo that I sent you that you have in front of you is basically the existing piers and light that we'd like to use in place of that 12-foot light in the parking lot and along Arlene Street. So, the total height of that is less than seven (7) feet. I think it fits, you know, low-level lighting better than the parking lot lighting and, you know, more neighborhood friendly. It looks better. Those piers will be in the center of the parking lot, which, you know, we're not showing on our plan, but if we reconfigure the circulation of the parking, we'll probably set up two (2) or three (3) of those "Inaudible" light poles in that parking lot.

So, item five (5) consideration should be given to eliminate the second curb cut. I think we can do that and come up with a plan that works for parking wise.

Item six (6), we can see we'll add some landscaping on that northwest side. Some evergreens or, you know, spaced relatively close to provide something nice for the neighbors.

And item seven (7) would become moot if you like the bollard concept of the pillars in the parking lot. And with that, I'll open up to the board for any questions.

Ms. Scannell: Well, thank you. So, I want to start by saying I'm one of your number one (1) fans and if you haven't had the bacon-wrapped shrimp, you have to go. And that and the bruschetta are my favorites. I've been there in addition to your beautiful grand opening. I think it's I'm up to five (5) times now, and I've gone there with friends that I've met there for lunch. I've gone in the evening for dinner. I've gone after work like for drinks and appetizers. I love it. The parking we need to address all of the parking and the flow of traffic because your business is so successful that we have to be able to get people in and out safely. We have to have as much parking, the biggest bang for our buck, where we can still do things safely. So, while we're looking at the new parking, I think we need to also address how the existing parking and the flow of traffic is going to work into the spillover area. Whether the feedback, I've heard great things. Everybody that I've gone there with, oh my god. I love this food. It's so good. Look how beautiful this is. Oh my god. I want to kill myself walking. When you're walking on the sides, right?

There's not a lot of light, but then the neighbors are during the public hearing that the Town Board had, the neighbors love that you have this great restaurant there, but they're very nicely saying, but it's like a spotlight in my bedroom. And that is kind of a bright light. I mean, I think, you know, I felt like, whoa, I'm feeling I'm in a prison. If I was trying to escape, I'd be shot or something in your parking lot.

But yet, it's very challenging to walk along the sides of the building because it is dark. So, I think we need, we need to think a little bit outside the box with lighting here, for sure. And I'm going to talk about that, some thoughts for feedback on that, and then I'm going to open it up to everybody else on the Planning Commission.

I think that some of the ideas of having lower, warmer lighting for the sake of the neighbors and the height of the pole and downward screening, I think those are essential things. I think we might want to think about some lighting on the ground as well. Maybe work into your landscaping, so that pedestrian traffic knows where they're walking to get from, right, if they leave your pretty patio area and you kind of go out the side there where that gate is, you know.

Mr. Citone: Yeah, you're referring, so once you leave to the left or to the right, I have pillars on both sides. Those pillars only have a six-block light bulb in there. So that's, I believe, an easy adjustment to increase the wattage on those. In regard to the prison lights, I did follow code when we first built the parking lot. We're referring to the back. Once you get back there, it's daylight. Yes. Whether it's midnight or whether it's two o'clock in the morning, it's daylight. So yes, I talked to two (2) of my neighbors. So, taking consideration of the future parking lot, I might take a pillar concept along the middle and in the front. So, a six (6) watt, we increase it to a 25 watt. Let's see how bright it is, and we can play with that.

To address the daylight at this hour, reconfigure the existing LED lights at a different angle.

Ms. Scannell: How many tenants do you have there?

Mr. Citone: There's a total of six (6), seven (7), eight (8), nine (9).

Ms. Scannell: Okay, and that's including the house?

Mr. Citone: Yes, nine (9) apartments.

Mr. Collins: So where do they park? They're parking right here in front of the house. There's the old parking there.

Ms. Scannell: And again, what if they're at work and they come home and they don't have a parking spot?

Mr. Citone: Well, that's the issue on Fridays and Saturdays.

Ms. Scannell: Right.

Mr. Citone: Or the issue when there's a banquet. Or, well, this is our time at the Monday happy hour. Those times, there's no parking. Anywhere. Anywhere. So, once this is approved, a set of spots must and will be allotted for the tenants. And there'll be a sign posted. Parking only tenants, others will be towed. So, you know, since we started June 15, you want to get your name out there. So that's what we're doing. Happy Monday. There's nothing going on.

Ms. Scannell: It's happy every day. Let's just do something. I wasn't taking consideration of the tenants. And two (2) of them already said something to me. Hey, Friday nights, whether there's music or not, Friday nights is always Friday, Saturday. It's bad.

Ms. Scannell: Have you had problems with people parking at the hotel?

Mr. Citone: So, I pay the hotel.

Ms. Scannell: Got it.

Mr. Citone: We made an agreement. So, they're allowed to park in the hotel. And there's no issues there. Now, this parking lot is completely full as well. When we have Friday, Saturday night, it's full. Mine is completely full. His is completely full. There's, what do we do? A parking garage? No. It is what it is. You're going to have to find a parking spot somewhere. With this overflow, I think that will alleviate everything.

I just want to ensure that the lights when you mentioned the lights on the ground, I think by increasing the lights around those existing pillars will give you that enough light.

Ms. Scannell: I mean, are we planning on having where are people crossing, right? Because traffic is coming in, out, they're backing up. And again, this is based on experience. Because people, it is a very busy area and there's not a lot of direction for how the flow of traffic is supposed to go. So, people are really, it's like bumper cars. But thank God they're not hitting each other. But they're going to hit each other.

Mr. Citone: Assuming this were to pass, I would like to see, listen, I can put arrows every way. That doesn't mean you're going to follow the direction of the arrows. True?

Ms. Scannell: True.

Mr. Citone: If I put an arrow on the ground, you're not going to follow it. People are like, okay, I see an arrow. I'm supposed to go this way. But people don't do that. My intention was to put the arrows in between the quality and myself, going this way with an outside vestibule. This way, I drop off my party. I loop around to the back. If I can't find a parking spot, I continue and I would come this way. Loop around here and so forth.

Ms. Scannell: I like that, I like an in and an out.

Mr. Citone: You're trying to make that. But the problem in the beginning was what was the additional parking on the quality inside? We had to figure out some sort of agreement. We did come to an agreement, but even with the agreement, there still wasn't enough parking.

Ms. Scannell: I completely agree that you need to have more parking, but because we're having a conversation about this lot, we're looking at the whole thing. We're looking at it with fresh eyes and saying, wow. I understand what you're saying. People don't always follow the arrows, but I look for direction. Where am I supposed to go? What's going on here? The people in the front, if you're lucky enough to sneak in and get a parking spot there, when you're backing out of that parking spot, you've got people coming this way, they're going this way. People are backing up. It's insane. Let's jump and see what other people have to think. Clark?

Mr. Collins: I've got a couple questions. First of all, I would suggest that you put some kind of security cameras out there just to see if somebody gets in an accident. You can pull up the tape or if there's vandalism on a car, it'll protect you and the people. If you put up a sign, surveillance cameras, so they can see what's going on.

