

**Town of Rotterdam
Planning Commission
May 5, 2026**

Workshop (V. Dalton Bambury Hearing Room 2nd Floor) 7:00 pm

Waiver(s):

1. **Carrols Corporation, LLC – 98 W. Campbell Road.** The applicant requests a Waiver of Site Plan review to remodel the existing Burger King Restaurant including: ADA compliance and pedestrian accessibility, parking lot resurfacing and restriping with 50 spaces and two (2) ADA compliant spaces, repairing dumpster enclosure, redesigning landscaping, replace signage, updates to drive-thru, and exterior façade remodel to current corporate standards on a ±1.08-acre parcel.

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

Approval of the Summary of Minutes April 21, 2026

1. **Ridgeback Hospitality, LLC (Contract Vendee) – 1809 - 1813 & 1821 Altamont Avenue & 1660 Elizabeth Street.** Final Site Plan/Special Use Permit/Consolidated Subdivision Public Hearing for a ±2,400 square foot quick serve restaurant and a ±531 square foot coffee shop both with a drive-thru on a ±48,344 square foot consolidated parcel. Engineer: Bohler Engineering.
2. **JGFP, LLC (Lessee) – 2544 Guilderland Avenue.** The applicants request a Waiver of Site Plan review to operate a tavern and restaurant in an existing ±2,634 square foot building on a combined ±0.33-acre parcel.
3. **Bulldog Auto, LLC (Lessee) – 1105 Mitchell Road.** Revocation of Site Plan & Special Use Permit approvals from May 6, 2025 due to non-compliance. Surveyor: Christopher J. Meyer.
4. **Town of Rotterdam** – Report and Recommendation to the Town Board for a proposed amendment to Section 270-214.1 of the Rotterdam Town Code (Battery Energy Storage Systems) – GE Vernova Campus Exception.

Workshop (V. Dalton Bambury Hearing Room 2nd Floor) 7:00 pm

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WAIVER OF SITE PLAN REVIEW

Date Reviewed: May 5, 2026

PC2026-W21

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

APPLICANT: Carrols Corporation, LLC

Attn: Joshua Bazis

ADDRESS: 968 James Street
Syracuse, NY 13217

PROJECT LOCATION: 98 W. Campbell Road

APPLICANT IDENTIFIED AS: ☒ Owner ☐ Lessee ☐ Contract Vendee

REQUEST: Waiver of Site Plan review to remodel the existing Burger King Restaurant including: ADA compliance and pedestrian accessibility, parking lot resurfacing and restriping with 50 spaces and two (2) ADA compliant spaces, repairing dumpster enclosure, redesigning landscaping, replace signage, updates to drive-thru, and exterior façade remodel to current corporate standards on a ±1.08-acre parcel.

Action Taken by Commission:

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

Conditions imposed, if any, are as follows:

1. Approvals are contingent upon compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Building Permit and be issued a Certificate of Completion from the Town of Rotterdam Building Inspector/Code Enforcement Officer.
3. Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.
4. Owner/applicant shall install Knox box for emergency personnel. Please contact Fire District #7 for specifics and add notes to general notes, site layout, and detail sheet.
5. Owner/applicant shall install new water meter on the service connection (Neptune MACH 10 radio read meters with pressure sensing option). Check with DPW for specifics and add notes to general notes, site layout, and detail sheet.
6. All work shall be in substantial conformance to the plan sets entitled "Burger King Remodel CC#584, BKC#11266 Permitting Set" as prepared by GPI and dated 4/17/26 and the Site Improvement Plans entitled "BK#11266 WHOPPER CO. Proposed Landscaping Renovations" as prepared by Stonefield Engineering and Design dated 4/24/26.
7. Existing grill creates a large amount of smoke during the cooking process and has generated complaints to the Town. Applicant should replace the grill with high efficiency model or install catalytic converters on existing to reduce emissions.

The Commission action on the Waiver application took place at the Planning Commission meeting of May 5, 2026 and authorized the Commission Chairman to execute the Waiver. The issuance of this Waiver is contingent upon the applicant complying with all conditions as stated above. Failure to adhere to conditions may result in revocation of Waiver by the Town of Rotterdam Planning Commission and requirement of a full Site Plan.

Peter J. Comenzo
Senior Planner

Lynn Flansburg
Planning Commission



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

RECEIVED

APR 27 2026

TOWN OF ROTTERDAM
PUBLIC WORKS

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

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

PRESENT OWNER(S): Carrols LLC

APPLICANT(S)/LESSEE: Jashua Bazis

MAILING ADDRESS: 968 James St

CITY: Syracuse STATE: NY ZIP: 13217

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

PROJECT ADDRESS: 98 W Campbell Rd, Rotterdam, NY 12306-6847

APPLICANT IDENTIFIED AS: Owner ☒ Lessee ☐ Contract Vendee ☐

REQUEST: Remodel of Burger King restaurant to current branding standards. Site improvements include: milling, overlay, and restriping of the parking lot, updates to ADA parking spaces for compliance, repairs to dumpster enclosure, new wayfinding signage, and new landscaping.

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

SIGNATURE OF APPLICANT Joshua Bazis DATE 4/23/26

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

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

04.24.2026

Via Email

Peter Comenzo, Senior Planner
Town of Rotterdam
1100 Sunrise Blvd.
Schenectady, NY 12306
pcomenzo@rotterdamny.org

RECEIVED

APR 27 2026

TOWN OF ROTTERDAM
PUBLIC WORKS

Re: **CC#584 BKC#11266 Burger King Remodel - Rotterdam, NY**
Waiver of Site Plan Review Application

Dear Mr. Comenzo,

Greenman-Pedersen, Inc. (GPI) on behalf of the Carrols Corporation LLC is submitting the subject project for a Waiver of Site Plan Review. The Waiver of Site Plan Review Application Package has been completed, and the following materials are attached to this letter and digitally included on the USB as official submission.

1. Waiver of Site Plan Review Application
2. 2 copies of the Site Plans (24x36)
3. Title Report and Deed are included on the USB only due to being 300+ pages

Additionally, the Architect has identified they will be submitting the Building Permit Application package shortly, and the \$100 application fee will be arriving under separate mailing.

Project Narrative

The proposed project is located at 98 West Campbell Road in the Town of Rotterdam, at the western corner of the intersection of West Campbell Road and Putnam Road (hereinafter referred to as the "project site"). The property encompasses ± 1.08 acres of land (tax parcel 38.18-2-1.1 in the Town of Rotterdam) that is an existing Burger King restaurant. The existing Burger King facility is due for asphalt maintenance activities and rebranding to match the current corporate standards.

Carrol's, LLC (hereafter called "the Owner") is proposing to remodel the existing commercial structure, parking lot, and drive-thru to match the current Burger King branding and allow for the restaurant to better serve customers. The existing site configuration will generally remain the same as current conditions except for some modifications to allow for ADA and pedestrian accessibility, parking lot resurfacing and restriping, repairing the dumpster enclosure, redesigning landscape elements, replacing signage with DOT style signs, and updated drive-thru equipment. The site currently has a total of 51 parking spaces, inclusive of 3 ADA spaces, and will be updated to 50 spaces. One of the existing ADA parking spaces will be removed as it does not meet ADA standards and is unusable due to its location adjacent to the drive through order station. Due to the number of parking spaces provided, the ADA regulations require 2 spaces which is being met. The existing structure's façade will be remodeled to reflect the current corporate standards. Overall, this project is anticipated to have a positive effect on the visual appearance of the restaurant and improve parking/pedestrian accessibility through the site.

The proposed project will disturb less than 1 acre of land and therefore a SWPPP will not be required. While a SWPPP is not required, an erosion and sediment control plan has been developed and included in the submitted drawings to prevent the migration of sediments during construction. After construction the site is expected to collect and discharge stormwater as current conditions.

Zoning Information

The project site lies within the Retail Business (B-1) zoning district which has the bulk regulations outlined below. The proposed project does not include lot line adjustments, changes to the building location, curb cut configurations, or utility connections meaning that the setbacks and other district standards are not changing from the existing site conditions.

Zoning Summary:

1. The property is in the Retail Business (B-1) zone.
2. Minimum Lot – 15,000 SF
3. Minimum Lot width – 100'
4. Required Setbacks (Building):
 - a. Front – 30'
 - b. Rear – 25'
 - c. Side – 10'
5. Base Density
 - a. Lot Coverage – 60%
6. Required Parking:
 - a. Formula – 1 parking stall per 50 square feet of gross floor area
 - b. Required – $3,375/50 = 68$ spaces
 - c. Provided – 50 total spaces, including 2 accessible spaces
7. Parking layout requirements – 9' x 18' stalls

We look forward to meeting with you to discuss the project and determining the approval process through the Town. If there are any questions or other materials needed, please feel free to reach out to me.

Thank you for your time in considering this project,

GPI/GREENMAN-PEDERSEN, INC.



Ryan Trunko, PE
Project Manager
80 Wolf Road, Suite 600, Albany, NY 12205


Cc. Joshua Bazis, RBI
File



DPW Comments

May 5, 2026

1. **Ridgeback Hospitality, LLC (Contract Vendee) – 1809 - 1813 & 1821 Altamont Avenue & 1660 Elizabeth Street.** Final Site Plan/Special Use Permit/Consolidated Subdivision Public Hearing for a ±2,400 square foot quick serve restaurant and a ±531 square foot coffee shop both with a drive-thru on a ±48,344 square foot consolidated parcel. Engineer: Bohler Engineering.

1. See response letter from Bohler Engineering dated April 28, 2026 and comment letter from TDE dated April 30, 2026 from CHA Engineering.

2. Final Fees Due	Special Use Chipotle drive- thru	500.00
	Special Use 7 Brew drive-thru	500.00
	Special Use 2 businesses 1 lot	500.00
	Advertising:	53.35
	Sketch Site Plan	350.00
	Final Site Plan	350.00
	Consolidation Subdivision	100.00
	Fees already paid	-150.00
	Total	2203.35

3. Approval is conditioned upon applicant addressing all Rotterdam DPW and TDE comments and full and final approval of the DPW and TDE.
4. Approval is conditioned upon the issuance of Highway Work Permits from the New York State DOT for grading, utility, and entryway work onto Altamont Avenue. Copies of all correspondence with the NYSDOT should be provided to the Town. Prior to the issuance of a Certificate of Occupancy, all work in the NYSDOT right of way must be completed.
5. The developer has agreed to install sidewalks along Elizabeth Street and replace the sidewalk along Altamont Avenue. At this time, the Planning Commission is waiving the requirement to install sidewalks along Angers Avenue and Ferguson Street as stated in the Complete Streets policy adopted by the Town Board.
6. Prior to issuance of building permits, the Town Stormwater Management Officer shall review and approve the Stormwater Pollution Prevention Plan. Applicant must be issued with NYSDEC SPDES General Permit for Stormwater Discharge from Construction Activity before any earthwork can commence on site.
7. Final approval is contingent upon the applicant receiving permits (site development and building) from the DPW Building Inspector.
8. Lot consolidation subdivision shall be filed with Schenectady County and copies provided to DPW prior to the issuance of building permits for construction.
9. Add note to site plan C-301: "Utility carts, boxes, pallets, recyclables, and refuse shall not be stored outside."

DPW Comments

May 5, 2026

1. **Ridgeback Hospitality, LLC (Contract Vendee) – 1809 - 1813 & 1821 Altamont Avenue & 1660 Elizabeth Street.** Final Site Plan/Special Use Permit/Consolidated Subdivision Public Hearing for a ±2,400 square foot quick serve restaurant and a ±531 square foot coffee shop both with a drive-thru on a ±48,344 square foot consolidated parcel. Engineer: Bohler Engineering.

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9. Add note to site plan C-301: "Utility carts, boxes, pallets, recyclables, and refuse shall not be stored outside."

10. Add note to utility plan C-501: "One water meter shall be installed to the service connection for each business. Meter shall be a Neptune MACH 10 radio read meters with pressure sensing option. Check with DPW for specifics.
11. Add note to utility plan C-501: "All existing waterlines and sewer connections that are being decommissioned shall be terminated at the main."
12. Add note to site plan C-301: "Owner/applicant shall install Knox Box for emergency personnel for each business." Check with Fire District #2 for specifications.
13. Add note to site plan C-301: "Sign permits shall be obtained for the proposed project identification signage including any proposed pylon, monument and/or building mounted signage."
14. Add note to Landscaping Plan L-101: "Landscaping shall be maintained in perpetuity and dead/dying plant materials shall be replace in-kind."
15. Add note to site plan C-301: "No stockpiling or burying of construction debris, slash, stumps, or construction material is permitted."
16. The applicant shall provide the Town of Rotterdam DPW paper and electronic AutoCAD file copies of the utility "As-Built Record Drawings" upon completion and testing of the utilities.
17. Prior to the issuance of Site Development and/or Building Permit(s) by the Town of Rotterdam, the applicant shall attend a pre-construction meeting with the Building Inspector and DPW staff to confirm the completion of the above stated conditions.

