

**Town of Rotterdam Planning Commission
Minutes of October 15, 2024 Meeting**

The Rotterdam Planning Commission held a meeting on Tuesday, October 15, 2024, at 7:30 p.m. at the Rotterdam Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York 12306.

Present:	Kimberly Ricker Scannell Lynn Flansburg, Vice Chairman Clark Collins Mark D'Alessandro Wayne Calder Joseph Signore Joseph Miglucci Peter Comenzo, Town Planner Stephen Valiquette, Attorney Marlo Carter, Secretary	Excused:
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Chairman Scannell called the workshop to order at 7:00 p.m.

Waivers:

1. **Honeymills Bakery – 1266 Duanesburg Road.** The applicant requests a Waiver of Site Plan review to operate a take-out bakery in space #102 on a ±3.4-acre parcel.

Motion was made by Mr. Collins to approve the Waiver conditioned on the following:

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

Mrs. Flansburg seconded the motion and vote resulted in unanimous approval of the motion.

2. **Irr Supply Center – 51 Opus Boulevard.** The applicant requests a Waiver of Site Plan review to operate Wholesale Distribution store in ±25,400 square foot building on a ±1.39-acre parcel.

Motion was made by Mrs. Flansburg to approve the Waiver conditioned on the following:

1. Compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Inspector.
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 No. 6 for specifics.

Mr. Collins seconded the motion and vote resulted in unanimous approval of the motion.

3. **Bellevue Builders – 498 Duaneburg Road.** The applicant requests a Waiver of Site Plan to replace 26 Poplar trees that were removed from the site with 26 Little Leaf Lindens approximately 10' – 12' and install a silencer for noise abatement on a ±21.71-acre parcel.

Motion was made by Mrs. Flansburg to approve the Waiver conditioned on the following:

1. Approvals are contingent upon compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Inspector/Code Enforcement Officer prior to operation.
3. Owner/applicant shall install Knox box for emergency personnel. Please contact Fire District #6 for specifications.

Mr. Calder seconded the motion and vote resulted in unanimous approval of the motion.

Attendance was taken and a determined there is a quorum.

The Pledge of Allegiance to the Flag was recited.

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

Mr. Collins: I'll make that motion.

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

Mrs. Flansburg: I'll second.

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

Ms. Carter: Mr. Collins?

Mr. Collins: Yes.

Ms. Carter: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Ms. Carter: Mr. D'Alessandro?

Mr. D'Alessandro: Yes.

Ms. Carter: Mr. Calder?

Mr. Calder: Yes.

Ms. Carter: Mr. Signore?

Mr. Signore: Abstain.

Ms. Carter: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Carter: Ms. Scannell?

Ms. Scannell: Yes.

Motion carried. Thank you.

1. **Mark DeMeo (owner) and Dominic Leone (owner and contract vendee) – Willow Drive and Suffolk Avenue. Three (3) Lot Major Subdivision with Boundary Line Adjustment: Lot #1 = 2.1 acres with proposed improvements to Willow Drive and the construction of a single-family residence. Lot #2 = 24,351 square feet with proposed improvements to Suffolk Avenue and the construction of a single-family residence. Lot #3 = 5.3-acre boundary line adjustment to consolidate lands and increase the lot size of an existing developed lot. Surveyor: Blackstone Land Surveyors.**

Ms. Scannell: Very good. All right. Looks like you're our big show for the night.

Mr. Blackstone: It's happened before.

Ms. Scannell: Welcome.

Mr. Blackstone: My name is Mark Blackstone with the Survey office here in Rotterdam, representing the DeMeo and Leone subdivision, reactivating its last point of approval, I believe, was in 2009. What we have here is a quick explanation. The property was picked up from the town in an auction, and Mr. DeMeo bought the land. But the question here, actually a little bit more than that, he sold a piece for a building lot off of Esther Street and sold the piece for a building lot off of Wedgewood. And we're working our way, allegedly, to the last lot because the rest of the land is not usable. So, Willow is the last self-standing lot. That would be Lot #1. He sold the remaining lands which ran in behind the lands of the Leone, which is an early extension of Suffolk, and along the northerly rear boundary of lots on Sandy Lane. Running all the way behind all of those lots.