That's one other thing I would suggest. I don't know if I really like these parking spaces in the very back here because of the cars here. I don't know if you have a lot of room. I'm not the greatest parker, you know what I mean?

Mr. Mafrici: Those are regular 18-foot spaces and then there'd be a 24-foot dual aisle, two-way aisle, so there's adequate room to circulate around there.

Mr. Collins: Where are the storm sewers? Are they deadheads or do they go someplace?

Mr. Mafrici: The existing ones?

Mr. Collins: Are they deadheads, or do they go someplace?

Mr. Mafrici: Well, there's another set of storm sewers at the intersection, so I'm assuming that they go...

Mr. Collins: They might not go anywhere. We do have a lot of deadheads in Rotterdam where they're just basins that catch water and then they dissipate into the ground, and they don't go anywhere. So, I think maybe if Mary could look at this or get a hold of Larry, the highway superintendent, to check to see if those basins are deadheads or if they actually go someplace. Because like on my street, we've got two (2), but they don't go anywhere. They go back and forth across the street.

Mr. Comenzo: I can't say for sure, but I know the catch basin on the corner of Arlene and Hamburg has water running 24-7, 365, it's like an underground stream.

Mr. Mafrici: Yeah, but there's drainage.

Mr. Comenzo: And I know it heads into that neighborhood. I'm pretty sure they're not deadheads. I'm pretty sure they're not.

Mr. Mafrici: Yeah, I thought they were.

Mr. Collins: And what are you going to do with all the snow removal back there.

Mr. Mafrici: The snow would be pushed off. Luckily there's the 20-foot buffer and the 17-foot buffer on either side of the parking, so it lends itself to snow storage pretty well. And the trees will set up the landscaping closer to the fence. So, we do have that snow removal area.

Mr. Collins: Like I said, I know you need parking, but I would suggest the security cameras for your benefit and for the residents. And if something happens, you can give them to the police if there's vandalism. You know what I mean? That and to check with either Mary, our stormwater specialist, or get ahold of the Highway Department, and maybe skip out there to somebody and really look at the catch basins to make sure they'll do what you want them to do. That's all I have.

Ms. Scannell: Thank you, Clark. Mr. Calder, you're up.

Mr. Calder: Okay. One thing I was talking, I talked about this earlier. Back to number four (4) again with the stormwater. Where is the catch basin on Arlene Street? Where is this going to run to?

Mr. Mafrici: It's on the north side of Arlene Street.

Mr. Calder: It's on the other side of the street.

Mr. Mafrici: And it would go west. So, it would go on to the public road and then...

Mr. Calder: So, is it going across Arlene Street?

Mr. Collins: No, you're going off the side, right?

Mr. Mafri: Yeah, it would go across to the catch basins on the north side of Arlene Street.

Mr. Calder: During a heavy storm and a problem, wouldn't that be an issue? I don't know too much about stormwater. Well, ice buildup across that road.

Mr. Mafri: I mean, if there's a place for it to go, it'll get there.

Mr. Calder: Well, yeah, but you're sending it to the road and making it a public problem. It's not that we want to add more money to the cost of what you're doing. I understand that. I just don't know if that's the right thing or not. Maybe one (1) of the other board members knows more about this.

Mr. Collins: Like you said, you just need a couple of deadheads to take the overflow, and deadheads are pretty reasonable. You just dig a hole in the cement basins with dirt on the bottom.

Mr. Calder: It's like a dry well thing.

Ms. Scannell: Yeah, and we're not requiring a TDE on this, but I'd like to have Mary's eyes for sure. I'd like to have, I mean, we have a stormwater manager, so we'll have her at least put her eyes on this and provide some DPW feedback.

Mr. Mafri: Yeah, it doesn't reach the level of disturbance for any DEC permit for stormwater.

Mr. Calder: I'd feel better if it was on the same side as your exit from your property. But you're telling me it's not, and it's got to run on the road?

Mr. Collins: It might be down by the corner. I'm not sure.

Ms. Scannell: And again, I recognize that I realize that the disturbance is not there, but because we are not requiring a TDE, because we understand that that is an added expense, I would like to have an employee of the town who is a stormwater manager put eyes on it. If you would prefer to have a TDE, I would absolutely entertain that.

Mr. Mafri: No, we look forward to comments.

Ms. Scannell: So, Mary taking a look at this should be sufficient.

Mr. Mafri: And we could certainly put a dry well and regrade it at the curb cut to detain the water or to limit the...

Mr. Calder: Because Mary says differently. She does what her thing is. But I think it's worth a look at.

Ms. Scannell: I agree. Thank you.

Mr. Calder: I have nothing else.

Ms. Scannell: Thank you. Mrs. Flansburg.

Mrs. Flansburg: So, when I was looking at the original plan, I just laid it all out and said, how would I drive in here and how am I going to move around? Had I not had that and had this, I would have said, now this makes sense. You have a wonderful business. I agree with her. I just want everybody to be able to access it safely.

Lights at the ground level, it would be great if we were in the south, but we're in the north, so half the year you'd be plowing your lights because they're on the side of what you're trying to clear. I like what you had talked about, keeping them at the level they are now, just having them go further back, brightening them. I like that there's only one entrance because I couldn't figure out how it would flow right with two of them.

The only thing I was worried about was your tenants and the way that the angled parking was, so that's fixed in your red drawing. You keep referencing that you would lose five (5) spaces by doing this. Is it because you didn't pick up enough by closing the entrance to offset?

Mr. Mafrici: We're proposing 46 spaces here and the new parking on that would be only 40 spaces increased, so that's where we're losing them.

Mrs. Flansburg: So, what's the net 54 on the bottom mean?

Mr. Mafrici: Net 54 is including the parking that was 14 angled spots here so they're going to become straight.

Mrs. Flansburg: Okay. Because I want you to maximize your space. This is your one opportunity, right? To get as much as you can. I think this is 10,000 times better than what you had. I'm in favor of what you're doing. Just obviously be considerate of the neighbors and the lighting that you're going to be using.

Mr. Citone: The copy that Bill gave you would be piers.

Mrs. Flansburg: The pictures?

Mr. Citone: Yes. Basically, that concept of those piers with those lights would go down the center here with the time, of course. And then in the front. This way the front doesn't look like a piece of junk. It doesn't look... It would look nice. You don't want 15-foot poles sticking out over here.

Mrs. Flansburg: You don't want an industrial look to what you're coming into. I appreciate what you're doing. I absolutely love this plan that you have here.

Ms. Scannell: Thank you. Mr. Signore.

Mr. Signore: I think Clark pretty much said it. With the lighting and the security cameras and stuff.

Mr. Citone: I've already ran all of the Ethernet around the building. So, I have a bunch inside. The bar area, the dining room area, the kitchen area.

Mr. Signore: It's good for you, too.

Mr. Citone: I put two (2)... You'll see Hamburg Street where they're located. They're out on the patio. You'll be able to see Hamburg. You'll be able to see Quality Inn. They're on the side as well. I can see straight down here. Of course, there's nothing here. There's four(4) in the back that I'll be able to view.

Mr. Collins: If you put up some signage to say surveillance cameras. If somebody backs in and hits a car, at least they can pull up and say, this guy hit me.