DPW Comments April 21, 2026

1. See comment letter from TDE dated April 15, 2026 from CHA Engineering.
2. Provide correspondence from NYSDOT that traffic study is acceptable and access has been reviewed and approved.
3. Provide consolidated subdivision application and add map to plan set. Subdivision should have Chairman's signature block to allow for filing with Schenectady County.
4. CDTA has agreed to move bus route off Ferguson to Elizabeth which will help with access to the proposed drive thru coffee establishment. Applicant has agreed to install a sidewalk along the frontage on Elizabeth Street.
5. Minimal landscaping is proposed. Planning Commission should consider requiring street trees along the perimeter of the site.
6. At a minimum, irrigation needs to be provided for all landscape areas along Elizabeth Street, Altamont Avenue, and Ferguson Street. Update site plan.
7. Detail proposed decorative fencing. Fence should closely match recently installed fencing for Chase Bank at 1875 Altamont.
8. Add additional bollards along the parking frontage at quick serve restaurant.

9. Detail dumpster enclosure which should be masonry. Design should closely match recently completed Taco Bell at 1421 Altamont Avenue presented by Bohler Engineering.
10. Add note to plan: Owner/applicant shall install a water meter on each service connection (Neptune MACH 10 radio read meters with pressure sensing option). Check with DPW for specifics.

DPW Comments March 3, 2026

1. See attached response from Bohler Engineering dated February 20, 2026.
2. Sidewalks need to be extended from Altamont Avenue along the length of Elizabeth Street.
3. Angers Avenue is proposed to be paved in 2026. Developer should coordinate with the Town with construction of entrance and sidewalk work.
4. Variance was granted by the Zoning Board of Appeals for setback from Elizabeth Street on December 17, 2025.

DPW Comments October 21, 2025

1. Property is an island and surrounded by roadways on all four sides. By Town Code as written, there are 30' setbacks from all property boundaries. Applicant will need to seek variances from the Zoning Board of Appeals.
2. The proposed 4th curb cut on Altamont Avenue should be eliminated and traffic directed to Town roadways to eliminate congestion and additional traffic movements getting out onto Altamont Avenue. Signage should be added to direct customers to utilize Angers Avenue and direct customers to Tower Avenue to utilize the existing traffic signal.
3. Proposed quick serve restaurant does not have an escape lane for the drive thru and may be problematic.
4. Provide survey with utilities. It appears that Angers Avenue has an exceptionally wide ROW. Applicant may wish to explore the possibility of an easement or purchase of property from the Town.
5. Planning Commission should authorize the Chairman to enter into an agreement with a Town Designated Engineer (TDE) to assist in the review of this project.

SEQR Requirement: 6 NYCRR 617 Unlisted Action. Rotterdam Planning Commission declared lead agency on October 21, 2025. A Draft Negative Declaration has been prepared by the Senior Planner and is attached for consideration.

Involved/Interested Agencies

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



April 30, 2026

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

**Re: Ridgeback Hospitality LLC – 1821 Altamont Ave.
Rotterdam, New York
Site Review
CHA Project No. 12669**

Dear Mr. Comenzo:

Ridgeback Hospitality LLC is planning to construct a Chipotle and a 7 Brew coffee shop on a consolidated lot at 1821 Altamont Ave. in Rotterdam. CHA received an updated site plan submission from Bohler Engineering on 04/28/2026. The submission included responses to CHA's initial review comments, an updated SWPPP, updated site development plans and information regarding consolidation of the lot.

CHA previously provided review comments on the site layout plan in a review letter dated February 9, 2026, and review comments on the complete site plan package dated April 15, 2026. Comments from CHA's previous letters that have been adequately addressed have been removed from this letter. Comments from previous review letters that still require action are listed below, with additional notes in bold for clarification where necessary. New review comments on the updated site plan development plans follow the remaining previous comments. Please also review the comments on the site plan drawings attached at the end of the letter. Only drawings with comments have been included, not the entire set.

Remaining Comments from CHA's 02/09/2026 Layout Review:

1. NYSDOT details will be required for work in the right of way including sidewalk, curbing and asphalt pavement. **NYSDOT details should be shown for work in the right of way. Indicate limits for the installation of NYSDOT details on the site plan so that the contractor understands the transition points to on site details that are outside of the right of way. Review proposed right of way details with NYSDOT for their concurrence.**

Remaining Comments from CHA's 04/15/2026 Review

SWPPP Comments:

2. The First Defense hydrodynamic separator unit is not included in the current NJCAT Verification Database, NJDEP list of approved Manufactured Treatment Devices or TAPE list of Approved Technologies as of April 2, 2026. The design plan sheets should specify a water quality treatment unit that meets the NYSDDEC requirements and be on one of the approved lists. **The Arcadia hydrodynamic separator should be designed to treat the 90% rainfall for WQv, and not the extreme flood (100-year storm) event. The Arcadia separator unit should contain an internal bypass weir structure with**

the capacity to bypass the 100-year peak flow. However, the water quality peak flow rate (WQf) should be calculated from the 90% rainfall (see Chapter 4 of the NYS Stormwater Management Design Manual 2024) using the HydroCAD post development conditions model and entered on the eNOI question #49 and GI worksheets.

General Comments:

3. Provide documentation from the NYSDOT that the agency is in agreement with all proposed work illustrated in the Altamont Ave. right of way.

New General Comment:

4. Curb ramps within the NYSDOT right of way will require verification and documentation during construction in accordance with NYSDOT Engineering Directive 15-004, Design, Construction and Inspection of Pedestrian Facilities in the Public Right of Way. Review requirements in the Highway Design Manual Chapter 18 - Pedestrian Facility Design. Review the NYSDOT document Critical Elements for the Design, Layout and Acceptance of Pedestrian Facilities.

Comments on Sheet C-301 Site Plan:

5. Provide a detail for the proposed sign shown on the west side of the Altamont Ave. entry. **The note on the site plan calls for the proposed sign to be removed? Indicate the type of sign intended, ground mount or pole.**
6. Provide a detail for the proposed decorative fence with columns shown along Altamont Ave. and Ferguson Street. Foundations should remain inside the Altamont Ave. Property line. **Specify brick type/color and precast concrete cap finish/color.**
7. Provide a detail for the dumpster enclosures and the related gates and associated concrete pads. **The dumpster enclosure shown on the detail sheet does not match the dimensions of the two dumpster area configurations on the site plans. Each dumpster enclosure is a different size. The detail indicates chain link fence with slats, while the DPW response indicates Trex fence. Code requires solid fencing and it should be detailed as that type, not chain link. Provide a detail for the concrete dumpster pads.**

Comments on Sheet C-401 Grading Plan:

8. Show catch basin grate elevations at the perimeter of the site and related top of curb elevations for curb type inlets. **Catch basins are not visible on the plans. Indicate catch basins and grate elevations.**
9. At curb ramps, show grades at landings at the top of ramps. **Clearly identify ramp landing grades.**
10. See comments on the grading plan sheet. **See comments on the attached grading plan sheet and review the previous grading plan sheet comments. I suggest a quick meeting to review this together.**

New Comments on Sheet C-401 Grading Plan:

11. Provide spot elevations at the accessible parking space and related access aisle at 7 Brew.

Comments on Sheet C-501 Utility Plan:

12. Review the hydrants available for servicing the proposed development with the Fire District / Fire Marshall to determine if an additional hydrant is required. There is one present at the east side of the new Chase Bank and another across Altamont from the Chase Bank. The only other one that I am

seeing is at the corner of Altamont Ave. and Wedgewood Ave. **Provide confirmation from the Fire Marshall.**

New Comments on Sheet C-501 Utility Plan:

13. See the attached utility plan drawing and verify that the inverts at the three crossings of the sanitary and storm lines are not in conflict. An alternate sanitary route that avoids two of the crossings is shown but this route would require coordination of the sanitary line location and depth with the 7 Brew dumpster fence and bollard foundations. Could the sanitary lines from each building be combined at a manhole near the northwest corner of the site to have one connection point in the street?

Comments on Sheet C-901 Construction Details:

14. Concrete exposed to deicing chemicals should be 5000 psi per NY State building code. Suggest minimum 5" thickness for concrete sidewalk. **This would only be related to the geotechnical report if it was going to be specified as more than 5000 psi concrete, which is unlikely. This is a building code reference.**

Comments on Sheet L-101 Landscape Plan:

15. Define the width of the central plant bed. Small grass strips are difficult to maintain. **Nine feet is wide for one row of plants; this could be a three-foot plant bed with three feet of grass on each side or more plant width could be added; otherwise, this is a sea of mulch.**

New Comments on Sheet L-101 Landscape Plan:

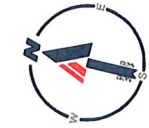
16. Show two more deciduous trees along Elizabeth Street spaced roughly 45' in each direction from the one that is shown near the center of the block.
17. Select a deciduous tree species that is not Bradford Pear. There are numerous reasons why Bradford Pears are not a desirable species.

Sincerely,



Ronald D. Treers., RLA, LEED AP BD+C

cc: Lynn Flansburg



BOHLER
SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
PLANNING SERVICES
TRANSPORTATION SERVICES

REVISIONS	
REV	DATE
1	10/01/2011
2	10/01/2011
3	10/01/2011
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96	10/01/2011
97	10/01/2011
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100	10/01/2011

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Call before you dig.
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www.811.org

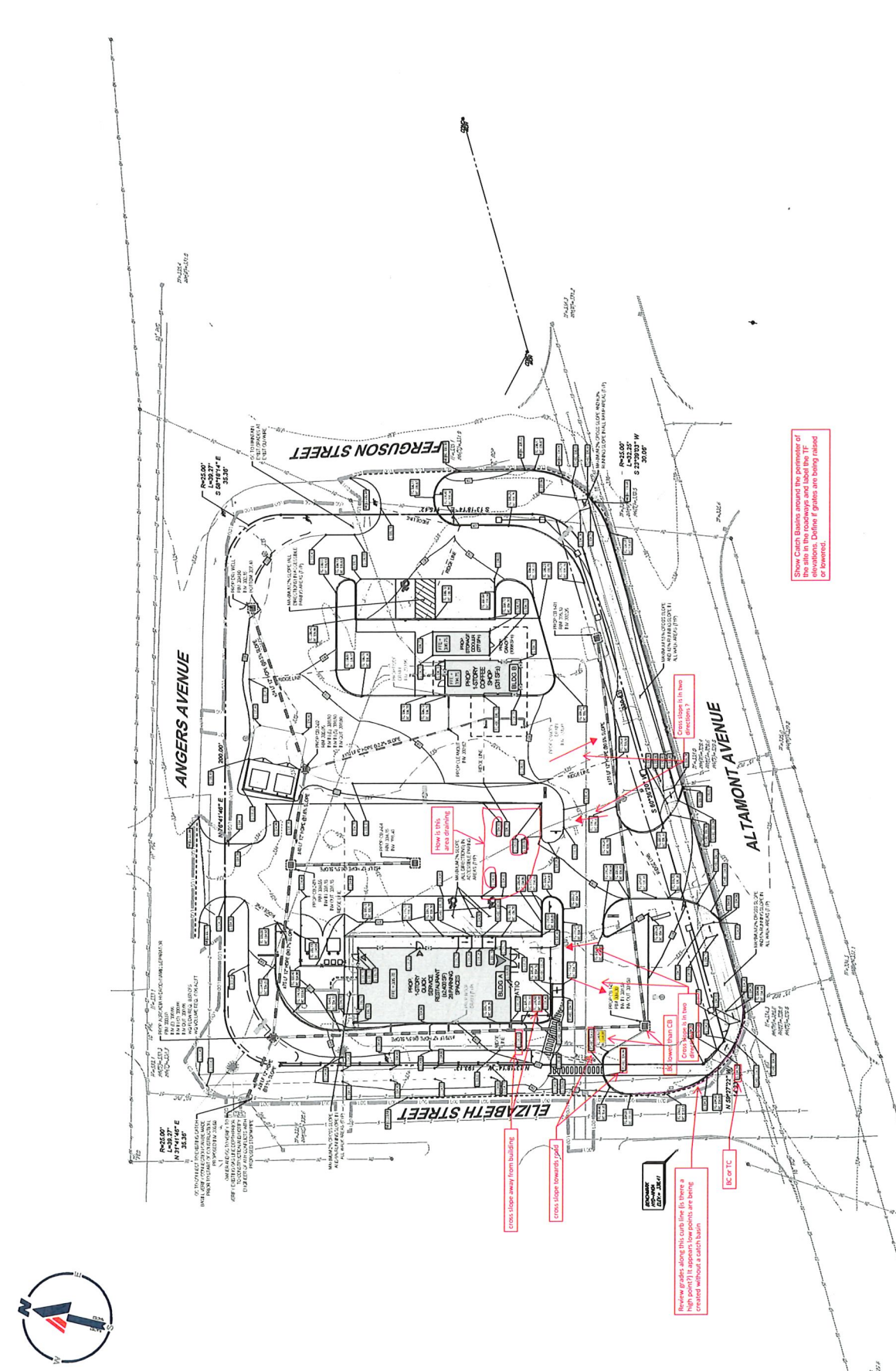
PRELIMINARY
RIDGEBACK HOSPITALITY, LLC
1601 14TH AVENUE
ROCKFORD, IL 61107
DATE: 10/01/2011
DRAWN BY: [Name]
CHECKED BY: [Name]

SITE DEVELOPMENT PLANS
FOR
RIDGEBACK HOSPITALITY, LLC
PROPOSED DEVELOPMENT
1601 14TH AVENUE
ROCKFORD, IL 61107
SHEET NO. C-401

BOHLER
17 COMPUTER DRIVE WEST
ROCKFORD, IL 61107
PHONE: (815) 420-3000
FAX: (815) 420-3001
WWW.BOHLERENGINEERING.COM

GRADING PLAN
SHEET NUMBER: C-401
REVISION: 4 - 04/02/2012

THIS PLAN TO BE UTILIZED FOR SITE GRADING PURPOSES ONLY
SCALE: 1" = 20'



Shows Cross Slopes around the perimeter of the site in the roadways and label the 1% elevations. Define if grades are being raised or lowered.