What the process did previously provided multiple hoops to be jumped through, each with rightful cause. But it was a lengthy procedure that left us with, Lot #1 had previously been encumbered with the opportunity for the town to continue their stormwater drainage and snow plowing storage at the end of all these dead-end streets. So, we created existing road maintenance easements. So, at the end of Willow there was one, as well of Wedgewood and Esther.

In addition to that road maintenance easement, the town requested and required a proposed turnaround easement to provide space for the town's snowplow to continue pushing the snow, but also a T end of it so that they could push the snow back up and then leave the dead-end street. There were a lot of inquiries and/or complaints through the years relative to the noise that the backup makes on these dead-end streets because it's annoying. So, additionally for Lot #1, meeting with a town-designated engineer, reviewing the slope limitations, and identifying the top of slope to be the limits of disturbance addressed any concerns relative to filling the area. So that is shown, depicted by the red cross-section area. So those were the primary hoops to be jumped through for Lot #1.

Meeting all of those, we moved on to Lot #2, which had the additional proposed turnaround easement for the town's snowplow. We put through an additional snow storage easement for the town at the northerly end of what would be approximately 87' of the extension of Suffolk Avenue to create access for the proposed lot and allowing the plow to push on past the T turnaround without once again encumbering fewer people on Suffolk with the backup. They were happy to take an opportunity to seize the suggestion to incorporate it on Suffolk also.

So, what I've done, the sections on the lower portion of the map that are in green are limits of existing pavement. The part shown in blue is the proposed extension with the T turnaround to provide access to each of the two lots. And I believe, as I can see from this angle, that's about it. I have a little bit of orange in here on the limits of disturbance to identify that we are staying away by plan from the top of slope, but still have the potential to use a little bit of additional space in the event that it becomes necessary. Although, the layout for Lot #1 does not necessarily need it, but it could come in handy for an extra width driveway or something of that nature.

Ms. Scannell: So, to seek some clarification, I see the note on the map that 10-1-2024 was updated. So, with your green and yellow and orange and pink, is that the updated part?

Mark DeMeo (owner) and Dominic Leone (owner and contract vendee)
Willow Drive and Suffolk Avenue

Mr. Blackstone: Nothing has been updated other than names of current adjoining property owners. Everything else is as it was, except some of the properties have been expanded, none of which have any consequence relative to the proposed lots here. The divest parcel got larger and many of the adjoiners have changed hands in 15 years. Many haven't, but the most revisions or updates have been done to any of the design concept because at that point in 2009, after getting an area variance for lot one from the Zoning Board of Appeals, we did receive negative DEC and final approval for this subdivision. It was not followed through on because Mr. DiMeo's financial restraints were above and beyond what he was capable of handling, and he couldn't even pay the fees that he had coming to pay for the town. So, the fees were paid to finalize, giving him a little bit of wiggle room, but I didn't expect 15 years of wiggle room.

Ms. Scannell: Right, I'm sure. Well, we're happy that he's in a better position and that this project hopefully will come to fruition as quickly as possible, but I'm sure your client recognizes that 15 years has passed and we're going to probably have to take a close look at this again, so that this won't be a final site plan review tonight.

Mr. Blackstone: I didn't expect it to be.

Ms. Scannell: Okay, I just wanted to make sure because it was written somewhat incorrectly on our agenda.

Mr. Blackstone: That's what I assumed.

Ms. Scannell: Perfect.

Mr. Blackstone: Yeah, like I said, the hoops that we ran through between having TDE review things, his bills were paid, regardless of the fact that none of his input was actually correct, but all the fees for the filing of the subdivision were paid, and one thing that we would request would be obviously an updated review. We'll incorporate additional fees, and the fee structures have obviously changed since 2009, but we would hope to have some degree of consideration relative to getting credit for what we've already paid, and we'd be happy to pay the balance that would represent the difference between today's costs versus what we've seen.