Mr. Signore: You definitely need more parking. Sharing with your neighbor may be okay now. You know what I'm saying? Never say never and avoid always. Yeah, I understand that. If we can expedite your parking situation, that would be great. The other thing is that's a terrible problem to have too many customers. That's all.

Ms. Scannell: Thank you. Mr. Miglucci?

Mr. Miglucci: I like the idea about Mary going out there. I like the new parking thing. I think it would be a good idea to get more lighting like in question number three (3) here. If it's only like six (6) watts, that's not many lumens.

Mr. Citone: No, you know what? At first when I did it, I had 25 and it was just like bright. I don't know. It didn't look good. So, I bought something off Amazon with six watts, nice low ambient. It's nice, but now it's like you said, it's very dark.

Mr. Signore: It's actually better for you to tell in the event somebody's injured. You know how attorneys are today. Was that a seven (7) watt or a six (6) watt? You know what I'm saying? That's a quick fix though.

Mr. Citone: And I just replace all those and see how that looks when you exit or when you enter on the sidewalk.

Ms. Scannell: And I think also as I'm thinking about the pedestrians and people coming from the new parking area crossing over, I think some signage. I love the idea of the arrows. Definitely when we see the new beautiful sketch, I'd like to see definitely how we're going to control the flow. And I think you already know how you're going to do it. You have a good plan.

Mr. Citone: I have a plan in my head.

Ms. Scannell: I know, I hear you.

Mr. Citone: When I do my drawings, usually I have a cocktail napkin, and no one understands it and the computer screams at me. So, stop sign here, crosswalk from here to there to the actual sidewalk. I have it all in my head planned out. So, I just got to implement it.

Ms. Scannell: Peter, do you have anything that I have failed to bring up that you can think of?

Mr. Comenzo: No, I think this revised plan is much better than the circulation. I think we can work through the stormwater issues with Hershberg. Mary's not a stormwater engineer. But I think I'm confident we can figure that out. We just need a little more information. And I think now if the Planning Commission is comfortable with this layout, then we can advance the plan and have Bill work on the stormwater. Get it back to you.

Ms. Scannell: Thanks, Peter. Attorney Valiquette, any questions, comments, concerns?

Mr. Valiquette: Yeah, unfortunately, speaking as attorneys are, as I've heard. Just taking a look at some of the town code here just for the parking. One of the things I'm seeing is that we have a provision that says, hey, no more than 15 spaces are permitted in a continuous row without some type of landscaping. I know on this original drawing it looks like the northwesterly most had 16 there. You know, it's just something to keep in mind as you move along with the new plan, which looks like it's 12 in each row. Continuous row, you know, on that long back row. You know, obviously the building, it looks like, does kind of dip there. So, I guess you could make an argument it's not necessarily a continuous row for those spaces. But definitely something to keep in mind as you move along.

Mr. Mafrici: Is that something that the board could waive, or is that a variance? Because, I mean, obviously you know, we're here to try to maximize parking.

Mr. Comenzo: We typically can waive that, at least we have in the past.

Mr. Mafrici: Since it's a small area, I think we would prefer to request the waiver.

Mr. Valiquette: Yeah, I just wanted to bring that to the board's attention, to your attention.

Mr. Mafrici: Thank you.

Mr. Collins: My comment, I don't think you get a lot of pushback from us not to be a little more lenient.

Ms. Scannell: No, but it's good. I mean, we do, acknowledging that we do have code and acknowledging that that would be waived is just, you know, part of doing business. That's why we have attorneys.

Mr. Valiquette: Like I said, I mean, you could make an argument here whether that's a continuous row or not with that little piece, but I think that's something just for the board to consider.

Ms. Scannell: And something else that we recently became aware of, and it is something I also think it's good for your business. We have a complete streets plan in Rotterdam. We are talking about mobility when we talk about things. We have residents that have brought up concerns that there's no place for a bike rack, like where they want to park their e-bikes. So, I'm just mentioning it. Maybe that would be good for your business, and it would be good for that kind of...

Mr. Citone: In the front, when you scroll in from Hamburg Street, if you look at...

Mr. Mafrici: Right on the corner would be a perfect spot.

Mr. Citone: So back in this corner back in the day was Joe's sign. Remember that big sign? So right now, it has those five (5) piers, and if you look at the picture that you guys have, that's the picture of those five (5) piers with the white fence going down. That's easy for me to put something right in that corner there.

Ms. Scannell: I think it'd be perfect.

Mr. Citone: I also wanted to do something for motorcycles as well.

Ms. Scannell: I love it.

Mr. Citone: Right now, I have some cones. If you've been there, there's just cones.

Ms. Scannell: Oh, I know. It's like another level of Jumanji in the parking lot.

Mr. Signore: You have to put a sign here that says, watch your pizza being made by imported hands.

Mr. Citone: My parents are from Messina, Sicily.

Mr. Signore: I think that's what Joe said.

Mr. Citone: I still have the sign.

Ms. Scannell: Alright, so you need to take everything in your head, and you need to give it to your engineer, and we need to have it on paper, and we need you back in here as quickly as we can get you back in here so that we can get you

up and running. Sound good?

Mr. Citone: It does. May I speak freely?

Ms. Scannell: Sure, please.

Mr. Citone: One minute. So, Yummy Yummy owns this building here. I'm looking at Peter...

Mr. Collins: Oh, the one on the corner?

Ms. Scannell: Oh, the Yummy Yummy puzzle?

Mr. Citone: So, we have serious discussions about purchasing this piece of property here, which changes... which will change the dynamics of your park like this. Because in my plan, in my head, and conversations with Peter back some time, we're going to build a house, build like a piazza. In Italy, there's big, beautiful piazzas that circle around all these businesses, and just, just want to give a heads up that this may change.

Mr. Collins: The parking, or just...

Mr. Citone: Well, the parking would change, the layout would change if this goes through. Because I would own this piece here now.

Mr. Collins: Oh, okay, the whole strip.

Mr. Citone: Well, this is a double lot. So, if I don't black top this, and it's stoned, it's ready, it's prepped, and this goes through, then things will change.

Ms. Scannell: Okay?

Mr. Citone: No issues with that?

Mrs. Flansburg: No, I mean, we were supposed to go there, and then they didn't.

Mr. Citone: Yeah, they approached me. They wanted to share the parking space, and I told them I didn't have enough space to do that. Thank you.

Ms. Scannell: Thank you.

2. **Misty Bleu Farm, LLC (lessee) – 3350 N. Thompson Street.** Sketch Plan Review of a Waiver of Site Plan request to operate an indoor cannabis cultivation & processing facility in existing ±5,030 square foot building on a ±0.3-acre parcel. Engineer: Ingalls and Associates.

Ms. Scannell: Okay. Next up on our agenda is the Misty Bleu Farm.

Mr. Kostyn: Hello, everyone. My name's Chris Kostyn. I'm the president of Misty Blue Farm. Do you want a little background?

Ms. Scannell: Absolutely.