Review grades along this curb line (is there a high point?) it appears low points are being created without a catch basin

Cross Slope away from building

Cross Slope towards grade

BC of T/C

[illegible]

**Know what's below.
Call before you dig.**

PRELIMINARY

PROJECT No.: NYE220268.00
DRAWN BY: JLR
CHECKED BY: CVM
DATE: 11/19/02
SAMPLE: B-700000

PROJECT: _____

SITE DEVELOPMENT PLANS

_____ FOR _____
**RIDGEBACK
HOSPITALITY, LLC**

PROPOSED
DEVELOPMENT

1800, 1813, 1821 ALTAMONT AVENUE
& 1600 ELIZABETH STREET
TOWN OF ROTTERDAM
SCHENECTADY COUNTY,
NEW YORK

SEC: 59.9 | BLK: 2 |
LOTS: 20.1, 21.1, & 22.1

BOHLER

**17 COMPUTER DRIVE WEST
ALBANY, NY 12203**
Phone: (518) 435-9900
Fax: (518) 435-0900
www.BohlerEngineering.com

ILLUSTRATION: MICHAEL BEE

UTILITY

PLAN

SHEET NUMBER: _____

C-501

REVISION 4 - 04/20/2026

**THIS PLAN TO BE UTILIZED
FOR UTILITIES PURPOSES
ONLY**

**OWNER/APPLICANT SHALL
INSTALL A WATER METER AT
EACH SERVICE CONNECTION
(NEPTUNE MACH 10
RADIO-READ METERS WITH
PRESSURE-SENSING OPTION)**

SCALE: 1" = 20'



17 Computer Drive West
Albany, NY 12205
518.438.9900

70 Linden Oaks, Third Floor
Rochester, NY 14625
585.866.1100

Via Electronic-mail & Hand Delivery

April 28, 2026

Town of Rotterdam
1100 Sunrise Boulevard
Rotterdam, New York 12306

Attention: Mr. Peter Comenzo, Senior Planner

**Re: Response to Comments Summary
Ridgeback Hospitality LLC – 1821 Altamont Ave.
Rotterdam, New York**

Dear Mr. Peter Comenzo,

On behalf of our client, Ridgeback Hospitality LLC, we are pleased to submit this response to comments summary to the Town of Rotterdam for the above referenced project. This summary is in response to the various comments received from the CHA solutions (April 15, 2026, letter) and Department of Public Works (April 16, 2026, email), as noted below with our responses.

Response to various comments summary as follows:

Response to CHA's Review comments from the April 15, 2026, letter:

Layout Review Comments

1. For consistency with all other driveways along the Altamont Ave. corridor, a drop curb (with a 1" reveal) should be included at the proposed Altamont Avenue driveway throat (see plan 1). This should be reviewed with NYSDOT.
The attached plans are updated to provide a drop curb (1" reveal) at the proposed Altamont Avenue driveway throat.
2. The site driveway on Altamont Avenue has pavement markings indicating "STOP" control, but there is no regulatory "STOP" sign included. Please be advised that "STOP" control for minor driveways entering the Town roadways is not required.
 - a. Should the applicant propose "STOP" control, a "STOP" sign will be needed.
Stop sign has been added as requested – refer to the update plans.
 - b. Additionally, if "STOP" control is used, PROWAG Section R305.2.8 – Driveways, states; "Where driveways are controlled with yield or stop control devices, detectable warning surfaces SHALL be provided...where the pedestrian circulation path meets the driveway". This would require that the two proposed curb ramps on each side of the driveway be constructed with detectable warning surfaces. No stop sign is indicated at Altamont Ave. on the current plan set (a stop sign should be added).
Stop sign and detectable warning surfaces have been added as requested.

3. Access aisles for accessible parking spaces should be located to provide the most direct access to the entry door at Chipotle and the most direct access to the walk-up window at 7 Brew. For 7 Brew, since there is no walk-up window, the access aisle should provide direct access to the employee door on the north side of the building. Excerpt from the Americans with Disabilities Act: "208.3.1 General - Parking spaces complying with 502 that serve a particular building or facility shall be located on the shortest accessible route from parking to an entrance complying with 206.4."

ADA parking spaces have been relocated per the comment. Refer to the attached revised plans.

4. NYSDOT details will be required for work in the right of way including sidewalk, curbing pavement. NYSDOT details should be shown for work in the right of way. Indicate limits for the installation of NYSDOT details on the site plan so that the contractor understands the transition points to on site details that are outside of the right of way. The curb detail on C-902 is not the NYSDOT curb that will be required.

Refer to NYSDOT specific details on Sheet C-903 of the attached plan set.

SWPPP Review Comments

5. A copy of the NYS Office of Parks, Recreation and Historic Preservation (SHPO) sign-off letter should be provided in the SWPPP appendices. The current SWPPP Table of Contents (TOC) listed the SHPO findings to be in Appendix G, but it is not found. Threatened and Endangered Species Maps are included the current Appendix "G" instead. Please make corrections and update the TOC.

The project has been submitted to SHPO for review. Once review is completed, we will submit the SHPO determination. The SWPPP Table of Contents has been updated.

6. Questions #19 and 20 on the eNOI form should be answered with 1.36 acres. Although the size of the property is 1.11 acres, there will be additional areas outside of the property boundaries that will be disturbed during construction. These additional areas are counted as part of the "total site area".

The eNOI has been updated as requested.

7. Question #50 on eNOI form should be answered with "No" since there will be a change to hydrology and discharge rates. Please make correction and enter the existing and proposed conditions peak flow rates for the 10-year and 100-year peak flows to correspond with the HydroCAD model calculations and SWPPP narrative.

The eNOI has been updated as requested – refer to the attached SWPPP.

8. Please provide design calculations for water quality volume and/or water quality flow required for the project site. Updated 2024 Design Manual GI worksheets are accessible on the NYSDEC Construction Stormwater Toolbox webpage. There is a new tab called "Flow Based Alternative Practice" included in the GI worksheets for hydrodynamic units.

The "Flow Based Alternative Practice" worksheet has been included in the attached SWPPP.

9. The First Defense hydrodynamic separator unit is not included in the current NJCAT Verification Database, NJDEP list of approved Manufactured Treatment Devices or TAPE list of Approved Technologies as of April 2, 2026. The design plan sheets should specify a water quality treatment unit that meets the NYSDEC requirements and be on one of the approved lists.

The plans have been revised to propose a "Arcadia Hydrodynamic Separator" by Advance Drainage Systems, which is currently approved by NJDEP and on NJCAT verification database.

10. The "Prop FDS-1" structure call-out on the Grading Plan sheet C-401 should indicate the how much water quality volume and/or water quality flow is required for the hydrodynamic separation unit.

Sheet C-401 has been revised as requested.

11. The "Drywell with Overflow" detail on sheet C-902 should be revised and updated to reflect and correspond to the proposed invert elevations and dimensions in the HydroCAD model and Grading Plan.

Drywell detail has been revised – refer to sheet C-902.

12. The HydroCAD model utilized an infiltration rate of 7.5 inches per hour for the dry well. Please provide field geotechnical data and/or soil permeability test results to verify the design calculations to meet the 2024 NYSDEC Stormwater Management Design Manual requirements, as well as seasonal high groundwater separation requirements.

The geotechnical report is currently in process and will be provided prior to construction.

General Review Comments:

13. Provide documentation from the NYSDOT that the agency is in agreement with all proposed work illustrated in the Altamont Ave. right of way.

The Traffic Study and proposed site plan have been submitted to DOT for review. The approval will be provided to the Town when available.

14. Provide NYSDOT standard details for maintenance and protection of traffic to be utilized in the NYSDOT right of way during construction work in the NYSDOT corridor.

Refer to Sheet C-903 of the attached plans for NYSDOT related details and notes.

Comments on Sheet C-201 Existing Conditions and Demolition Plan:

15. Provide notes outlining the coordination of removal of existing utilities to each structure on site including overhead wires, sanitary lines, water lines and gas lines. Add notes that all sanitary and water lines shall be terminated at the mains.

Plans have been revised as requested – refer to master note on sheet C-201. General notes on the Notes Sheet included in the plan set also cover utility removal coordination in detail.

16. Remove the existing tree shown to remain at the northwest corner of the site (see plan).
The existing tree shown to remain has been revised to be removed.
17. Remove the entire deteriorated curb at the curbed island at the southwest corner of the site (see plan).
The entire deteriorated curb at the curbed island at the southwest corner of the site has been removed and a curb improvement is proposed as required.
18. Provide notes on the plans outlining who is responsible for obtaining and paying for the required NYSDOT work permits.
A note has been added to the Demolition Plan as requested.
19. Provide notes on the plans outlining who is responsible for and who is paying for the required NYSDOT inspections during construction.
A note has been added to the Demolition Plan as requested.

Comments on Sheet C-301 Site Plan:

20. Dimension curb ramp lengths and the lengths of associated landings.
Sheet C-301 has been revised to provide typical ramp and landing lengths.
21. Replace the curb section noted for removal in comment seventeen above (see plan).
Curb section is proposed to be replaced as requested.
22. A transition curb is needed at the east side of the Elizabeth Street curbed island entry point (see plan).
A transition curb has been added as requested.
23. Provide a detail for the proposed sign shown on the west side of the Altamont Ave. entry.
A detail for the proposed sign will be provided by the sign vendor under a separate cover.
24. Provide a detail for the proposed decorative fence with columns shown along Altamont Ave. and Ferguson Street. Foundations should remain inside the Altamont Ave. Property line.
A detail has been provided on the attached plans as requested.
25. Provide a detail for the dumpster enclosures and the related gates and associated concrete pads.
A dumpster enclosure detail has been added to the attached plans. Refer to sheet C-902.

26. Provide a detail for the proposed fence at the Chipotle patio and the proposed fence along the west side of the Chipotle drive through lane.
The wrought iron fence detail has been included in the revised plans attached herein. Patio details along with fence details will be provided by the project architect prior to building permit issuance.
27. Provide a detail for the proposed bike rack.
A bike rack detail has been provided on the attached plans.
28. Provide two white lines or crosswalk markings at the pedestrian crossing of the Elizabeth Street access drive to the site.
Crosswalk marking has been added to the drive as requested.
29. Shift the Elizabeth Street sidewalk west to allow more separation from the Chipotle drive through lane. This should be coordinated with the addition of street trees along Elizabeth Street.
Plans have been revised to adjust the location of the sidewalk per conversation with the TDE.
30. The no parking anytime sign for the accessible parking space access aisles can be mounted on the same sign that designates the accessible parking space to avoid blocking the access aisle. An arrow can be added to the sign (see examples below).
Comment acknowledged; a note has been added to provide minimum 5' clearance in no parking aisle. See callout on sheet C-301.

Comments on Sheet C-401 Grading Plan:

31. Show catch basin grate elevations at the perimeter of the site and related top of curb elevations for curb type inlets.
Catch basin grate elevations have been shown on the attached plans. Curb type inlets are not proposed as a part of this project.
32. At curb ramps, show grades at landings at the top of ramps.
Grading plan has been revised as requested.
33. The slope north to south on the Chipotle patio is 2.70%±, suggest maximum 2.0% slope on patio. 2.0% for 5' is required at patio door.
Patio slope has been revised to maximum 2% slope.
34. Show top and bottom of curb elevations for new curbs at major radius points.
Top and bottom of curb elevations for new curbs have been shown as requested.

35. See comments on the grading plan sheet.

Comment acknowledged; attached plans have been revised to address suggestions on the grading plan sheet to the extent practical.

Comments on Sheet C-501 Utility Plan:

36. 2022 plans for development of the Chase Bank west of the site indicate an 8" sanitary line and a 6" water line in Elizabeth Street. The water line definitely continues the length of Elizabeth Street. The extent of the sanitary line should be verified. Connecting directly to Elizabeth Street would provide a more direct connection for the Chipotle site utilities.

The Town of Rotterdam DPW has indicated that water and sewer connections in Elizabeth Street are acceptable for both the proposed Chipotle and 7Brew. The plans have been revised to show this accordingly.

37. Water connections shall have curb boxes installed at the property line.

Utility plan has been revised to propose curb boxes at the property line.

38. Water taps need a minimum of 5' of separation and need to be offset to prevent cracking.

Minimum separation has been provided as requested – refer to the revised plans.

39. Should the water connection for 7 Brew be established from the east or south side of the proposed building in case the parcels are divided for sale in the future?

The Town of Rotterdam DPW has indicated that both buildings, including 7Brew can connect water services along Elizabeth Street and the lots will be consolidated.

40. Are water and sanitary lines present in Ferguson Street for connection to the proposed 7 Brew?

The Town of Rotterdam DPW has indicated no water or sanitary lines are present in Ferguson Street. Water and Sewer connections are being proposed along Elizabeth Street.

41. Provide a detail for each grease trap on the site.

A grease trap detail has been added as requested. Refer to sheet C-902

42. Is it possible to route site electric to Chipotle from Elizabeth Street?

The current/existing pole on site is proposed to be reused.

43. The gas line route to Chipotle should be clear of the decorative fence column foundations.

Comment acknowledged; gas line has been revised as requested.