Ms. Scannell: So, my understanding, I did check with Lisa because I had seen it as a note from the DPW comments from 2009, and I had her double check, and the fees are okay as per Lisa.

Mr. Blackstone: Yeah. I've got a receipt from the town.

Ms. Scannell: Okay.

Mr. Blackstone: Paid in full.

Ms. Scannell: So again, I'm just wanting you to understand that this is incorrect in our agenda. That is, in fact, okay as per Lisa. And your receipt.

Mr. Blackstone: I have it in hand. It came out of my pocket.

Ms. Scannell: I see.

Mr. Blackstone: So that's where we stand. Like I said, it went through a rather thorough review. I understand it needs to be a new board, a different set of eyes, and getting up to speed with it. But the slope issue was one of the concerns, and the wetlands basically being down the bottom of the slope. So, questions relative to addressing the town's concerns about improvements to extension of the road as well as to creating the T-turnaround easements and documents, which were already prepared, and we'll have to meet with Lisa to find out what she has. It's a thick file. But I have all those documents previously prepared. What we would hope would be that the condition, if this were to move forward in a

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favorable direction, would be to provide the necessity prior to building permit that these improvements be made and accepted by the town so as to not get stuck in the middle here.

In the past, we've requested it to be a certificate of occupancy, but I don't think the past indicates that we need to be open-minded and do anything but deny a building permit until the improvements are made on site and approved and accepted. So that's the only criteria that I have outstanding would be credit for bills paid as well as a contemplation of allowing the improvements to be made prior to building permit. Mr. DeMeo seems to be the driving force and the only one doing much building in the family and he just turned 91. I don't believe he's doing much building anymore, although he still goes to work every day. And Mr. DeMeo should be kept on a short leash.

Ms. Scannell: Excellent. Wow.

Mr. Collins: I'm on the same page on that one.

Mr. Blackstone: I don't mind it being in the minutes.

Ms. Scannell: Well, okay. Well, thank you.

Mr. Blackstone: Any questions, I'd be happy to add additional insight.

Ms. Scannell: So, one of the bigger questions I think you answered with regard to what was updated. I'm glad I didn't miss something. We don't, to the best of my knowledge, we don't have in our possession the road easement, the turnaround easement. So, if those are prepared and we can get them to our attorney, that's fantastic. It doesn't sound like it should be too tricky because you've already got them.

Mr. Blackstone: Yes.

Ms. Scannell: They're not recorded, correct?

Mr. Blackstone: Correct.

Ms. Scannell: Okay.

Mr. Blackstone: That was kind of the point of final approval was turn over the easement documentation so we can process them. Typically, that's not a huge issue, but Mr. DeMeo dropping the ball landed rather suddenly.

Ms. Scannell: I'm not trying to be like picky about anything, but I know if we don't do it right from the beginning, I don't want it to come down the road that something can't have the right address because the SBL number wasn't right. So, I just want to bring your attention that there was just a slight typo. One of the SBL numbers was off. 59.06-10-1.1 is 59.5. So, I just would like the record to show that so that when we're moving forward, we're all on the same page. I noticed that all of the notes were put on your map except one, and it had to do with the fire hydrants being equipped with galvanized spring flags and reflective bands. I note that there was some conversation back and forth about water lines, and I'm not seeing a fire hydrant on this drawing, a new fire hydrant on your plans.

Mr. Blackstone: That's correct. We were just going to come off the existing six-iron hydrant. I can show you the hydrant and its location for proximity for that purpose. I missed that portion of the approval conversation if it happened back then.

Ms. Scannell: We did have a conversation about that, and I'll open it up to the other members at this point. Clark, I'm sorry...

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Mr. Comenzo: The other thing I guess is the Chairman's getting this from the minutes, from the verbatim minutes that we have from 2009, so we can provide those to you.

Mr. Blackstone: Okay, great.

Mr. Comenzo: Bring you up to speed from 15 years ago.

Ms. Scannell: I had to be brought up to speed from 15 years ago.