Mr. Kostyn: My partner and I are from Washington County. We had a cultivation license issued by the state for two (2) years, and at the end of that two-year period, we were allowed to convert to a micro-business license. And what the micro-business license does is it allows us to be vertically integrated. We can do everything but with a defined canopy size. So, we can only grow 3,500 square feet of indoor cultivation space. But we can then process, manufacture, wholesale, retail, and deliver anywhere in the state of New York.

We currently have this property on our license for cultivation, processing, and distribution. You can talk about any of those whenever you'd like. And our retail location is in Troy. So, I've heard discussions like would we have retail on this side street in Rotterdam? The answer is I cannot possibly foresee that. It doesn't make sense to me. And our retail location is already in Troy.

So, if you're familiar with the building, it's a brand new 5,000 square foot air-tight Morton-style building that is an absolute clean slate for us to do pretty much whatever. It's a beautiful space. As you read in my summary, we kind of envision a two-part process here where we would like to get operational as quickly as possible with minimal processing and stuff which basically involves all the current systems. No added electricity. The water that's there is fine. The septic system that's there is fine. Not beyond basically we're just moving in and setting up a couple of tables.

Phase two we're still in the concept and design phase to add cultivation and some more sophisticated processing equipment. And that I completely expect to have our plan currently is to use the cooler manufacturer that does all the stuff. They provide us with great designs and all that kind of stuff for your review. However, that process needs to proceed in spring. The state is very concerned about local municipal involvement to make sure that you're happy with us and you know we're there.

I have an obligation to provide documentation to them before I can assume start operations and say Rotterdam is okay with what we're doing. That's really what brought all of this about.

Ms. Scannell: So, walk us through the process of how product processing occurs. The plants are being grown. What are those?

Mr. Kostyn: We can purchase product from any other cultivator in the state. And until we get phase two (2) done that's the mode we're going to be in. Until we have spun up our own cultivation we'll be purchasing product from others. And the processing there is very manual. So, you take big plants and make them into little plants by trimming. If there's a machine involved it's way smaller than a washing machine. A tumble trimmer.

Mr. Comenzo: So, phase one (1) you're just going to have a couple tables and people trimming?

Mr. Kostyn: And labeling and putting product in packaging.

Mr. Comenzo: And drying?

Mr. Kostyn: Drying is done elsewhere. In my description having a real state of the art drying system is part of phase two (2). So, drying it has to be dry before it comes to us given the geographic separation of where the plants are grown. We have to dry them in Washington.

Ms. Scannell: So, I just product processing. So, you're putting product into bags ready for sale. You're not making gummies.

Mr. Kostyn: Not yet, that will be phase two.

Ms. Scannell: And we want to just really right now focus on phase one (1). So, you have dried marijuana plants that will come to you and then you're just putting that in the bags.

Mr. Kostyn: Basically, yes.

Ms. Scannell: That's fine. So, the processing, you're not using butane. You're just trimming.

Mr. Kostyn: Yeah, exactly. And there is a processing for concentrates that involves water and sieves. So, it's again a very manual process without any we don't think we'll ever do extraction that involves solids. So, we can clearly as we move forward state that we aren't doing solids or hydrocarbon extraction because it's dangerous and really expensive. Just to spin up that machine is a million bucks. So, if we want those products, we'll get them from someplace else.

Ms. Scannell: In your new building that you built, what is how is odor controlled?

Mr. Kostyn: It's airtight. It's awesome. And everything you hear about from other communities or the real problems with odor comes from hundreds of plants right after harvest. So, the really obnoxious pungent odor right after it's cut until it's dried in here. And that's happening elsewhere. It's really not that disgusting. And at the end of phase two (2), each room will have a carbon filter in it. Each room is going to be picture it, it's almost like a clean room where HVAC humidity air quality and filtering is all done within that space to make sure the ladies are happy.

Ms. Scannell: So, any neighbor in the vicinity, they're not going to smell anything. Nobody's going to smell anything.

Mr. Kostyn: Nope. In fact, we have a facility in Washington County which has several hundred plants in it at a time. If you're standing at the door, you can smell it, but you can't even smell it on the property.

Ms. Scannell: How many employees do you think you'll be having?

Mr. Kostyn: I know that septic is approved for five (5) as a conservative level, and that would probably have to be a staff meeting to have five (5) people there. Two, (2) maybe three (3) can produce a lot of stuff. So, we're aware of the limits of the design and I honestly can't see that happening any time with it. If heaven forbid business is so great, we have to come back and talk to somebody we will.

Ms. Scannell: Do you plan on having what are your plans for security? I mean, it's a valuable commodity.

Mr. Kostyn: We have very detailed requirements by the state. Monitored alarm, camera system backs up for 60 days. Every entrance and exit has to be where cannabis can be moved has to be on camera. And the monitoring system, there has to be a third-party answer when the alarm goes off. Very strict requirements from the state.

Ms. Scannell: So, since you're not using butane or any of those things, I mean, how do you have concerns about, do you need fire suppression for anything? Do you have smoke detectors?

Mr. Kostyn: Well, I think the basic occupancies, smoke, CO, fire extinguishers at exits, whatever a typical workplace would involve, but we have no requirement for fire suppression. It's not, again, we're going to be solventless, so there's nothing flammable in there other than unless you...

Ms. Scannell: Well, yeah, I can understand that. And we probably would like to see some better interior layout.

Mr. Kostyn: That's really a taste, too, to be honest. The design of the clean room and all that kind of stuff, we're in that process of specing all of the... Right now, it's wide open. There's two (2) overhead doors, two (2) doors, and a window.

Ms. Scannell: And that's good. It's fine like that. Their job is just going to be they're separating bud from stems and whatever.

Mrs. Flansburg, questions, comments, concerns?

Mrs. Flansburg: All of that. Just in that you keep referencing phase one (1) and phase two (2), I'm just thinking process-wise how that works for this board. What does that look like? Are we only being asked to do anything to do with phase one (1), and then when you're ready to progress with phase two (2), this starts again like it's an entirely new project?

Mr. Kostyn: I'm perfectly fine with that.

Mrs. Flansburg: Is that what your expectation is, and is that how it could work? I would hate to think... Well, I'm thinking you get approved, we'll say, for argument's sake, for phase one (1). What prevents you from going through with phase two (2) without our involvement?

Mr. Kostyn: I know I'm not well-known here, but I retired as a department head from the Town of Colonie, so I get...

Mrs. Flansburg: This side of things.

Mr. Kostyn: Yes, the last thing I would do is misrepresent and then have to face the consequences. It's just my word.

Ms. Scannell: I think Mrs. Flansburg does ask a question. It would be overly ambitious and silly of us to approve even this much of phase two (2), because there's way too many questions. I think most of us...

Mr. Kostyn: I still have them.

Ms. Scannell: Most of us up here are still going, oh, there's a bunch of people sitting at a freaking table. That's a whole lot different, I think, than most of us probably were figuring. I would say for purposes of this conversation, I would like to keep tonight only about phase one (1). Any action or anything that we do is only going to be for phase one (1) of your proposal.

Mrs. Flansburg: I agree with that. Thank you for the clarification.

Ms. Scannell: Mr. Signore?

Mr. Signore: Okay, so I understand that you are receiving dried plants? They're dried someplace else. Okay, and then someone is going to trim the leaves.

Mr. Kostyn: Yes.