44. Review the hydrants available for servicing the proposed development with the Fire District / Fire Marshall to determine if an additional hydrant is required. There is one present at the east side of the new Chase Bank and another across Altamont from the Chase Bank. The only other one that I am seeing is at the corner of Altamont Ave. and Wedgewood Ave.

The applicant is currently coordinating with the Fire Marshall for the review of site access and layout, as well as hydrant spacing requirements.

45. The storm line along the west side of Chipotle is very close to the building. If this line ever required excavation, it would be difficult located this close to the building and paralleling the building. Confirm the line is clear of the foundation limits.

The proposed line is clear of the foundation limits.

46. The water line on the east side of Chipotle is shown very close to the building. If this line ever required excavation, it would be difficult located this close to the building and paralleling the building. Confirm the line is clear of the foundation limits.

Water line has been moved per the comment – refer to the revised Utility Plan.

Comments on Sheet C-901 Construction Details:

47. On the asphalt pavement section detail define the asphalt thicknesses to be utilized on this project.

Asphalt thickness will be provided upon completion of a project specific Geotechnical Engineering Report prior to construction.

48. The water service connection detail calls out HDPE and the utility plans call out copper.

The Utility Plan has been updated to call out HDPE water service.

49. On the ADA flush curb detail, the surface of the curb will not slope.

ADA Flush curb detail references curb detail which shows curb without slope.

50. Concrete exposed to deicing chemicals should be 5000 psi per NY State building code. Suggest minimum 5" thickness for concrete sidewalk.

To be specified upon completion of a project specific Geotechnical Engineering Report prior to construction.

51. Suggest doweled expansion joints for concrete sidewalks.

Final sidewalk specification to be provided upon completion of a project specific Geotechnical Engineering Report prior to construction.

Comments on Sheet C-902 Construction Details:

52. Half of the drywell detail is listed as 10' diameter? The inverts on the connector pipe are listed as xx.xx'.

Drywell detail has been revised – refer to Sheet C-902.

53. The crosswalk striping detail shown is not a NYSDOT standard (please revise).

No crosswalk is proposed within the NYSDOT ROW, similar to other driveways in the corridor. Final DOT review will govern.

Comments on Sheet L-101 Landscape Plan:

54. Holly requires that at least one male variety is near female plants for successful pollination.
Both male and female variety hollies have been planted per the comments. Refer to note on revised Landscape Plan.
55. There are no trees shown on the planting plan. Trees should be added on Elizabeth Street between the sidewalk and the road. Some trees should be added on the Altamont and Ferguson sides of the site also.
Trees have been added to the plan set per conversations with the Town Staff.
56. Add screening plants around the dumpster enclosures.
Screening plants have been added to the revised plan set as requested.
57. Symbols for shrubs are hard to distinguish. Clarify graphics and it should be clear which leaders are for which shrubs.
Landscape plan has been revised as requested.
58. Will the 24"-30" Holly conflict with the base of sign elevation?
Plantings have been moved further away from the sign base to avoid conflict.
59. For the planting by the 7 Brew parking, suggest not leaving a small grass strip around the outside of the plant bed, extend the mulch bed to the curb line.
Plans have been revised to remove small grass strip around the outside of the planting bed as requested.
60. Define the width of the central plant bed. Small grass strips are difficult to maintain.
A width label has been included on the Site Plan – refer to the revised plans.

Comments on Sheet L-201 Lighting Plan:

61. Footcandle readings drop below one along the sidewalks approaching the intersections of Elizabeth Street and Angers Avenue, Elizabeth Street and Altamont Avenue, and Altamont Avenue and Ferguson Street. Maintain a minimum of one footcandle along walkways being developed as part of the project.
The attached plans have been revised to provide street lighting to the extent practical for a project of this size and scope.

Response to DPW's Review comments from the April 16, 2026, email:

1. Review the comment letter from TDE dated April 15, 2026, prepared by CHA Engineering.
Comment acknowledged.
2. Provide correspondence from NYSDOT confirming that the traffic study is acceptable and that access has been reviewed and approved.
Coordination with NYSDOT is currently ongoing – approval will be provided once received.
3. Submit a consolidated subdivision application and include an add map in the plan set. The subdivision must include a Chairman's signature block to allow filing with Schenectady County.
A consolidated subdivision application is attached with this submission.
4. CDTA has agreed to relocate the bus route from Ferguson Street to Elizabeth Street, which will improve access to the proposed drive-thru coffee establishment. The applicant has also agreed to install a sidewalk along the Elizabeth Street frontage.
Comment acknowledged – attached plans show proposed sidewalk along the Elizabeth Street Frontage.
5. Minimal landscaping is proposed. The Planning Commission should consider requiring street trees along the site perimeter.
Trees have been added to the attached plan set per TDE and Planning Commission comments.
6. Provide irrigation for all landscaped areas along Elizabeth Street, Altamont Avenue, and Ferguson Street. Update the site plan accordingly.
A note has been added to the Landscape Plan for areas along Elizabeth Street, Altamont Avenue, and Ferguson Street to have irrigation.
7. Provide details for the proposed decorative fencing. The fence should closely match the recently installed fencing at Chase Bank, 1875 Altamont Avenue.
A detail has been added to the attached revised plan set.
8. Add additional bollards along the parking frontage at the quick-service restaurant.
Additional bollards have been added along the parking frontage as requested.
9. Provide details for the dumpster enclosure, which should be constructed of masonry. The design should closely match the recently completed Taco Bell at 1421 Altamont Avenue, as represented by Bohler Engineering.
Dumpster enclosure detail has been provided on the attached plans. The enclosure is proposed to be Trex Fence since it will be screened by landscaping which will create a softer appearance.



Town of Rotterdam
1100 Sunrise Boulevard
Rotterdam, New York 12306

April 28, 2026

Page 10 of 10

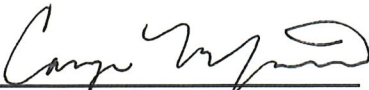
10. Add a note to the plan stating that the owner/applicant will install a water meter at each service connection (Neptune MACH 10 radio-read meters with pressure-sensing option). Confirm specifications with DPW.

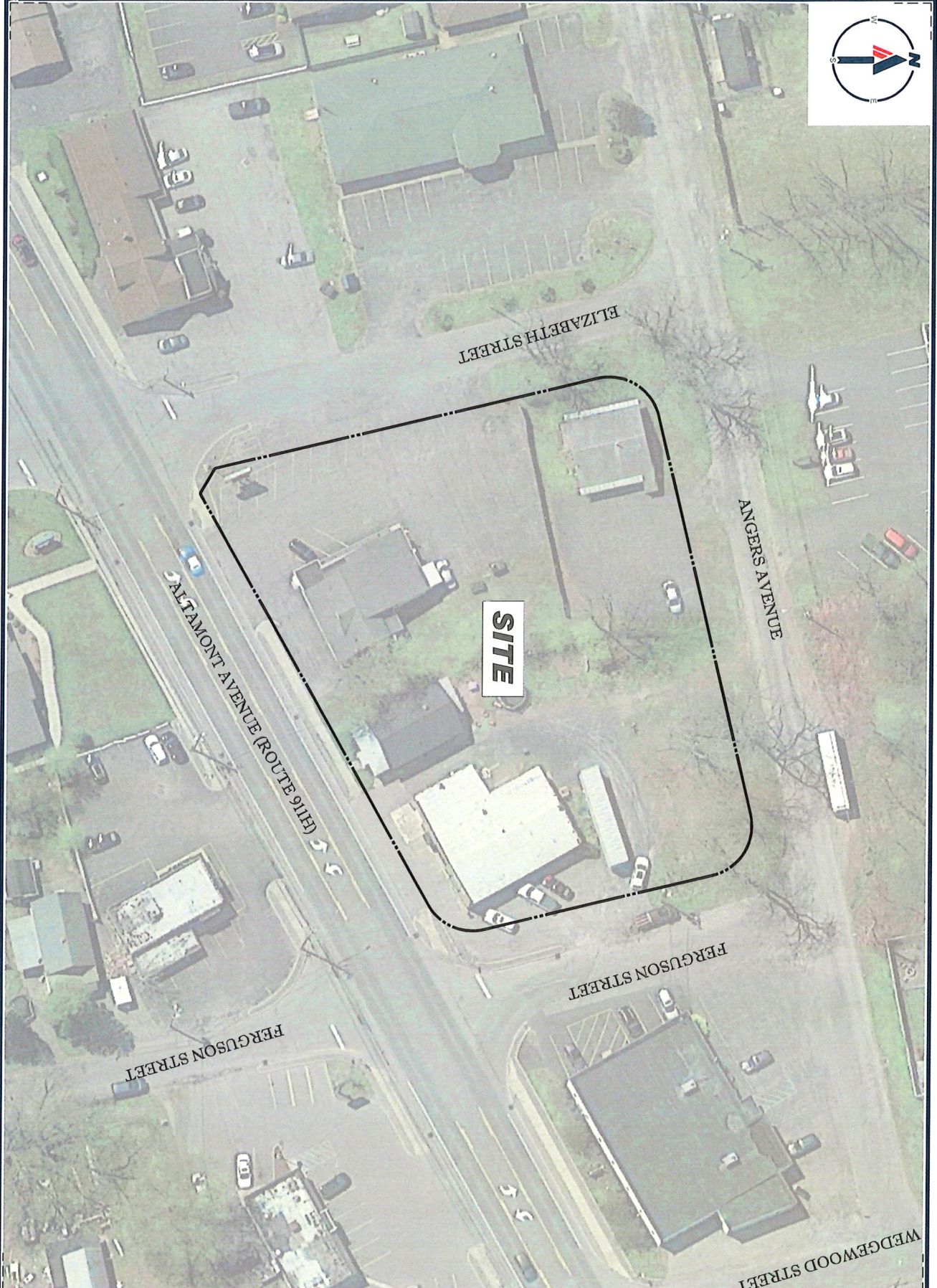
Requested note has been added to the Utility Plan – refer to the attached plan set.

Should you have any questions, or any additional needs, please do not hesitate to contact us at (518) 438-9900.

Sincerely,

BOHLER ENGINEERING & LANDSCAPE ARCHITECTURE NY, PLLC


Caryn Mlodzianowski



BOHLER

SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
PERMITTING SERVICES
TRANSPORTATION SERVICES

REVISIONS	
NO.	DATE
1	5/20/2015
2	10/20/2015
3	10/20/2015

811

Call before you dig
ALWAYS CALL 811
BEFORE ANY EXCAVATION

FOR CONCEPT PURPOSES ONLY

PROJECT NO. 15020001-00
CHECKED BY: [Signature]
DATE: 5/20/2015

PROPOSED SITE PLAN DOCUMENTS

FOR: **RODGERACK HOSPITALITY, LLC**

PROPOSED DEVELOPMENT
1621 ALTAMONT AVENUE
SCHENECTADY COUNTY, NEW YORK STATE

BOHLER

17 COMPUTER DRIVE WEST
ALBANY, NY 12205
Tel: 518 486-0000
Fax: 518 486-0000
www.bohlerengineering.com

MCINTYRE MAP

DATE: 5/20/2015

REVISION: 3 - 10/20/2015

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

Date: May 5, 2026

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

SEQRA Status:	Type I	☐
	Type II	☐
	Unlisted	☒

Conditioned Negative Declaration:	Yes	☐
	No	☒

Contract Vendee: Ridgeback Hospitality
c/o Bohler Engineering NY, PLLC
17 Computer Drive West
Albany, NY 12205

Tax Map Number(s): 1821 Altamont Avenue (Tax #59.9-2-22.1), 1809-1813
Altamont Avenue (Tax #59.9-2-21.1), and 1660
Elizabeth Street (Tax Parcel # 59.9-2-20.1)

Zoning: General Business (B-2) Zoning District

Action: Site Plan/Special Use Permit/Consolidated Subdivision approvals. The applicants are proposing to demolish the existing structures on-site and redevelop the properties with a ±2,400 square foot quick serve restaurant and a ±531 square foot coffee shop both with a drive-thru on a ±48,344 square foot consolidated parcel.

Reasons Supporting This Determination:

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

This project is an Unlisted Action and the Planning Commission conducted as a SEQR review. The applicant has supplied an Environmental Assessment Form and the Planning Commission has or has caused to complete Part 2 of this checklist.

This site plan request is proposing to demolish the existing structures on-site and redevelop the properties with a $\pm 2,400$ square foot quick serve restaurant and a ± 531 square foot coffee shop both with a drive-thru on a $\pm 48,344$ square foot consolidated parcel.

The property is currently developed and is serviced by municipal water and sewer. The project site is located on the property bounded by Altamont Avenue on the south, Angers Avenue on the north, Elizabeth Street on the west, and Ferguson Street on the east. Current development on the property includes a 2,100 SF pizza shop/restaurant, a 1,400 SF massage parlor, a 3,200 SF bottle redemption center, and a single-family home. The proposed development includes a 2,400 SF Chipotle quick serve restaurant with drive through operations and an 808 SF (531 SF shop, 277 SF remote cooler) 7 Brew drive-thru only coffee shop.

Existing access to the property includes two full access driveways to Altamont Avenue, a full access driveway to Angers Avenue, a full access driveway to Elizabeth Street, and a full access driveway to Ferguson Street. Proposed access will include one full access driveway to Altamont Avenue located approximately 100 feet to the east of Elizabeth Street, one full access driveway to Elizabeth Street located approximately 65 feet to the north of Altamont Avenue, one full access driveway to Ferguson Street located approximately 65 feet to the north of Altamont Avenue, and one full access driveway to Angers Avenue located approximately 110 feet to the east of Elizabeth Street.