Mr. Comenzo: There was some comments in there on hydrants and not being able to locate the terminus of that line, that six-inch line.

Mr. Blackstone: Right, right.

Mr. Comenzo: Which I did not remember either.

Mr. Blackstone: I recall that just doing, I don't recall the hydrant being issued. Perhaps the proximity of an existing hydrant would alleviate it, creating a situation of extensive distance away from a hydrant. So, the hydrant would definitely be added to the map. And I'll see what Lisa has. The mapping isn't always really good when they go down dead-end streets on the extension of the waterline, but I'll locate the shutoff in front of the last house in order to know that it at least went farther than that.

Ms. Scannell: Mr. Collins, questions, comments, concerns?

Mr. Collins: Well, on the waterline, if you get ahold of the Water Department, they should be able to go out there, if you request them to find the shutoff and stake the line to the very end, they can put a blue stake in for you, get a hold of Lupi or somebody out there. But I think I was out there with you today, and that line is a dead end. They should probably put a hydrant there myself, personally, if it's feasible. But if you work with the Water Department, have them stake out the waterline past this last person's house with blue stakes, that might give you a better idea. And you might want to reconnect with the new highway superintendent, that he's okay with the T-turn, Larry, because I think it was Jimmy Longo?

Ms. Scannell: Yeah.

Mr. Collins: With the new highway superintendent, you might want to check with him on that and Suffolk, too, that he's okay with what's going on there. That's just out of courtesy to him, because he's got the guys that are going to have to plow it and push the snow.

Mr. Blackstone: I've dealt with other T-turns with Larry, ideally, obviously, and as I spoke with you this afternoon, it would be nice to have a radius big enough to squeeze a turn for many instances that isn't available. So, you know, I couldn't remember who was there.

Mr. Collins: Longo.

Mr. Blackstone: I remember who preceded him. I talked to Larry about T-turn arounds so many times, I almost practically assumed he was in there.

Mr. Collins: I think it was Longo then, but that's all my comments. I mean, it's nice to get back on the tax rolls, and it's a nice neighborhood and friendly area, but, you know, I'm sure with the right TDE on it and working with it and the developer, if he goes through with it, it'll be a nice little development. That's all I have.

Ms. Scannell: Thank you. Mrs. Flansburg.

Mrs. Flansburg: You had made a comment about maybe inaccurate findings from the previous TDE. What kinds of specific areas were they charged with looking at because of the slope and the train tracks?

Mr. Blackstone: Basically, the slope, and he called up a section of the building code relative to the slope, and said it would impact this, but he was incorrect. He didn't know what the slope was. He didn't know what the grades were given to him. So, you know, things happen.

Ms. Scannell: How did that end? Did you guys have a meeting of the minds finally?

Mr. Blackstone: I made an explanation to the planning board. No, we didn't have a meeting of the minds. He gave me a letter of his recommendations. I worked with the building inspector with the specific code definitions in application to this particular, and the building inspector made a judgment that it wasn't applicable. So, in an effort to highlight it not being applicable, I believe one of the revisions would reflect the more detailed bottom of slope. And then the town also required a note that it would be in compliance with that section. So, it's just perhaps an oversight on the TDE's part, miscalculation, or just a reference to something that could be true.

Ms. Scannell: I do appreciate Mrs. Flansburg bringing that up. It was on my mind as well. We are going to need to have a limited scope TDE helping us out with this as we move forward. At least in my mind, it would make sense. Just like it's kind of coming back to you after 15 years. My gut is saying, like, well, time is money, money is time. It would maybe be best to see if the same TDE could jump in again. But if that would pose a problem to you.

Mr. Blackstone: I paid him \$2,000 for an incorrect comment. I'm not the type to, as many are not, the type to take criticism lightly.

Mr. Collins: I'm sure you can work with Peter and find the correct one.

Ms. Scannell: So, Peter and I will make sure that we get a different set of eyes, fresh eyes, looking at this project. It will be, again, limited scope, but it's...