Mr. Signore: Okay. Where does the scrap go?

Mr. Kostyn: That's part of our plan. It has to be removed and either shredded or buried. Or shredded and buried.

Mr. Collins: But not on site?

Mr. Kostyn: No.

Mr. Comenzo: The state tracks all of that?

Mr. Kostyn: We have to report to the state where our composting location is.

Ms. Scannell: We had people come in that wanted to do Halal chickens. Again, it's kind of new to us. We had a lot of questions about all the chicken blood had to be taken off site because it's license has... This is a lot like the chicken chops. So, you're following procedures that are, by the sounds of it, pretty rigorous, pretty stringent and there's a lot of oversight?

Mr. Kostyn: Yes. Subject to inspection by the state without notice. The oversight from you guys, as long as you're willing to support business and make sense, it's a no-brainer.

Mrs. Flansburg: So, your product comes from somewhere else to this facility and then you do... That's all we're talking about today. You do your thing to package it and then everything gets taken from site to somewhere else to sell it or do whatever another step is.

Mr. Kostyn: Let's be clear. Scrap has to go elsewhere.

Mrs. Flansburg: And then the end product.

Mr. Kostyn: In part of our license is secure storage of the product in this building. So, a cage with the covered by cameras, the whole nine yards for product ready to be distributed either to our retail location or other retail locations throughout the state.

Mrs. Flansburg: That are purchasing from you to be able to sell.

Mr. Kostyn: Yes, so, there will be a cage, a safe something there.

Mrs. Flansburg: But likely you wouldn't want to hold it long because you're going to want to be selling it.

Mr. Signore: So, somebody processes it after you though, right? I mean, you've got leaves in a bag.

Mrs. Flansburg: No, they're selling it. No, that's the end product.

Mr. Kostyn: Yeah, so the finished product goes for sale and all of the remnants go either into other products or compost.

Ms. Scannell: So, it's like, I mean, basically it sounds Mr. Signore, that they're looking for the choice buds are going into the packages. And the rest could serve a useful purpose somewhere else.

Mr. Kostyn: We're actually going to make pre-rolls here. It's a little shaker machine with a bunch of little tubes that ground cannabis goes into. But again, that's one maybe two-person job sitting at a table with 110 full outlets. This is not dangerous.

Ms. Scannell: This is like clipping the green beans before you do the canning.

Mr. Kostyn: Exactly.

Mrs. Flansburg: Why everything so far apart? Just because of the newness and limitations? Cost?

Mr. Kostyn: Money.

Mrs. Flansburg: Okay. I should have asked. Money.

Mr. Kostyn: At the end of this, there's going to be a million dollars' worth of equipment in there and we want to grow that funding organically rather than go to somebody that's going to want half the company and whatever. Six months from now, we'll have the money to do the design and order the freestanding structures inside which is when we'll have to come back and talk to you guys when we get that design.

Mrs. Flansburg: And this building fits the future growth?

Mr. Kostyn: Yeah. For at least half of our license. There might be another one (1) a year from now, two (2) years from now, just like it does the same thing to maximize our license. This is actually great.

Mrs. Flansburg: Do you have other buildings like this?

Mr. Kostyn: We are when we transitioned from the cultivator license to this micro business license and we chose Troy as our retail location, everything has to move within 25 miles of our Troy location. So that's why we're relocating.

Mrs. Flansburg: Okay. Is your Troy location near Browns, by the way?

Mr. Kostyn: It's directly across the street from Ryan's Wake.

Mrs. Flansburg: We try to go to Browns, we ended up at Ryan's Wake, and my son pointed out the place across the street. Literally we were just there Saturday. Never go to Troy, ever. Ten (10) times, probably.

Ms. Scannell: Mr. Miglucci.

Mr. Miglucci: Are the pre-rolls part of first phase?

Mr. Kostyn: Yes.

Mr. Miglucci: So, there's nothing to it, right?

Mr. Kostyn: Nothing to it. It's a...

Mr. Miglucci: You're not doing any tinctures, any edibles, nothing like that yet?

Mr. Kostyn: We can blend tinctures. And that's just literally a blender. But we won't do any of the extraction or any of that kind of stuff. We have other processors that are going to do that for us currently until...

Mr. Miglucci: And you have no plans of ever having a retail window at this location?

Mr. Kostyn: No.

Mr. Miglucci: You're not going to sell retail out of that?

Mr. Kostyn: It doesn't make sense to me. I know if we could I just don't think it's a good spot.

Mr. Miglucci: You said you're out of Washington County. Is that where you're coming from? The product is coming from Washington County?

Mr. Kostyn: Yes.

Mr. Miglucci: It's not Jim Belushi's farm, is it?

Mr. Kostyn: No.

Mr. Miglucci: Yeah, I heard he purchased a lot up there. That's all I have.

Ms. Scannell: Thank you. Mr. Calder, questions, comments, concerns?

Mr. Calder: No, not really. I know this is just beginning, so we're all learning. I know that item number four (4) under the DPW comments is an important one. We haven't got too much information yet, I don't think.

Mr. Kostyn: I haven't seen this.

Mr. Calder: You haven't seen the DPW comments?

Ms. Scannell: So, applicant wanted to provide information to the Planning Commission concerning water use, wastewater, parking, lighting, security, fire suppression, and odor control. So, we did hit on fire suppression, right, at this time. We don't need it. Odor control, not a lot of odor, airtight building, security sounds like.

Mr. Kostyn: OCM (Office of Cannabis Management) has rules.

Mr. Calder: Don't we have to verify this stuff?

Mr. Comenzo: Here's where we're at, I guess, with this application. It came in as a waiver of site plan review. From the sounds of it, it's really two (2) phases. The first phase, I think, they're looking for approval for just what was discussed tonight. And that would really be up to the board as to whether they would be comfortable in approving something tonight for phase one (1) and then have them come back for phase two (2) when they want to actually go into regular production. This would be just from what the sounds of it, it's just packaging.

Mr. Calder: So that means that item four (4), Peter, we're not really concerned with that.

Mr. Comenzo: Well, you know, I think when you jump to phase two (2), it's a completely different animal. You're talking about potential for machinery and other things that, you know, fire hazard, odors, those type of things.

Mr. Calder: You could say it's the odor control and it's a sealed building.

Mr. Comenzo: You know, the layout, too, in terms of how this...

Mr. Calder: No, that's really in an area that's not too...

Mr. Kostyn: Yeah, there's one residence on the street.

Mr. Calder: I really don't have anything else other than that.

Ms. Scannell: To Mr. Calder's point, I know that you're getting an awful lot of oversight from the Office of Cannabis Management or the Ministry of Cannabis or whatever we call it. What do they say about odor control? Is that something they test to see the airtightness of your building or...

Mr. Kostyn: No, that's actually not specifically included in the guidance, but, you know, I know it's tough to look at me and say, honestly, if there's a problem, let me know. But that's...

Mr. Calder: Well, really, it's the people that are going to go to the licensing bureau that live down the street or something. They're going to come to us and say, how can it not improve this?

Mr. Kostyn: Knock, knock, knock. Hey, it stinks. Yeah, I think that...