The site plan includes provisions for the elimination and consolidation of access points to the property and the creation of greenspace. The applicant is proposing the installation of sidewalks along both Altamont Avenue and Elizabeth Street.

A Traffic Study by GTS Consulting was prepared on behalf of the applicant and dated March 27, 2026. This report involved Data Collection with site visits conducted on Thursday, February 19th, and Saturday, February 21st, 2026 to collect the following: Existing Traffic Volume Counts, Altamont Avenue / Tower Street Traffic Queues, Spot Speed Measurements, Sight Distance Measurements, and Operational Data.

Given the unique offerings of the proposed 7 Brew development and popularity being a new brand in the area, it is recognized that the development may generate traffic at levels higher than predicted by the ITE Trip Generation. In order to provide the most accurate estimate of trips generated, existing transaction data was reviewed on Thursday, September 4th, Saturday, September 6th, and Tuesday, September 9th, 2025 at the following seven existing 7 Brew sites in Upstate New York:

- 230 Comrie Avenue – Johnstown, NY
- 235 Erie Boulevard West – Rome, NY
- 1893 Altamont Avenue – Colonie, NY
- 4796 Commercial Drive – New Hartford, NY
- 879½ - NYS Route 13 – Cortland, NY

- 3906 Brewerton Road – Syracuse, NY
- 2410 Watt Street – Schenectady, NY

The conclusions of the study indicated that the additional traffic generated by the proposed commercial development will be minor and will have no significant impacts on traffic operations in the area. The development will not notably impact existing traffic queues in the area. The proposed internal intersection has been designed to minimize traffic conflicts entering the site from Altamont Avenue with no left turn into the front side of the Chipotle restaurant allowed. The other site driveways to Elizabeth Street, Ferguson Street, and Angers Street allow exiting traffic alternative routes to exit to Altamont Avenue, or to Tower Street to use the traffic signal to access Altamont Avenue. As a result of this study, there are no off-site mitigation measures recommended for this project. The traffic study has been reviewed by the TDE which agrees with the conclusions of the report and its findings. Final design and approval of the proposed access onto Altamont Avenue will be the responsibility of applicant working with the NYSDOT.

Water, sewer, gas, electric, fiber optic and telephone utility infrastructure capable of servicing the proposed development exist at the site. It is understood that there should be sufficient supply and capacity for this proposed redevelopment.

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

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

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

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

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

- (vi) its magnitude; and
- (vii) the number of people affected

The environmental effects of the above-described action were discussed at regularly scheduled Planning Commission public meeting held on May 5, 2026. Adoption of this Negative Declaration was moved by XXXXXXXX, seconded by XXXXXXXX and approved by the Rotterdam Planning Commission.

Lynn Flansburg
Planning Commission Chairman

Short Environmental Assessment Form

Part 1 - Project Information

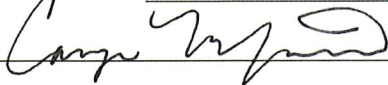
Instructions for Completing

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

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

Part 1 – Project and Sponsor Information			
Name of Action or Project: Proposed Quick-Serve Restaurant and Coffee Shop			
Project Location (describe, and attach a location map): 1821 Altamont Avenue, Rotterdam, Schenectady County, NY			
Brief Description of Proposed Action: The proposed development consists of a ±2,400 SF single-story quick-serve restaurant with drive-thru, and a ±531 coffee shop with drive-thru. Associated parking, landscaping, lighting, and utility improvements are also proposed. The development will also consolidate the existing 3 parcels into 1 single lot.			
Name of Applicant or Sponsor: Ridgeback Hospitality LLC c/o Bohler Engineering NY, PLLC		Telephone: 518-438-9900 E-Mail: cmlodzianowski@bohlereng.com	
Address: 17 Computer Drive West			
City/PO: Albany		State: NY	Zip Code: 12205
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO ☒	YES ☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Rotterdam Planning Commission, Building Department, NYSDOT, NYSDEC		NO ☐	YES ☒
3. a. Total acreage of the site of the proposed action?		±1.06 acres	
b. Total acreage to be physically disturbed?		±1.06 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		±1.06 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

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

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	☐	☒
a. Will storm water discharges flow to adjacent properties?	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☐	☒
Existing storm sewer system along Altamont Avenue		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☐	☒
the proposed action or adjoining property are not subject of remediation; however the Shoporama Shopping Center at 1300 Altamont Avenue is recorded with NYSDEC as a remediation (ongoing or completed) under the Site Code 447027 and V00011		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Caryn Mlodzianowski - Bohler Engineering NY, PLLC</u> Date: <u>10/06/2025</u>		
Signature: <u></u> Title: <u>Project Manager</u>		

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

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

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

Short Environmental Assessment Form

Part 3 Determination of Significance

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

- ☐

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☒

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Rotterdam Planning Commission	May 5, 2026
Name of Lead Agency	Date
Lynn Flansburg	Planning Commission Chair
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

DPW Comments
May 5, 2026

2. JGFP, LLC (Lessee) – 2544 Guilderland Avenue. The applicants request a Waiver of Site Plan review to operate a tavern and restaurant in an existing $\pm 2,634$ square foot building on a combined ± 0.33 -acre parcel.

1. Business is currently being operated under a temporary authorization to operate pending Planning Commission review.
2. Approvals are contingent upon compliance with all NYS Building and Fire Codes.
3. Applicant must obtain a Building Permit and be issued a Certificate of Completion from the Town of Rotterdam Building Inspector/Code Enforcement Officer.
4. Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.
5. Owner/applicant shall install Knox box for emergency personnel. Please contact Fire District #2 for specifics.
6. Owner/applicant shall install new water meter on the service connection (Neptune MACH 10 radio read meters with pressure sensing option). Check with DPW for specifics.
7. Owner/applicant shall reestablish handicap parking, add handicap parking signage, and patch, stripe, and sealcoat parking lot no later than June 30, 2026.
8. Parking Lot Parcel # 48.20-3-31.11 shall be combined with 2544 Guilderland Avenue #48.20-3-38. Alternative an executed cross easement agreement shall be provided to the Town prior to operation.

Discussion Items

1. Hours of Operation.
2. Parking Lot Parcel # 48.20-3-31.11 is in poor condition and needs to be addressed.
3. No dumpster enclosure is provided.
4. Fencing on the side and rear yard are in very poor shape.
5. Garbage and general cleanliness of the property is an issue.

**TOWN OF ROTTERDAM
OFFICE OF THE TOWN ATTORNEY**

April 28, 2026

VIA HAND DELIVERY AND EMAIL

John Goldie
2637 Pauline Ave.
Rotterdam, NY 12306

Re: **Temporary Stay of Closure / Temporary Authorization to Operate Pending Planning Commission Review – Sliderz/2544 Guilderland Avenue, Rotterdam, NY**

Dear Mr. Goldie:

Please be advised that the Town of Rotterdam has been notified of the proposed operation of a restaurant use at the above-referenced premises, and that an application for a waiver of site plan review is to be submitted to the Planning Commission.

Pursuant to the Town Code, and in coordination with the Building Department and Code Enforcement, the Town Attorney's Office hereby **grants a temporary stay of enforcement of closure** of the restaurant operation, solely on the terms and conditions set forth herein and **only** pending the Planning Commission's review and final determination on the site plan waiver application. This temporary stay permits operation of the restaurant to continue, subject to all applicable laws and approvals, with the express limitation that the restaurant shall not remain open to the public later than **11:00 p.m.** on any day.

This temporary stay is an interim enforcement accommodation only. It **does not** constitute site plan approval, zoning approval, a building permit, a certificate of occupancy, a waiver of any requirement of the Town Code, or any grant of vested rights of any kind.

This temporary stay is expressly conditioned upon the following:

- A complete and accurate site plan waiver application shall be filed with the Town.
- The applicant/operator shall appear before the Planning Commission on the next available agenda, or on such other date as directed by the Town.
- Public operation of the restaurant shall cease no later than 11:00 p.m. each day, including closure of the premises to patrons and the public by that time.
- The premises shall at all times remain in full compliance with all applicable fire, building, health, safety, property maintenance, and sanitation codes, and all required permits and approvals of the Town, County, and State shall be obtained and kept in good standing.
- There shall be no expansion or intensification of the use, occupancy, signage, seating, entertainment, exterior activity, parking, or site activity beyond what presently exists, unless and until separately reviewed and approved by the Town in the manner required by law.
- The applicant/operator shall cooperate fully with Town officials and promptly respond to any request for information, inspection, or corrective action.

The Town expressly reserves the right to **immediately revoke** this temporary stay, in whole or in part, upon written or verbal notice, in the event that:

1. Any of the above conditions are violated or not strictly observed;
2. The Town determines that the operation presents or contributes to a condition adversely affecting public health, safety, or welfare;
3. The applicant fails to diligently pursue, or appear on the site plan waiver application; or
4. The Planning Commission issues a determination that does not support continued operation under this temporary accommodation.

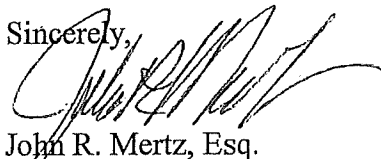
This temporary stay shall automatically terminate upon the earliest of:

- The Planning Commission's final determination on the site plan waiver application;
- The applicant's withdrawal, abandonment, or denial of the application; or
- The Town's issuance of notice of revocation.

Nothing in this letter shall be construed as a limitation on the Town's police powers or enforcement authority, or as a waiver, estoppel, or consent with respect to any existing or future violation of the Town Code or any other applicable law or regulation. The Town retains all rights and remedies at law and in equity.

If you agree to the terms and conditions of this temporary stay, please execute the acknowledgment below and return a fully executed copy to the Office of the Town Attorney and the Building Department without delay.

Sincerely,



John R. Mertz, Esq.

Town Attorney

Town of Rotterdam

cc: Building Department

Code Enforcement Officer

Planning Commission Chairwoman and Members

Town Clerk

ACKNOWLEDGMENT AND ACCEPTANCE

The undersigned acknowledges receipt of this Temporary Stay of Closure / Temporary Authorization to Operate Pending Planning Commission Review, has read and understands its terms and conditions, and agrees to be bound by them as a condition of continued operation.

Dated: _____

By: _____

Name: John Goldie

Title: Owner/Operator

On behalf of: Sliderz Restaurant and Pub

DPW Comments
May 5, 2026

3. Bulldog Auto, LLC (Lessee) – 1105 Mitchell Road. Revocation of Site Plan & Special Use Permit approvals from May 6, 2025 due to non-compliance. Surveyor: Christopher J. Meyer.

1. Applicant is not in conformance with the approved Site Plan and Special Use Permits. See attached Planning Commission Resolutions dated May 6, 2025 with conditions.

DPW Comments May 6, 2025

1. Applicant shall comply with all NYS Building and Fire Codes and must obtain a Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Inspector prior to operation.
2. Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.
3. Outdoor vehicle sales areas should be labeled as paved. Area shall not be utilized for display until improvements are complete and is lighted and paved.
4. Add signage "Customer Parking Only" to numbered parking spaces on the southwest side of property.
5. Abandonment of the existing building interior drainage will be coordinated with the Building Inspector. These changes and work must be shown and detailed on the site plan prior to Chairman's Signature.
6. Provide a signature space for the Planning Commission Chairman with the following wording below the signature line **"Chairman, Rotterdam Planning Commission:**
Date: _____".
7. **Add note to plan:** "No parking of vehicles for employees or vehicles to be serviced shall be permitted to be parked on the town roadways."
8. **Add note to plan:** "Vehicle display shall be limited to areas as depicted on the site plan. Areas not designated on the site plan as outdoor vehicle sales shall not be utilized to display vehicles for sale."
9. **Add note to plan:** "Area shall not contain any banners, balloons, or any other types of temporary signage and is limited to vehicles on display for sales purposes only."
10. **Add note to plan:** "All storage of materials and equipment shall be within the principal building, with the exception of refuse and trash, which shall be stored in closed containers."
11. **Add note to plan:** "No vehicles shall be parked less than 10 feet from any property line."
12. **Add note to plan:** "All repairs shall be performed within the principal building on the premises in the areas designated as service bays only."
13. **Add note to plan:** "No body work or auto painting shall be performed on-site."
14. **Add note to plan:** "Landscaping shall be maintained in perpetuity and all dead/dying plants replaced in kind."
15. **Add note to plan:** "Approvals are for one tenant only. Any additional tenants will require Planning Commission review and approval."
16. **Add note to plan:** "A water meter must be installed prior to the issuance of a Certificate of Compliance. Check with DPW for specifications on meter prior to installation."
17. **Add note to plan:** "All lighting shall be shielded and/or placed in such a manner as to prevent off-site illumination."

18. **Add note to plan:** "Snowfall accumulations in excess of four (4) inches shall be removed from all parking areas/walkways within 48 hours."

DPW Comments February 4, 2025

1. A portion of the rear of the building is located in the City of Schenectady and the applicants received a zoning letter on January 23, 2024 from the City Zoning Officer confirming that motor vehicle repair and detailing are an allowed use. No approvals have been received by the Town of Rotterdam.
2. Multiple vehicles and an unenclosed dumpster appear to be stored on Town Property.
3. The building has been modified and a pedestrian entryway has been constructed to the front of the building and interior renovations have occurred sometime in the last two (2) years. This should be reviewed by the Building Department and checked for fire and occupancy compliance.
4. Prior to the issuance of a special use permit, the applicant must comply with the requirements for motor vehicle sales and repair to the satisfaction of the Planning Commission and as outlined in Chapter 270.