Mr. Blackstone: I'll provide whatever information I have in my file as far as code copies and things of that nature. But we could facilitate it because more often than not, a small minor subdivision is major because of the road extension. But you would expect a more thorough analysis, but it was a second thought, I guess. I don't know, but...

Ms. Scannell: Okay, well, we'll have fresh eyes moving forward.

Mr. Blackstone: I'll provide whatever information could...

Ms. Scannell: I appreciate it.

Mr. Blackstone: ...get a TDE up and running so that we don't have to pay him to get up to speed. At least to give him some background.

Ms. Scannell: Super, yeah. Mrs. Flansburg, did you have anything else?

Mrs. Flansburg: Just for clarifying, because 15 years is a long time. So, Lot # 1 goes over to the edge, and that will stay. It terminates where you're now, the start of Lot #2.

Mr. Blackstone: Correct.

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Mrs. Flansburg: The little brackety-looking things, is that just to connect them because they crossed over into the other lot? Like Leone, Lot 2?

Mr. Blackstone: Leone owned this piece.

Mrs. Flansburg: And he's going to get it from DeMeo's?

Mr. Blackstone: The additional piece will be added to that. We don't know this piece in here.

Mrs. Flansburg: The tiny little piece?

Mr. Blackstone: Yes. So, that's just all to show that it's one piece and one part of it.

Mrs. Flansburg: Right, and nothing is going... None of the... What are they called? Adjacent owners, Leone, Martucci, Marks, Manning, them gain any property from any of this, correct?

Mr. Blackstone: Correct.

Mrs. Flansburg: Okay. Because back in 2009, I had mentioned that my grandfather owned the property that's on Crane Street. Obviously, he has passed. But now my niece is one of the property owners on Sandy Lane. So, I'm making sure that there's no... It has nothing to do with them at all whatsoever. It's just a transfer of ownership, a little swap here and there.

Mr. Blackstone: "Inaudible..."

Mrs. Flansburg: That's where I wanted to head next. Because it landlocks DeMeo unless... Unless they can access from Crane Street. But I thought there's a giant ditch behind the Crane Company.

Mr. Blackstone: There is.

Mrs. Flansburg: Okay.

Mr. Blackstone: So, what's the definition of landlocked?

Mrs. Flansburg: No road access. Or certain frontage, right?

Mr. Blackstone: Yeah, so...

Mrs. Flansburg: I throw the term out there. I'm just saying, how does DeMeo get to his property? I've never seen Occupation Road on a site plan.

Mr. Blackstone: Actually, where did... How close to the... What was it? The place that's now apartments on Crane Street.

Mrs. Flansburg: The beautiful place between the Crane Company... What used to be the Crane Company and what Byron just did? That project?

Mr. Blackstone: Byron's property.

Mrs. Flansburg: Yeah.

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Mr. Blackstone: This property runs up to the Occupation Road. Then there's a little strip of land in there that looks like it's the apartment's driveway.

Mrs. Flansburg: Interesting. Okay.

Mr. Blackstone: So that's the access to get to it. They... The apartment bought an additional piece for parking and didn't run it all the way to the top of the slope so there's access to it. But it's not usable. The only access you would have would be to fall down your back. So yeah, that's a strange configuration.

Mrs. Flansburg: Okay, that's all I have in a confusing way. I'm not sure what I have.

Ms. Scannell: So, Occupation Road is not a real road?

Mr. Blackstone: Correct. Occupation Road, the only way back, was how they were feeding to get to the railroad property from Crane Street. And then the town bought or was given property that created this little strip in here, back in here, and then on the other side where the little brush dump was off of Consalus Avenue. But that property had access off of Crane just for additional access.

Mrs. Flansburg: And the ownership of Occupation Road is Byron?

Mr. Blackstone: I don't believe so. I don't think... I think it's listed on the tax maps as DeMeo. I mean, it's so ridiculous in my mind at least.

Mrs. Flansburg: Does his piece...

Mr. Blackstone: We have this file under Crane Street.

Mrs. Flansburg: Does DeMeo's piece where it looks like it's sectioned off all the way and comes to Crane Street, is that all one parcel?