Mr. Calder: But after you're up and running, what are you going to do about it?

Mr. Kostyn: We want to be good neighbors.

Mr. Calder: I know, I know. I'm just saying.

Ms. Scannell: Well, and I think Mr. Calder has a fair point. I also feel that because we are only willing to entertain Phase 1 tonight, that if you are not good neighbors, Phase 2 is not happening. And I think we're all on the same page with that.

Mr. Calder: That's good.

Mr. Kostyn: I hear you loud and clear.

Mrs. Flansburg: I think that's fair.

Mr. Calder: Thank you.

Ms. Scannell: Thank you. Mr. Collins?

Mr. Collins: I have one question. You have a store in Troy. So, you're going to take this and go to Troy with it. There's a lot of places between here and Troy. Why is it such a distance when you can... You know what I'm saying?

Mr. Kostyn: It's a stunningly perfect building. Brand new construction. It's perfect. We looked in Albany. We looked in Green Island and found warehouse things that were built 80 years ago. Dust. Packaging control is a huge thing in cannabis. So, the fact that it's brand new, airtight, never had you know, pigeons or any of that, mice, any of that kind of stuff in it is huge from our...

Mr. Collins: I was just curious because 20 miles is a lot of places you can... It just struck me a little not odd, but because of the distance.

Mr. Kostyn: Someday when we have the money, we might build one closer. But this is perfect right off 88.

Mr. Collins: Alright, I get it.

Mr. Kostyn: It's a gem.

Ms. Scannell: It's a corridor, that's right.

Mr. Collins: I just had to ask, that's all.

Ms. Scannell: No, that's good. Attorney Valiquette, questions, comments, concerns?

Mr. Valiquette: Do we know what this parcel, do you know what this parcel is zoned as?

Mr. Comenzo: Light industrial.

Mr. Valiquette: Light industrial. I mean there is code for owners in light industrial areas, so I mean obviously if the board does have any concerns that could be an area of code enforcement. So that's just something for the board to be aware of as well. Just take a look at that.

Mr. Kostyn: So, you can reach that.

Ms. Scannell: As you probably know, we have I'm going to talk briefly about phase two (2). We don't really have cultivation code. We're kind of like fish out of water a little bit here and as a town we need to work on developing code. What have you seen in other towns? What are your thoughts on and what is the Ministry of Cannabis offering as far as indoor cultivation benchmarks and just interested to hear your perspective.

Mr. Kostyn: There are actually a ton of benchmarks both in power and water consumption. I have to report all of that quarterly and an annual report. They do keep an eye on how friendly we are to the environment and all of that sort of stuff. And there are best practices. We're using very expensive aeroponic equipment and they have white papers on how to construct these. If anybody wants to read them by all means, I'm happy to share them as to how to design facilities.

So, we need that 20 grand design cash in hand to be able to come back to you with a cogent here's what it's going to look like.

Ms. Scannell: Sounds good. Does anybody Peter, questions, comments, concerns, something I haven't thought of?

Mr. Comenzo: I guess I was just curious as to what the board's thoughts are in terms of the next step.

Ms. Scannell: So, I would entertain a motion for a waiver on phase one if anyone would like to make that motion.

Mr. Miglucci: I'll make a motion.

Mrs. Flansburg: I'll second. If it's specific to phase one.

Mr. Comenzo: Well, and you know, I just took a couple notes here in terms of potential conditions of approval that this would be explicitly for the first phase only and that you would have to come back for the second phase. It would just be for processing. No retail sales would be permitted. So, it's just trimming and bagging and also pre-rolling.

Ms. Scannell: And something about tinctures.

Mr. Kostyn: Yep. So, if you just use solventless processing, that's kind of the phrase that says solventless. That's the phrase that says no chemicals. So that it covers everything else. If you want me to give you a list of all of the things that are included, a little expounding a little bit.

Mr. Comenzo: Yeah, that would help to at least have that in there. I think it would probably give a little bit of comfort to the building inspectors too as they move forward for the occupancy. Scrap would be taken off site and disposed of.

Mr. Kostyn: Absolutely.

Mr. Comenzo: Per Office of Cannabis Management.

Mr. Kostyn: Yes.

Mr. Comenzo: And drying is prohibited in phase one.

Mr. Kostyn: Yeah, sure.

Mr. Comenzo: Because that would really be the concern for the voters at that point in time. So, no drying of the product. It would have to come dry.

Mr. Kostyn: No problem.

Mr. Comenzo: And then also I guess if we receive any type of odor complaints that they would be addressed immediately.

Ms. Scannell: Yeah, so we do have Steve has weighed in that we do have code for that. All right, so I have a motion. I have a second. With the conditions, Marlo, could you please call the roll?

Ms. Carter: Mr. Collins?

Mr. Collins: Yes.

Ms. Carter: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Ms. Carter: Mr. Calder?

Mr. Calder: I'll say yes based on phase one. Period. Because obviously DPW put these conditions in there for a reason and I don't understand about addressing them later. Yes, for now.

Ms. Carter: Mr. Signore?

Mr. Signore: I'm going to have to vote no because I really don't have an understanding, enough understanding in this issue to vote yes. So, my vote is no.

Ms. Carter: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Carter: Ms. Scannell?

Ms. Scannell: Yes.

Mr. Kostyn: Thank you all.

Ms. Scannell: Thank you for choosing Rotterdam.

Mr. Comenzo: Are you going to send me the list?

Mr. Kostyn: I will. Tomorrow, hopefully. Are you in?

Mr. Comenzo: Yes. All right.

Mr. Kostyn: I'll get it to you ASAP.

And then is it an inspection or it will be a letterhead kind of thing for me to get to?

Mr. Comenzo: You'll get a resolution from the town for the approval and then you'll have to come in for a building permit. It's pretty much a certificate of compliance. So come in and make sure that your setup is compliant first.

Mr. Kostyn: Thank you all.

Ms. Scannell: Thank you very much.

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"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 PC56-2024
Moved by Mr. Miglucci seconded by Mrs. Flansburg
Applicant: Misty Bleu Farm, LLC

WAIVER OF SITE PLAN REVIEW

Date: November 7, 2024

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 (Lessee)

Attn: Chris Kostyun

ADDRESS: 400 River Street – Floor 1

Troy, NY 12180

PROJECT ADDRESS: 3350 N. Thompson Street, Rotterdam, NY

APPLICANT IDENTIFIED AS: Owner ☒ Lessee ☐ Contract Vendee ☐

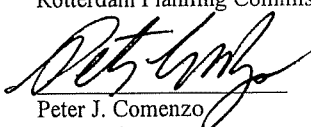
REQUEST: The applicant requests a Waiver of Site Plan to operate an indoor cannabis cultivation & processing facility in existing $\pm 5,030$ square foot building on a ± 0.3 -acre parcel.