§ 270-144 Motor vehicle sales.

A business having three or more new or used motor vehicles for sale or lease shall be deemed a motor vehicle sales business and may be permitted in the B-2 and I-1 Districts subject to the issuance of a special use permit as provided by Article **XIX**, and subject to the additional requirements hereinafter set forth.

A. Vehicle condition. No motor vehicle which cannot be started and moved under its own power shall be stored in any open area of the motor vehicle sales establishment. All motor vehicles shall be maintained in running condition.

B. Showroom. Any motor vehicle sales establishment shall include an enclosed showroom sufficient to display two automobiles.

C. Location of vehicles. No vehicles shall be parked less than 10 feet from any property line.

D. Motor vehicle repairs. Motor vehicle repair facilities accessory to any motor vehicle sales establishment shall be known only by special use permit authorization and shall conform to the requirements for such uses set forth in § **270-145**.

§ 270-145 Motor vehicle repair establishments.

Motor vehicle repair establishments may be permitted in the B-2, I-1 and I-2 Districts subject to the issuance of a special use permit as provided by Article **XIX** and subject to the additional requirements herein set forth.

A. Major and minor repairs. Every special permit authorizing the establishment or expansion of a motor vehicle repair establishment shall specify, as a condition of the permit, the type of repairs to be permitted as either major motor vehicle repairs or minor motor vehicle repairs, as defined by this chapter. Such condition shall be binding on the permit holder.

B. Location of vehicles. No vehicles shall be parked or stored less than 10 feet from any property line.

C. Location of work area. All repairs shall be performed within the principal building on the premises.

D. Storage of vehicles. Not more than 20 motor vehicles may be stored in an open area at any motor vehicle repair establishment, and such motor vehicles must be so stored for the purpose of repair and reconditioning thereof only. Such vehicles may not be stored more than 60 consecutive days in any three-hundred-sixty-five-day period at the same premises. The Planning Board may require higher standards for such storage as a condition of any special use permit.

E. Location of vehicles. No vehicles shall be parked less than 10 feet from any property line.

F. Storage of materials and refuse. All permanent storage of materials and equipment shall be within the principal building, with the exception of refuse and trash, which shall be stored in closed containers and in an area screened from view at all points on any public or private property or street when viewed from the ground level.

SEQR Requirement: 6 NYCRR 617 Unlisted Action. A Negative Declaration, was issued on May 6, 2025.

Involved/Interested Agencies

Schenectady County Economic Development and Planning
Schenectady County Department of Health
New York State Department of Environmental Conservation – Region #4
Rotterdam Highway Department
Rotterdam Police Department
City of Schenectady Department of Development
City of Schenectady 239nn

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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 PC25-2025

Moved by Mr. Calder seconded by Mr. Collins
Applicant: Bulldog Auto, LLC (Lessee)

Applicant: Bulldog Auto, LLC (Lessee)

Project Location: 1105 Mitchell Road
Rotterdam, New York

Tax Number or Numbers: 49.80-2-9.2 (Schenectady) & 49.49-1-7.21 (Rotterdam)

Proposed Project: Special Use Permit Public Hearing to allow for a motor vehicle sales in an existing $\pm 10,000$ square foot building on a ± 0.81 -acre parcel.

WHEREAS, a public meeting was conducted by the Town of Rotterdam Planning Commission on February 4, 2025, and a public hearing on May 6, 2025 to consider the above referenced Special Use Permit; and,

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

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

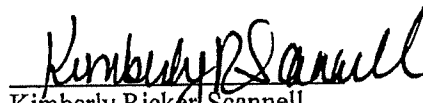
IT IS HEREBY RESOLVED THAT this Special Use Permit is approved with the following conditions as stipulated by the Planning Commission:

- | | | |
|-------------------|--------------------|-----------------|
| 1. Final Fees Due | Final Site Plan | \$350.00 |
| | <u>Advertising</u> | <u>\$ 51.15</u> |
| | Total | \$401.15 |
2. Applicant shall comply with all NYS Building and Fire Codes and must obtain a Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Inspector prior to operation.
 3. Applicant to comply fully with the Town Sign Code and obtain a building permit for any signage.
 4. Add signage "Customer Parking Only" to numbered parking spaces on the southwest side of the property.
 5. Abandonment of the existing building interior drainage will be coordinated with the Building Inspector. These changes and work must be shown and detailed on the site plan prior to Chairman's signature.

6. Provide a signature space for the Planning Commission Chairman with the following working below the signature line "Chairman, Rotterdam Planning Commission:
Date: _____".
7. Add note to plan: "No parking of vehicles for employees or vehicles to be serviced shall be permitted to be parked n town roadways."
8. Add note to plan: "Vehicle display shall be limited to areas as depicted on the site plan. Areas not designated on the site plan as outdoor vehicle sales shall not be utilized to display vehicles for sale."
9. Add note to plan: "Area shall not contain any banners, balloons, or any other types of temporary signage and is limited to vehicles on display for sales purposes only."
10. Add note to plan: "All storage of materials and equipment shall be within the principal building, with the exception of refuse and trash, which shall be stored in closed containers."
11. Add note to plan: "No vehicles shall be parked less than 10' from the property line."
12. Add note to plan: "All repairs shall be performed within the principal building on the premises in the areas designated as service bays only."
13. Add note to plan: "No body work or auto painting shall be performed on-site."
14. Add note to plan: "Landscaping shall be maintained in perpetuity and all dead/dying plants replaced in kind."
15. Add note to plan: "Approvals are for one tenant only. Any additional tenants will require Planning Commission review and approval."
16. Add note to plan: "A water meter must be installed prior to the issuance of a Certificate of Compliance. Check with DPW for specifications on meter prior to installation."
17. Add note to plan: "All lighting shall be shielded and/or placed in such a manner as to prevent off-site illumination."
18. Add note to plan: "Snowfall accumulations in excess of four (4) inches shall be removed from all parking areas/walkways within 48 hours."



Peter J. Comenzo
Senior Planner



Kimberly Ricker-Scannell
Planning Commission Chairman

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Town of Rotterdam
Office of the Planning Commission

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

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

Resolution Number PC26-2025

Moved by Mrs. Ciampino seconded by Mr. Miglucci

Applicant: Bulldog Auto, LLC (Lessee)

Applicant: Bulldog Auto, LLC (Lessee)

Project Location: 1105 Mitchell Road
Rotterdam, New York

Tax Number or Numbers: 49.80-2-9.2 (Schenectady) & 49.49-1-7.21 (Rotterdam)

Proposed Project: Special Use Permit Public Hearing to allow for a motor vehicle repairs in an existing $\pm 10,000$ square foot building on a ± 0.81 -acre parcel.

WHEREAS, a public meeting was conducted by the Town of Rotterdam Planning Commission on February 4, 2025, and a public hearing on May 6, 2025 to consider the above referenced Special Use Permit; and,

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

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

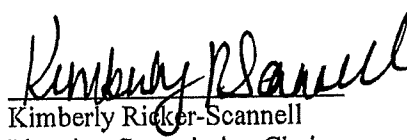
IT IS HEREBY RESOLVED THAT this Special Use Permit is approved with the following conditions as stipulated by the Planning Commission:

- | | | |
|-------------------|--------------------|-----------------|
| 1. Final Fees Due | Final Site Plan | \$350.00 |
| | <u>Advertising</u> | <u>\$ 51.15</u> |
| | Total | \$401.15 |
2. Applicant shall comply with all NYS Building and Fire Codes and must obtain a Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Inspector prior to operation.
 3. Applicant to comply fully with the Town Sign Code and obtain a building permit for any signage.
 4. Add signage" Customer Parking Only" to numbered parking spaces on the southwest side of the property.
 5. Abandonment of the existing building interior drainage will be coordinated with the Building Inspector. These changes and work must be shown and detailed on the site plan prior to Chairman's signature.

6. Provide a signature space for the Planning Commission Chairman with the following working below the signature line "Chairman, Rotterdam Planning Commission:
Date: _____".
7. Add note to plan: "No parking of vehicles for employees or vehicles to be serviced shall be permitted to be parked n town roadways."
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15. Add note to plan: "Approvals are for one tenant only. Any additional tenants will require Planning Commission review and approval."
16. Add note to plan: "A water meter must be installed prior to the issuance of a Certificate of Compliance. Check with DPW for specifications on meter prior to installation."
17. Add note to plan: "All lighting shall be shielded and/or placed in such a manner as to prevent off-site illumination."
18. Add note to plan: "Snowfall accumulations in excess of four (4) inches shall be removed from all parking areas/walkways within 48 hours."



Peter J. Comenzo
Senior Planner



Kimberly Ricker-Scannell
Planning Commission Chairman

"A Nice Place to Live"

"A Nice Place to Do Business"



Town of Rotterdam
Office of the Planning Commission

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

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

Resolution Number PC27-2025

Moved by Mr. Miglucci seconded by Mr. Signore
Applicant: Bulldog Auto, LLC (Lessee)

Applicant: Bulldog Auto, LLC (Lessee)

Project Location: 1105 Mitchell Road
Rotterdam, New York

Tax Number or Numbers: 49.80-2-9.2 (Schenectady) & 49.49-1-7.21 (Rotterdam)

Proposed Project: Final Site Plan review Public Hearing to allow for a motor vehicle sales and repair facility in an existing $\pm 10,000$ square foot building on a ± 0.81 -acre parcel.

WHEREAS, public meeting was conducted by the Town of Rotterdam Planning Commission on February 18, 2025, and a public hearing on May 6, 2025 to consider the above referenced Site Plan; and,

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

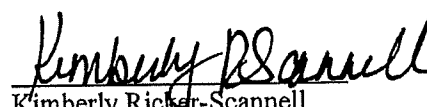
WHEREAS, the Town of Rotterdam Planning Commission after careful consideration of the application, testimony of the applicant and/or representative and members of the public in attendance at the hearing, and all other materials of record **HEREBY APPROVES THE SITE PLAN; NOW**

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

- | | | |
|-------------------|--------------------|-----------------|
| 1. Final Fees Due | Final Site Plan | \$350.00 |
| | <u>Advertising</u> | <u>\$ 51.15</u> |
| | Total | \$401.15 |
2. Applicant shall comply with all NYS Building and Fire Codes and must obtain a Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Inspector prior to operation.
 3. Applicant to comply fully with the Town Sign Code and obtain a building permit for any signage.
 4. Add signage "Customer Parking Only" to numbered parking spaces on the southwest side of the property.
 5. Abandonment of the existing building interior drainage will be coordinated with the Building Inspector. These changes and work must be shown and detailed on the site plan prior to Chairman's signature.

6. Provide a signature space for the Planning Commission Chairman with the following working below the signature line "Chairman, Rotterdam Planning Commission:
Date: _____".
7. Add note to plan: "No parking of vehicles for employees or vehicles to be serviced shall be permitted to be parked n town roadways."
8. Add note to plan: "Vehicle display shall be limited to areas as depicted on the site plan. Areas not designated on the site plan as outdoor vehicle sales shall not be utilized to display vehicles for sale."
9. Add note to plan: "Area shall not contain any banners, balloons, or any other types of temporary signage and is limited to vehicles on display for sales purposes only."
10. Add note to plan: "All storage of materials and equipment shall be within the principal building, with the exception of refuse and trash, which shall be stored in closed containers."
11. Add note to plan: "No vehicles shall be parked less than 10' from the property line."
12. Add note to plan: "All repairs shall be performed within the principal building on the premises in the areas designated as service bays only."
13. Add note to plan: "No body work or auto painting shall be performed on-site."
14. Add note to plan: "Landscaping shall be maintained in perpetuity and all dead/dying plants replaced in kind."
15. Add note to plan: "Approvals are for one tenant only. Any additional tenants will require Planning Commission review and approval."
16. Add note to plan: "A water meter must be installed prior to the issuance of a Certificate of Compliance. Check with DPW for specifications on meter prior to installation."
17. Add note to plan: "All lighting shall be shielded and/or placed in such a manner as to prevent off-site illumination."
18. Add note to plan: "Snowfall accumulations in excess of four (4) inches shall be removed from all parking areas/walkways within 48 hours."


Peter J. Comenzo
Senior Planner


Kimberly Ricker-Scannell
Planning Commission Chairman

5. Bulldog Auto, LLC (lessee) – 1105 Mitchell Road. Final Site Plan/Special Use Permit Public Hearing to allow for a motor vehicle sales and repair facility in an existing ±10,000 square foot building on a ±0.81-acre parcel. Surveyor: Christopher J. Meyer.

Ms. Scannell: And last up we have got Alex from Bulldog Auto LLC. Thanks for waiting. Sorry you had to be last.

Mr. Gelfand: No problem. Long night.

So, I don't know if you guys want this.

Ms. Scannell: Who'd you bring with you?

Mr. Gelfand: Chris from OJ Meyer.

Ms. Scannell: Hi Chris. How are you?

Mr. Meyer: Good. How are you?

Ms. Scannell: I'm well, thank you. Are you going to be presenting or is Alex?

Mr. Meyer: Alex I think is going to tell you a little bit about the business and how long he's been occupying the site and then I can discuss the comments and the site.

Ms. Scannell: Great. Thank you.