Mr. Blackstone: Yes, but I would have to do some title research to see if that's title of Occupation Road.

Mrs. Flansburg: But technically DeMeo fronts or has access where you have the 140 mark, that little rectangle into some sort of trapezoid or whatever.

Mr. Blackstone: It should have access off of Occupation Road, but nobody uses it. So, it's probably an old easement. These things happen all the time, unfortunately. But so long as who owns it, maybe the railroad still does. Maybe the town. I'd have to take a look at how...

Mrs. Flansburg: Would it matter to us until and unless DeMeo wanted to do something on that property?

Mr. Blackstone: You never know. No one knows. The most popular way of dealing with a property like that is you remove everything you can use and stop paying it back.

Mr. Collins: And that happens?

Mr. Blackstone: Frequently.

Ms. Scannell: Mr. Signore?

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Mr. Signore: Yeah, I'm good.

Ms. Scannell: Okay. Mr. Miglucci?

Mr. Miglucci: As long as all these properties have ample space for a septic. But we have to see everything else, like I said, is preliminary. So, I have to see. I'm concerned about DeMeo's property too. Can he use that 140 and that 100 to access his property?

Mr. Blackstone: That's not... and we've done this in the past. Just identify with a note that it's not being created as a buildable lot because it has issues that cannot be overcome.

Mr. Miglucci: So, in order to get to his lot, he's got to go down the Occupation Road or park and walk through?

Mrs. Flansburg: He's not going to need to at this point.

Mr. Miglucci: Right.

Ms. Scannell: But unless somebody wants the access rights there, nobody's going there.

Mrs. Flansburg: Right.

Mr. Miglucci: That's all I have.

Ms. Scannell: Thank you. Mr. Calder?

Mr. Calder: I'm assuming that Mr. DeMeo and Mr. Leone are going to be living in two (2) of the places that they have out of the three (3) houses, right, they want to build?

Mr. Blackstone: Well, DeMeo would be selling this lot.

Mr. Calder: I'm talking about DeMeo's lot one?

Mr. Blackstone: DeMeo lot one would be a lot to be sold for the...

Mr. Calder: Oh, he's going to sell it. They're going to sell it.

Mr. Blackstone: Yes.

Mr. Calder: Okay. So, they're not going to... Neither one of them are going to live in that area.

Mr. Blackstone: Well, Leone lives right across the street from the lot being done for Lot #2.

Mr. Calder: Right. I see that.

Mr. Blackstone: So, he's not going anywhere.

Mr. Calder: He's not going anywhere. Is somebody going to worry about a buffer between there and the railroad? If they're going to own the property themselves and live in it?

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Mr. Blackstone: The Lot #1 got a slope, heavily wooded, you can't see the railroad. I mean, it seems hard to believe, but it's a significant distance away.

Mr. Collins: I was out there today; you can't see the railroad.

Mr. Calder: You can't see the railroad.

Mr. Collins: No, all you see is trees and then it goes like this.

Mr. Blackstone: It's a couple hundred feet to the edge of their property and then it's, you know...

Mr. Calder: I have no other question. That's all. I was just curious about this. Clark covered most of them.

Mr. Blackstone: Leone's been living here for 60 years.

Mr. Calder: Okay.

Mr. Blackstone: So, he's familiar with the noise.

Mr. Calder: I was just curious. Because whatever they build, it's going to affect them if they're living in it. But if they're going to sell the property and sell the house.

Mr. Blackstone: Leone probably just going to add it to his inventory of land.

Mr. Calder: After they pay you back the money.

Mr. Blackstone: Mr. Leone's always paid his bills.

Ms. Scannell: Very good. We like that.

Mr. Calder: No further questions. Thank you.

Ms. Scannell: Thank you. Mr. D'Alessandro?

Mr. D'Alessandro: Not really a question, but when I first looked at this, I kind of felt uncomfortable that we were going to vote on this tonight because of the time period. I mean, you've gone through multiple board members, highway supervisors, DPW meetings. So, I agree with the rest of the board here that definitely new eyes need to see this.