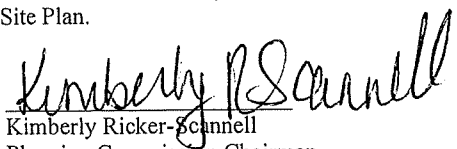
Action Taken by Commission:

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 shall 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 shall obtain NYS Office of Cannabis Management approval and provide documentation to the Building Inspector/Code Enforcement Officer prior to operation.
4. Owner/applicant shall install Knox box for emergency personnel. Please contact Fire District #6 for specifics.
5. Approval is for trimming, solvent-less processing (tincture), and packaging only. No cultivation, drying, or chemical processing is permitted on-site.
6. No retail sales are permitted.
7. If complaints are received regarding odors at the facility, the applicants shall immediately address the issue and comply with any orders or remediation by the Building Inspector/Code Enforcement Officer.

The Commission action on the Waiver application took place at the Planning Commission meeting of November 7, 2024 and authorized the Commission Chairman to execute the Waiver. The issuance of this Waiver is contingent upon the applicant complying with all conditions as stated above. Failure to adhere to conditions may result in revocation of Waiver by the Town of Rotterdam Planning Commission and requirement of a full Site Plan.


Peter J. Comenzo
Senior Planner


Kimberly Ricker-Scannell
Planning Commission Chairman

3. GDPL Ville Rotterdam, LLC (Contract Vendee) – 900 & 880 Duanesburg Road. Updated Site Plan/Special Use Permit Review for a ±102,725 square foot BJ's Wholesale Club with associated 8 island fueling station at 900 Duanesburg Road and a ±2,300 square foot retail building with associated drive thru. Engineer: ABD Engineers & Surveyors.

Mr. Palleschi: Thank you. Thanks again for putting us on tonight. I know we discussed a little bit with staff last Friday.

We appreciate you putting us on so that we can give the entire board an update here. So, a lot of the building obviously same size, same intent, BJ's, the pad site in the front, we still don't know what that is, but that will have a drive-thru here. The entrance to the site from Route 7 stayed in the same location.

What took us so long was working with Army Corps. The previous plan where the gas station was up in this corner facing I-88, that required an individual permit, and with working with Army Corps, they actually advised if we can stick to a nationwide permit. What that is is disturbing less than a half an acre of wetlands because individual you'd have to mitigate, and it's more complicated.

So, when Army Corps looked at this again, they said, well, is there another solution? And we said, well, if we went with the individual permit, or the nationwide permit and disturbed less than a half an acre, we'd have to move the gas station. So that's the biggest change from what this board has seen. We had to rotate the gas station.

It's the same size, 16 pumps, same in and out like we had over here, but now it's fronting Route 7. We had some conversations again last Friday about the relocation of that gas station, and if you'll notice on this revised plan, we are looking to install street trees to help soften the new location of this gas station. We'll put several low-lying shrubs along and around the gas station itself, and we also scattered a few more trees, deciduous trees, throughout the site, even in some of the island areas to give the parking lot some shade areas. With this new design, the parking lot obviously changed a little bit.

The general layout is the same, I call it sort of L-shaped, providing the best situation because of the breezeway at the corner of the building, but we did lose a few parking spaces. We're at just about 500 parking spaces versus I think I forget what we had before, but it was a little more than that, right? So, we've talked to BJ's. BJ's has a number as well.

So, like if you look at town code, they require six (6) spaces per thousand, which is very excessive. BJ's has sort of a number four (4) and a half (1/2) spaces per thousand, and we've actually met that, but where we're short really is when you look at the overall plan, but again, I feel like 500 parking spaces for something like this is excessive, right? I don't think we need it. I mean, it'd be great if all of those parking spaces were full. BJ's would be even happier.

With that said, we would need this board to waive the number of parking spaces. I know we've talked about it before. We looked at maybe banking some spaces too, but I think rather than banking them, we keep it to a smaller number, and we've added additional parking. I think the plan that some of the members saw on Friday, we actually had like an overflow parking lot in the front, and we removed that, and we were able to get some more spaces back in this corner, away from Route 7, and if you recall too from the original plan, I had stormwater along the entire front, so a quarter of that maybe got removed because of the gas station, but I still intend to put the same stormwater practices in the front, and with this change, I had to add a couple more smaller areas throughout the site to make the stormwater work, and obviously meeting New York State DEC stormwater requirements. Another thing that we did was we added a sidewalk along the main entryway, and you'll see you can follow it right from the BJ's building with some crosswalks near the drive-thru pad, and then we crossed it over right at this first intersection, and along the east side of the main driveway, and then we hooked it to the property line heading east towards Schalmont Schools.

We had some conversations again last Friday with some members, and we certainly want to provide it on our site for the future connection. We've been talking with DOT. We're at, I believe, the stage 3 level where they're ready to issue a permit, but they can't issue a permit until SEQR is completed.

BHB is the consultant on all the traffic side of things, and they've submitted all the stage 1, 2, and 3, and there's been some comments from DOT. We've made the revisions along with BHB, and my understanding is they're ready to issue permit when time comes, so DOT's out of the way. DEC, as far as the wastewater treatment plant, I know we've talked about that between this board and the Town Board. This treatment plant that is being installed is a pretty sophisticated system where after it's treated, it will discharge into one of our stormwater practices, but at that point it's probably cleaner than the stormwater runoff.

Mr. Signore: Would you drink it?

Mr. Palleschi: Would I drink it? Maybe.

Ms. Scannell: I was actually thinking in my mind, too, so there was a meeting with the school and that whole DEC thing today, and I think we've had a meeting of the minds. I think that's the best way to put it, that DEC, you know, obviously they're going to be coming from a place where they want to cover their bases, and they want BJ's to be covering their bases, and the school has to be able to cover their bases. I think everybody's covered. It seemed like a very good meeting. Peter, do you want to comment at all on that?

Mr. Comenzo: Other than it was pretty productive, I think Kim kind of hit the nail on the head. It was a lengthy discussion, I think, but I think we all, at the end of the call, I think we're where we need to be.

Ms. Scannell: The superintendent was smiling and nodding, and the DEC people who were going worst case scenario and best practice, of course they were, and that's okay, right? That's their job. But everybody was kind of happy at the end. So, I think we're in a very good place with DEC.

Mr. Palleschi: Excellent.

Ms. Scannell: And the school with that issue.

Mr. Palleschi: Good. So, I printed out the DPW comments for today. If you want, we could go back to the April 2nd comments, but a lot of these comments have been addressed. I'm looking at number 9 where there's an access easement to the adjoining Mohawk Valley Library. There's a note on our plan right at this intersection where we felt was the best location if there ever was future development to the east that that would be a good connection point. So, number 9 should be resolved.

What else? The bollards around hydrants and the fire district comments. We actually met with the fire district, and they were happy with our locations of the fire hydrants and putting bollards around those hydrants. No problem. We'll certainly do that.

DOT we talked about.

That's some good news on Schalmont, it sounds like. So that's good. And the trees.

We appreciate you allowing us to give you this update. This is an opportunity for the board to ask any further questions. Our goal at this point would be to get to the Town Board. We've got a change of zone here. We feel that we are heading in the right direction especially with the Army Corps stuff and DOT. So as soon as we can get on the Town Board to continue that. And we're working on all the technical stuff with your TDE, which we've always worked out those comments. So, it's an aggressive schedule that they're looking for here. BJ's is really excited and looking to break ground as soon as possible. So, anything this board and the Town Board can do to move forward would be greatly appreciated.