Mr. Gelfand: So, we kind of went over that last time I was in. I had a really productive meeting with Peter, Kimberly and Jeff at our property a few weeks back and Clark stopped in a few weeks prior to that.

We went over everything you guys wanted us to do and we have reviewed everything, got on board, changed the plans, added everything that was required in the comments and the comments that came through today we are happy to accept all of those guidelines as well. So that's all I have to say.

Ms. Scannell: Before, I guess we'll jump in maybe and comment on a little bit about what you talked about and then we'll look at the site plan.

While I agree that we had a productive meeting I can't agree that everything that we discussed and had agreed upon at that meeting had happened post-meeting. I know on more than one occasion there were cars that were not on your property, that they were kind of across the street and in places where... So, what's going on? What's going on Alex?

Mr. Gelfand: So, it's really tough right? We want to get the parking lines painted. I know our neighbor isn't really satisfied with how it's been going and I want to make him happy. I want to make the Town happy and the fastest way to make sure no one parks on the street is by getting an approval, getting those painted lines and clear customer parking day-to-day so no one does park across the street. It's impossible to control without those lines. I've tried everything.

Ms. Scannell: So, are you leaving those parking spots available or are you parking cars in them that people can purchase?

Mr. Gelfand: No, no, no. It's clear. It's exactly how it was when you were there, right? So, we have all those cars to the right of the door and to the left of the door there are obviously those spots and that sign I have or some cars to the left of the door as well. My plan was once we get the lines painted to keep those completely clear and open.

Ms. Scannell: Well, I'm not understanding if those spots are vacant presumably that people are just choosing to park across the street and down the road and instead of in front of your building.

Mr. Gelfand: I don't either.

Ms. Scannell: And the cars that are parked you are stating that they are customer cars that they are not cars that are for sale. Inventory.

Mr. Gelfand: Parked where?

Ms. Scannell: Across the street and on the road.

Mr. Gelfand: They're definitely not cars for sale on the road, absolutely.

Ms. Heinel: What about across the street?

Mr. Gelfand: No, any cars for sale are parked on my lot. Or the overflow lots.

Ms. Scannell: Alright, with regard to this I'm going to open it up just because I know members up here have visited so before we get into the nitty gritty of the site plan with Christopher, we're going to talk about your business model. Mr. Miglucci.

Mr. Miglucci: So, the cars that are actually in front of the building are actual registered New York State individual cars. They're not?

Mr. Gelfand: No. Like in front of the building meaning on my property.

Mr. Miglucci: Right, those are your cars.

Mr. Gelfand: They're not registered. They are my cars. They're just open for purchase.

Mr. Miglucci: So, the ones on the street are individually owned?

Mr. Gelfand: Exactly.

Mr. Miglucci: Okay.

Mr. Gelfand: Those are usually clients who come by for a purchase.

Mr. Miglucci: Not that it matters but what's going on with the City of Schenectady? Are they all in jive with what you're doing and stuff like that?

Mr. Gelfand: Yeah, so we're fully approved in the City of Schenectady and they issued all the permits and when we initially got those approvals we thought we were in the City of Schenectady and now we're realizing we're...

Mr. Miglucci: Right, you can see the line goes right through everything.

Mr. Gelfand: Right.

Mr. Miglucci: Yeah, okay.

Ms. Scannell: Thank you. Mr. Collins.

Mr. Collins: I've been over a few times and it does look a lot better but you know these spots here were to the left of, facing the building to the left of the door? Maybe you should just use those for customer parking only and **designate that** with a sign somehow saying customer parking, customers parking or whatever you have to word it because you'll have what?

Ms. Scannell: Well, that is part of the plan, right?

Mr. Gelfand: I agree 100%. Have you guys seen the updated plan?

Mr. Collins: So, I think that'll go a long way if you do some signage and I mean you can't go up there every time and say move your car but I think what happens they drive up and they see cars parked there which are for sale so then then where do I park? You know what I mean? So, if you somehow designated those three (3) or four (4) for customers only it might stop them from parking on the street because they'll see a sign. I mean that's a suggestion. I talked to Jeff, he's been over inside the building, I was inside the building but if somebody drives up and for five (5) seconds I know you can't go up and say, you can't be rude to them, you know, he's a potential customer that's going to buy a car from you, you can't be mean and miserable but I think it'll go a long ways if you designate three (3) or four (4) spots and sign it customer parking only and you don't park your cars there. It might go a long way to stop that.

I know the guy across the street, whatever that is, that's between you two (2), you know and that happens a lot. People clash and it just boils and boils because whatever, I'm not saying it's you, it's just because he's got some issues over there that he should be addressing also so maybe down the road when he comes in for something we can address some of his issues. But I think that's what you need to do, my personal opinion, take those spots and do some signage and say customer parking only. You don't use it and you know, especially if someone if a door is open, somebody comes out and says hey listen I'm parking over there and get them before they just jump out of their car. I know a lot of people do it down there because it's the street you know what I mean, and people are used to just parking wherever they want because they've been doing it for God knows how many years. So, it's creatures of habit but that would be my suggestion but talk to Jeff, you know I've been in your shop, it's a nice shop you got some nice automobiles. I wish you luck but somehow you just got to appease the guy across the street. I don't know what else to say but I think that'll go a long way with some correct signage. That's all I have Madam Chair.

Mr. Gelfand: That was DPW comment number four. I'm more than happy to comply with that.

Mr. Meyer: And the new site plan does show exactly that you have the four (4) spots including a handicap and a stripped spot for extra room. So that should, I think once that happens especially with the lining and you know nice signage, people should gravitate to parking there a lot more.

Ms. Scannell: Well Alex, I have to wonder if we're requiring enough parking because if there's so many people that are coming to look at cars that those cars that belong to other people outside of your control are parked along the street, do we have enough parking?

Mr. Gelfand: I never, ever have more than two (2) people there at the same time. I guess I shouldn't say ever, right? Maybe sometimes three (3) I've never in history had four (4) however, and anytime anyone does come, if they're a service client their vehicle is moved to the back immediately or they're just parked in the back from the start and in terms of for a sale client it is an online driven business by appointment, we try to spread out the appointments as much as possible. It's in my opinion that this mirrors what he has across the street as well in terms of parking. I think that's more than enough designated customer spots.

Ms. Scannell: Has any other member of the Planning Commission visited and had any questions or concerns about parking before we move on to Christopher's presentation.

Ms. Ciampino: What was the timeline for the striping and the signage?

Mr. Gelfand: The second I'm approved I'm putting it on and that should solve any phone calls coming into the town.

Mr. Signore: Have you ever tried to work things out?

Mr. Gelfand: I have. It's tough when sometimes they go into his lot and I run across or whoever does can you please just move your vehicle over on my lot. It's tough when we don't have a designated parking lot. People aren't really thinking when they're parking their cars and they just put it wherever it's at.

Mr. Signore: I think Clark has really got the best idea, maybe you can put, you know Bull Dog Auto, is that it?

Ms. Scannell: That's what they have, right.

Mr. Signore: You know, and signage directing people.

Mr. Gelfand: I took this picture today. I wasn't taking it for any reason, like I said, we had a flat tire but this happened to be in the picture. I have this up as a temporary sign and you can see it says reserve parking for Bull Dog Auto clients only, right?

Mr. Collins: People are creatures of habit, that's the problem. Some people just don't care. You can't control them.

Mr. Gelfand: And they're not thinking too. No one's thinking about where should I park my car to not make anyone upset.

Mr. Collins: Maybe across the street he should put...

Mr. Gelfand: Yeah, and I actually said I'm happy to buy no parking signs.

Ms. Scannell: Well, it's a right away. It's a right away for both of you.

Mr. Gelfand: Of course, no, no, I offered that and he said I'm happy to pay for that myself and then he didn't want to, I don't know.

Ms. Scannell: So, Christopher, if you could tell us a little bit about where we were and where we are and where we're going moving forward with this site plan. Thank you, Alex.

Mr. Meyer: No problem. As Alex mentioned the Bulldog has been there over a year and they initially, this is a .8-acre site and it's split nearly in half between the City's connectivity and the Town of Rotterdam. They have all their City permits in place and we have been trying for several months working with the plan, updating things making a design to bring up the code to the Town's liking. Working with Peter Comenzo and I believe the building department. We've made a few alterations when Bulldog came to this site, I don't believe there's any exterior changes they made because I was involved in these years before they were there and when I did my update there was almost no exterior changes. So, they were operating their business in the building as it existed. On the site plan, other than comments from the Town they have no plans of changing the site. We have added some employee parking in the rear to get them all consolidated out of the way. We have labeled vehicle storage in certain areas so they're not scattered like they were when we first started this.

We have shown three (3) standard parking spots in front of the building and in front of the door we've added a handicapped spot. So tonight, we're submitting for a final site plan approval and a special use permit to operate their vehicle sales and services.

We've also received the comments from the DPW. Almost all of the comments either labels or notes to be added to the plan and we're happy to do all of those items.

Ms. Scannell: Okay so there was a, we found a floor drain, right, that we didn't know about originally and it's on the plan now that's something that was added, correct?

Mr. Meyer: It's located on both machines the existing floor drain and the note that was requested to be added alongside the floor drain and we did revise the parking. I believe that was the meeting that you had the site to visit. Those were the only two (2) changes.

Mr. Collins: Can I make a comment?

Ms. Scannell: Yes, please.

Mr. Collins: Okay, too much silence going on here. Your building looks 100% better than it did. You know, I think you're doing a good job and considering the way some of the other buildings are conditioned on that road yours looks 100% better than some of the other ones that are down there and as far as the guy that crossed the street that's like you get two (2) neighbors. That's a, you know he said, she said and he's never going to probably be your best friend and you're not going to go to dinner with him but overall, I think you know, you've done a pretty good job. The building looks 100% better than it did. You're in the car business and you know it is what it is. And like I said I spoke with Jeff a couple times about it and he seemed pleased, he's a building inspector so I have to take what he says to heart because he's the one that's out looking at stuff. So, I just wanted to make that comment everybody was in silence mode so I just wanted to say something.

Mr. Meyer: And we only plan to improve the street and the building. We'll continue to make Rotterdam nicer.

Ms. Scannell: So, Alex I again I think it's great that your business is successful. That's the good news right that's the excellent news and we're happy that you're choosing to do business in Rotterdam.

So, you're here for final site plan approval and I heard Christopher say that you've read the DPW comments and that you're in agreement with them. But like one of the DPW comments says to add signage customer parking only. I'd like to see that on the plan before it's signed. I would like to see all of the things that we are agreeing to in writing on these plans. So, anything that can be added to kind of tighten up all of these agreements that we're having. We recently made some agreements during situations just like this on the record and they were put into final site plan reviews but because they didn't follow through onto the map's things aren't exactly like everybody agreed to. So, unfortunately lesson learned for me but now lesson learned for sure for you guys. So, I'm going to need to see all these things that we are agreeing to on the actual plans especially the signage for customer parking only. It's really not really hard to give us detail of the signage you have a picture on your phone. So, you know even if like a little page, you know, sometimes and again I don't need you to spend a million dollars with your surveyor to add things but just having a little bit of detail for the sign so that we know where the sign is going to go.

When I was there, we talked about putting signs, big signs up on that wire fencing that was there that maybe would be a little more visible because while I really like that sign that's not a very tall sign. So, if I'm driving down the street and somebody's SUV is parked there, I might not see this is where customers are supposed to park. I mean you'd think front door people would notice it. So that's one of my comments. I'd like to see everything on the site plan.

We talked at the very beginning about landscaping and I don't really see much dressing up of anything and I understand I get it, right, but we just had Tralongo here who was in a very industrial area and they've got some green space. They're adding planters albeit they make them themselves but what were your plans regarding any kind of landscaping.

Mr. Gelfand: Well, I appreciate your concern with prior final approval stages and me putting that in the past and I can't say I'm any different right because we just have to see what actually happen. I would ask maybe we could put a conditional approval in to have the adjusted site plans submitted in via email to yourself and Peter and whoever else you'd like to show to your satisfaction.

Ms. Scannell: Well, I'm not going to sign it until it's on there that's my satisfaction.

Mr. Gelfand: So, we would send it in via email and if you're satisfied, you could finalize it by honoring me with your signature.

Ms. Scannell: It would be an honor. It truly would be my honor to sign the plans but again, I don't I'm not a big fan of like loosey goosey pinky promise agreements. So, we need to be very clear moving forward here all the things we're agreeing to, we need to have them in writing and they need to be on this plan. What were your thoughts on green space any kind of like dressing up the area at all with a little green space? I know we're not going to put grass along the front like we started with so that's okay.

Mr. Gelfand: So, it was my understanding with Mike and Peter and yourself as you were leaving that we decided like it's not necessary to do exactly that but once like meaning tearing up the concrete.

Ms. Scannell: No, I don't expect you to do that.

Mr. Meyer: I'm happy to, you know, encourage putting some more greenery on the property line. As we're able to, while doing the finalization of the plans and repaving the lot and striping it, etc., we can then finalize in the best possible spaces after you know having that finalized plan where we put...

Ms. Scannell: Well, we usually we put them on the plan so that we know that they're going to grow that they're going to be planted and they're going to be put there. So, I know when I was there, we took a look and so if we were standing looking at the front of your building all the way to the left there was some green space there that exists. So maybe you'd want to show that on your map on your site plan and if you were going to make any additions to maybe make those landscaping additions because we did talk about the. And again, you know we're not looking for Washington Park tulip gardens, right?

Mr. Meyer: Right.

Ms. Scannell: We're not looking for all that green space but you were going to dress it up a little bit and I think that we would like to see that noted on the plan as well. Again, I'm not looking for a landscaping detail map. Your surveyor knows what I want. I just want a little something where it's noted on the plan that you're going to have some trees or some shrubs or whatever you choose to put in that area that's landscaping.

Mr. Meyer: Yeah, we'll definitely highlight that next to the dumpster like you saw in that area. Maybe the Town came by and put fresh seeds there earlier this week.

Ms. Scannell: How's that hydrant?

Mr. Meyer: It's working.

Ms. Scannell: Good. That's a plus.

Mr. Collins: You can use some planters too like the other guy did.

Mr. Meyer: Yeah, and we'd highlight the green in front of the new proposed parking spots and behind there as well that's all grass as well. So, we'll highlight all that in the plan.

Ms. Scannell: Noted on the plan.

Ms. Heinel: She's not saying that they're not going to vote on it tonight and that you're not going to get anything like that. Just she won't sign the actual plans until they're updated that's all.

Mr. Meyer: Okay, that sounds good to me.

Ms. Scannell: So, all of these little things no body work or auto painting shall be performed on site. It says add note to plan: all repairs shall be performed within the principal building on the premises in the areas designated as service base only.

Note on plan approvals are for one tenant only.

Note on plan a water meter must be installed.

Note on plan all lighting shall be shielded, right? So DPW made it nicey nice for you just to add those notes to the plan.

Mr. Meyer: We'll get all of those over and is it okay if we submit it to you via email or sending one in for signature post this meeting.

Ms. Scannell: I would touch base with Lisa and Peter. I mean I need Peter to be able to read something. I don't want him with a magnifying glass looking at his computer screen.

Ms. Heinel: You can zoom in on a computer screen. It might be easier to contact Peter and Lisa to see what they want. It might be easier to do it by email so that if you have to make a revision you don't print it out and then have to make a revision after the fact. They might prefer it that way but it's best to just ask them. I'd imagine your final is going to have to be in a printed version and all of that but for purposes of just making sure it's what they were looking for email might work.

Mr. Meyer: Okay. No problem.

Ms. Scannell: Okay anyone else questions comments concerns? Or did I cover it?

We're very happy for you. We're very glad that you're doing a nice business.

All right. So, Alex what we're going to do now is I've got to make a bunch of different motions one's going to be to adopt a SEQR Negative Declaration, one's going to be for a special use permit for the approval for motor vehicle sales, one is going to be for the approval of motor vehicle repairs and then the final motion will be for a site plan approval. So, we have to go through all four (4) of those.

Mr. Meyer: No problem.

Ms. Scannell: So, I would entertain a motion to adopt a SEQR Neg Dec as prepared by the Senior Planner.

Mr. Signore: I'll move.

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

Mr. Miglucci: I'll second.

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

Ms. Gallo: Mr. Collins?

Mr. Collins: Yes.

Ms. Gallo: Mr. Calder?

Mr. Calder: Yes.

Ms. Gallo: Mr. Signore?

Mr. Signore: Yes.

Ms. Gallo: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Gallo: Mrs. Ciampino?

Mrs. Ciampino: Yes.

Ms. Gallo: Ms. Scannell?

Ms. Scannell: Yes.

Motion carried.

I would entertain a motion for a special use permit approval for motor vehicle sales.

Mr. Calder: I'll make the motion.

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

Mr. Collins: I'll second.

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

Ms. Gallo: Mr. Collins?

Mr. Collins: Yes.

Ms. Gallo: Mr. Calder?

Mr. Calder: Yes.

Ms. Gallo: Mr. Signore?

Mr. Signore: Yes.

Ms. Gallo: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Gallo: Mrs. Ciampino?

Mrs. Ciampino: Yes.

Ms. Gallo: Ms. Scannell?

Ms. Scannell: Yes.

Motion carried.

I would entertain a motion for a special use permit approval for motor vehicle repairs.

Ms. Ciampino: I'll move.

Ms. Scannell: Thank you, Mrs. Ciampino. Do we have a second?

Mr. Miglucci: I'll second.

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

Ms. Gallo: Mr. Collins?

Mr. Collins: Yes.

Ms. Gallo: Mr. Calder?

Mr. Calder: Yes.

Ms. Gallo: Mr. Signore?

Mr. Signore: Yes.

Ms. Gallo: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Gallo: Mrs. Ciampino?

Mrs. Ciampino: Yes.

Ms. Gallo: Ms. Scannell?

Ms. Scannell: Yes.

Motion carried.

All right, I would entertain a motion for final site plan approval conditioned on all terms verbally agreed to tonight and all DPW conditions from May 6th DPW comments with all notes added to plan as indicated on the DPW comments also including some kind of landscaping and signage for sure.

Mr. Miglucci: I'll make that motion.

Mr. Signore: I'll second.

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

Ms. Gallo: Mr. Collins?

Mr. Collins: Yes.

Ms. Gallo: Mr. Calder?

Mr. Calder: Yes.

Ms. Gallo: Mr. Signore?

Mr. Signore: Yes.

Ms. Gallo: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Gallo: Mrs. Ciampino?

Mrs. Ciampino: Yes.

Ms. Gallo: Ms. Scannell?

Ms. Scannell: Yes.

Motion carried.

Congratulations Alex. You're up and running. You're going to miss us. We're really happy for your business, good luck and continued success.

Mr. Gelfand: Appreciate that. Have a good night and stop by anytime.

Ms. Gallo: Make sure you email the copy, we'll look at it and make sure all the notes are on it.

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

Mr. Collins: I'll make that motion.

Ms. Scannell: Thank you, Mr. Collins.

Mrs. Ciampino: I'll second.

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

Planning Commission Members: I.

Meeting adjourned at 8:58 p.m.

Next meeting scheduled for May 20, 2025.

Respectfully Submitted,

Marlo L. Urowsky
Planning Commission Secretary

DPW Comments

May 5, 2026

- 4. Town of Rotterdam** – Report and Recommendation to the Town Board for a proposed amendment to Section 270-214.1 of the Rotterdam Town Code (Battery Energy Storage Systems) – GE Vernova Campus Exception.
 1. Town Board called for a Public Hearing to be held on May 27, 2026 on this proposed legislation.
 2. Planning Commission should provide a Report and Recommendation on the proposed modifications to the Town Zoning Code pursuant to Chapter 270-174.

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, April 22, 2026, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 140.26

**TO RECOGNIZE THE INTRODUCTION OF INTRODUCTORY LOCAL LAW NO. __
OF 2026 TO AMEND SECTION 270-214.1, RELATING TO “BATTERY ENERGY
STORAGE SYSTEMS” OF THE TOWN CODE OF THE TOWN OF ROTTERDAM
AND SCHEDULING A PUBLIC HEARING THEREON**

THEREFORE, UPON MOTION OF Councilmember **SCHLAG**, seconded by
Councilmember **GALLUCCI**,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board recognizes the introduction of Introductory Local Law No. __ of 2026 to amend Section 270-214.1, Battery Energy Storage Systems, of the Town Code of the Town of Rotterdam.

SECTION 2. The Town Clerk of the Town of Rotterdam is hereby directed to publish in the official newspaper of the Town of Rotterdam not less than ten (10) days prior to the date designated for the public hearing provided for hereby the following notice:

**TOWN OF ROTTERDAM
NOTICE OF HEARING**

PLEASE TAKE NOTICE: That the Town Board of the Town of Rotterdam will hold a public hearing at the Rotterdam Town Hall, 1100 Sunrise Blvd, Rotterdam, New York 12306 at 7:00 p.m. on the 27th day of May for the following purpose:

For the enactment of Introductory Local Law No. __ of 2026 relating to amending Section 270-214.1, Battery Energy Storage Systems, of the Town Code of the Town of Rotterdam.

**BY ORDER OF THE ROTTERDAM TOWN BOARD
MEGAN GRIFFIN, TOWN CLERK**

DATED: April 22, 2026

Daily Gazette: Please publish once on May 13, 2026

Town Clerk

Post

SECTION 3. This resolution shall become effective April 22, 2026

DATED: April 22, 2026

NAME	AYES	NOES	ABSTAIN
Schlag	X		
DeSantis	X		
Gallucci	X		
Matelitz	X		
Polimeni	X		

I, Megan Griffin, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board Meeting of the Town of Rotterdam on April 8, 2026, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this April 24, 2026.

Megan Griffin

Megan Griffin, Town Clerk



TOWN OF ROTTERDAM

PROPOSED LOCAL LAW NO. ____ OF 2026

A **LOCAL LAW** amending Section 270-214.1 of the Rotterdam Town Code, as added by Local Law No. 10 of 2025, in relation to the siting and review of Battery Energy Storage Systems at the GE Vernova Campus.

BE IT ENACTED by the Town Board of the Town of Rotterdam ("Town"), in the County of Schenectady, State of New York, as follows:

Section 1. Title. This local law shall be known as the “**Amendment to Section 270-214.1 of the Rotterdam Town Code (Battery Energy Storage Systems) – GE Vernova Campus Exception.**”

Section 2. Legislative Intent and Purpose.

A. Section 270-214.1 of the Rotterdam Town Code established a comprehensive regulatory framework for Battery Energy Storage Systems ("BESS") in the Town of Rotterdam, including use classifications, siting criteria, aquifer-related siting limitations, supplemental site plan review standards, operational and safety provisions, and abandonment and decommissioning requirements.

B. The Town Board finds that the GE Vernova Campus, consisting of approximately 204.52 acres zoned I-2 Heavy Industrial in the Town of Rotterdam, immediately adjacent to the City of Schenectady and shown on Exhibit A, is materially different from the rural, agricultural, open-space, and environmentally sensitive areas that were of principal concern when Local Law No. 10 of 2025 was adopted.

C. The GE Vernova Campus has been the site of heavy industrial and cutting-edge industrial uses for more than one hundred years and, as part of that long-standing use, has maintained on-site fire protection and first-responder capability, including the ability to handle hazardous and flammable materials, supplemented by mutual aid with the City of Schenectady.

D. The Board further finds that there are no residential uses on or immediately adjacent to the GE Vernova Campus, that the property is not presently rural, agricultural, open space, or otherwise environmentally sensitive in its current use and form, and that any impacts on adjacent real property values associated with heavy industrial use at this campus have already been realized over the course of more than a century of continuous industrial operations.

E. In light of these facts, the Town Board concludes that it is appropriate to encourage the continued use of the GE Vernova Campus for heavy industry and related energy facilities, including all forms of BESS and particularly Utility-Scale BESS ("U-BESS"), and that the specialized BESS restrictions in Section 270-214.1 should not apply at this one, uniquely situated location.

F. The purpose of this amendment to the Town Code, therefore, is to create a narrow, site-specific exception within Section 270-214.1 so that BESS projects at the GE Vernova Campus are reviewed under the Town's generally applicable industrial site plan standards, while Section 270-214.1 continues in full force and effect throughout the remainder of the Town.

Section 3. Authority.

This local law is adopted pursuant to the authority of the Town Board to enact local laws under Article IX of the New York State Constitution; Articles 2 and 3 of the Municipal Home Rule Law; and Article I of the Town Zoning Law, particularly Section 2, which authorizes the Town to adopt zoning provisions that promote health and general welfare, encourage the most appropriate use of land throughout the Town, encourage development in accordance with a comprehensive plan and professional planning techniques, and improve the quality of life throughout the Town.

Section 4. Amendment to Definitions (Chapter 270).

Part II, Chapter 270, Article II, § 270-5 ("Definitions") of the Code of the Town of Rotterdam is hereby amended to add the following definition in alphabetical order:

GE VERNOVA CAMPUS

An area of the Town of Rotterdam zoned I-2 for heavy industrial use, as shown on Exhibit A attached to Local Law No. ____ of 2026 and incorporated herein by reference.

Section 5. Amendment to Applicability of Section 270-214.1 of the Rotterdam Town Code

Amends Subsection 5 of Section 270-214.1 of the Rotterdam Town Code, titled "Applicability" by adding a new Subsection (F) to read as follows:

(F) The requirements herein, with such requirements including, but not limited to, restrictions on the siting of BESS, including S-BESS, L-BESS, and U-BESS, within the aquifer recharge zone, site plan review requirements that are additional to those found in Town Code Part II, Chapter 270, Article XVII, required agreements for U-BESS operators, system operations and safety, abandonment or decommissioning of systems, and any other such requirements of Section 270-214.1 of the Rotterdam Town Code that may be deemed restrictive shall not apply to the GE Vernova Campus, as defined in this Local Law. Any BESS projects, including U-BESS, proposed for the GE Vernova Campus shall require site plan review, with such review criteria applied being those imposed generally upon industrial uses and without the provisions identified above. Any BESS project, including U-BESS, proposed for the GE Vernova Campus shall remain subject to site plan review by the Planning Commission, with such review conducted under and in accordance with the standards and procedures generally applicable to industrial uses in this Chapter, including but not limited to Article XVII.

Section 6. Severability.

If any section, subsection, paragraph, clause, phrase, or provision of this local law shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the section, subsection, paragraph, clause, phrase, or provision directly involved in the controversy in which such judgment shall have been rendered, it being the intent of the Town Board that this local law would have been adopted even if such invalid provision had not been included.

Section 7. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York in accordance with § 27 of the Municipal Home Rule Law.