Ms. Scannell: Well, we are very excited and are also looking forward to BJ's being able to break ground as soon as possible. I think our meeting with the new Town Board members bringing them up to speed was a great benefit. I think that you did a beautiful job with the plans. The feedback from all the different folks have definitely been addressed. I'm going to open it up just so we can get some feedback.

I think it looks great. Thank you for your efforts. I think it's going to be a very nice asset to our community.
Mr. Calder?

Mr. Calder: I like the change and I like the project so I'm looking forward to moving also. That's all I have to say.

Ms. Scannell: Thank you. Mr. Collins.

Mr. Collins: I like where you put the gas pumps. I think it works. I've got one important question for you. I think it's a great project. I look forward to BJ's coming because that other store is getting a little whatever. I can get on the thruway and get off and get here and I live on the other side of town. I think it's a great project and I'm looking forward to you breaking ground and moving forward.

Ms. Scannell: Thank you. Mrs. Flansburg?

Mrs. Flansburg: I am very excited for this project. I love the movement of the fueling station. I was a little concerned with it but figured it would all work itself out, but it has a much better flow to it. I'm looking forward to moving your project along as well. I think it's a great asset to the community. Thank you.

Ms. Scannell: Mr. Signore?

Mr. Signore: I'm not concerned at all with the parking. I think like 500 spots. My wife and I go to BJ's quite a bit and I've never seen like 500 to 700 people in there. It would be great if it was. So that's not a concern. BJ's is a good neighbor. I see them as Stewart's. They're always willing to do the little extra. I do have a concern about the kids crossing Route 7 to go there. There was some concern about a crosswalk and lighting. Is BJ's okay with all of that?

Mr. Palleschi: So that came up in discussion and we're actually considering and discussing that right now. We don't know what the cost of that is, so we got BHB on it looking at what those crosswalks cost and the pedestrian crossings. It is an existing concern right now. If BJ's comes or goes that concern is still there. But it is something that they're heavily considering some option there. We'll report back on that.

Mr. Signore: I mean it's just I don't see it as for a company the size of BJ's is that a major expense for this project.

Ms. Scannell: I think that BJ's, Mr. Signore, I'm sorry to interrupt but my understanding and again it's very limited understanding is that BJ's is making an effort to be a very good neighbor in that department, and I think that they might be working directly with our legal team right now. So, I think that there is some consideration coming for that. I know that there were members of the Town Board that had expressed some interest in the exact same thing that you're bringing up and at the end of the day that's who this will lie with.

Mr. Signore: I don't question him being a good neighbor at all, but I'm concerned for the kids crossing Route 7. Going there for whatever reason. Kids out here going to play all that whatever and they're going there for a reason and never say never. You know what I'm saying? That would be a concern, the safety of the kids from Schalmont.

Ms. Scannell: I appreciate that. Thank you. Mr. Miglucci?

Mr. Miglucci: The only question I had Luigi was on the new place for the gas station. Will a car and a boat, car slash camper will be able to swing around that corner to get out?

Mr. Palleschi: Yeah so we showed a turning movement of a car. I think if you do have a boat or a trailer you will pick kind of a pump further away from this 180 degree turn but that is set up to comfortably maneuver a larger vehicle. We can throw a turning template for a trailer right at that spot, but I think what you're going to find is anybody with a boat or trailer is going to want to stay to the right pumps.

Mr. Miglucci: That was a question that Mark had and he's not here.

Ms. Scannell: Mr. D'Alessandro and I appreciate you bringing that. I think the turning template is probably not a bad idea.

Ms. Scannell: Are you going to, is BJ's going to be having diesel fuel?

Mr. Palleschi: I don't think so. They will.

Ms. Scannell: Or maybe yes.

Mr. Miglucci: Just for cars though right?

Mr. Palleschi: Yes.

Mr. Miglucci: You're not going to have tractor trailers going in there, right?

Ms. Scannell: Peter any questions or comments?

Mr. Comenzo: No, I think this is probably because I know we wanted to get this in front of the Planning Commission because there's been a lot of work kind of behind the scenes and technical comments from our TDE. We did as was mentioned before we did meet on Friday with the two (2) Town Board members who were not on the Town Board when the public hearing was held back in September and brought them up to speed on the project.

We're working through the couple issues that we had with I think it was to complete SEQR, so I think we're in pretty good shape. There I have to have some discussions with Luigi and Mary Beth, but I think the next step in the process is going to be to schedule this for the Town Board.

Ms. Scannell: When do we think that we'll be able to do that?

Mr. Comenzo: I'd have to look at their schedule, but I think as soon as we can get some information. I can't answer that right now. Part of it is going to have to be to wrap things up with a couple outstanding issues that were discussed earlier with the board members. I haven't had a chance to discuss anything regarding the pedestrian improvements that was brought up by Schalmont and also some of the Town Board members. Today we made progress with the DEC and the school on what they were looking for and then the wetland issue I still think we just need to kind of wrap that up a little bit.

I did have a conversation with the Army Corps of Engineers on that so I think we're in pretty good shape.

Ms. Scannell: So, do we think we're in a place conservatively that what are we on November 7th? One of the December meetings? We can have eyes on this for sure.

Mr. Comenzo: Part of this was really looking to see how we can move this forward because like I said a lot of it right now is the engineering. I think Luigi has to get into the engineering because up till yesterday we were still moving things around in regard to storm water and then also we wanted to make sure that the Planning Commission was okay with the relocation of the canopy, and they've made some tweaks to that.

I think I said that it's kind of a work in progress. I think now that the Planning Commission is comfortable with this final layout I think Luigi could probably finish off the engineering and then we could also look at finishing up the SEQR, kind of checking off what we need to take care of on the environmental end to get this back in front of you, getting back in front of the Town Board and then the Planning Commission.

Ms. Scannell: I think that's a good goal to be on a December meeting?

Mr. Palleschi: We appreciate that, and I always offer it too, right? Sometimes a board may do a special meeting if you find the need for it. So just keep that in the back of your minds if there's a possibility there.

Ms. Scannell: Absolutely. We absolutely will. Teri and Ron are very excited about this. I know everyone on the board is, but I know after we left the meeting the other day, they're very excited. We're all very excited. I'm glad that and I think that everybody likes it.

Mr. Signore: The location, I mean, you've got the Thruway, I-88, Route 7. You couldn't have a better location for this type of thing. People stop there real quick. You've got three (3) main arteries.

Ms. Scannell: And we're very, very, very happy that BJ's is staying in Rotterdam.

Mr. Palleschi: Great.

Ms. Scannell: Hopefully the next time that we see this, it's going to be after the Town Board meeting. It'll be a final. We thank you all for being here tonight as well.

Mr. Palleschi: Have a good night, everyone. You too. Have a good night, too.

We're back to our old tricks on Tuesday night. We'll see you all in 12 days. I would entertain a motion to adjourn.

Mr. Collins: I will make the motion to adjourn.

Mr. Miglucci: I'll second it.

Ms. Scannell: All in favor?

Planning Commission Members: I.

Meeting adjourned at 8:56 p.m.

Respectfully Submitted,

Marlo L. Carter
Planning Commission Secretary