Mr. Blackstone: Sure.

Mr. D'Alessandro: That's all I have. I'm not going to rehash up everything that was brought up.

Mr. Blackstone: My only point I would raise would be the reference to septic systems, town and county were present in 2009 or 8 for soil analysis and all of that. Nothing has changed at all.

Ms. Scannell: And that was pretty much the consensus of DPW comments that are just very preliminary at this point. Unfortunately, from the time you submitted this until tonight, I haven't really had an opportunity to sit down with everybody from DPW. But we're looking forward to getting their feedback. So, I think what we're going to do is re-declare ourselves as lead agency for SEQR purposes. We're going to put a condition in that the new highway supervisor is brought up to speed and signs off on everything. And that we're going to have a limited scope TDE help us with fresh

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eyes. And of course, all of the easements will be provided to our legal team. As far as the two (2) conditions that you are seeking, credit for bills paid and allowing improvements to be made before certificates of occupancy, did you say, or building permits?

Mr. Blackstone: Building permits.

Ms. Scannell: I will have a conversation with DPW about that. And Peter will likely get back in touch with you. Probably before the next time you're here. Peter, did you want to add anything?

Mr. Comenzo: No, not really. I mean, I think providing Mark the previous meeting minutes will help. And whoever we have review this. I don't think it's; I mean, we've gone through the whole process. This was approved in 2009. So, I don't think we need to start from the beginning. But obviously, there's a new highway superintendent. And he's going to have to be brought up to speed. We don't want to just kind of spring this on him. And if there's some revisions that he would like to see, then we'll have to consider those. But no, I think we can revive the application and have a limited scope TDE review. And then get this back in front of you.

Ms. Scannell: Super. There are some comments to Mr. Blackstone that you can take a look at with regard to signage on the road. Like dead end street and things like that. They were in the minutes. So, maybe after you bring yourself up to become refreshed, maybe we'll see, at least, let's talk about it at the next one. If we don't see signage on the plan, then we'll talk about why it's not there. Because it looks like that was kind of talked about back in 2009, 2010.

Mr. Blackstone: I recall it being talked about. And the major concern was at the end of Willow and that we agreed to and had added a proposed guardrail to create a way to address any safety concerns probably down here.

Ms. Scannell: Super.

Mr. Blackstone: And as far as how we deal with town signage and highway department decision making relative. Is it necessary or not? I kind of have to play that by ear. But I'll refresh myself.

Ms. Scannell: And if Larry's happy, everybody's happy, right? Okay. So, does all of that sound good to you?

Mr. Blackstone: About where I thought we should be at the end of the meeting, yes.

Ms. Scannell: All right. Fantastic.

Mr. Blackstone: A little less confused, but not completely crystal clear.

Ms. Scannell: Super. So, I guess right now I would entertain a motion to re-declare lead agency.

Mr. Collins: I'll make that motion.

Mrs. Flansburg: I'll second.

Ms. Scannell: Thank you. Marlo, could you please call the roll?

Ms. Carter: Mr. Collins?

Mr. Collins: Yes.

Ms. Carter: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Ms. Carter: Mr. D'Alessandro?

Mr. D'Alessandro: Yes.

Ms. Carter: Mr. Calder?

Mr. Calder: Yes.

Ms. Carter: Mr. Signore?

Mr. Signore: Yes.

Ms. Carter: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Carter: Ms. Scannell?

Ms. Scannell: Yes.

Everything else that we just talked about as far as going to talk with Larry, getting a limited scope TDE, having DPW and especially the Water Department get some closer eyes on this, we'll make sure that that is part of our verbatim minutes so we can send those as well.

Mr. Blackstone: Wonderful.

Mr. Collins: Do we have to make a motion for another TDE or no?

Ms. Scannell: Peter or Steve, do we need another motion?

Mr. Valiquette: You might as well make one.

Ms. Scannell: I will entertain a motion for a limited scope TDE.

Mrs. Flansburg: I'll make that motion.

Ms. Scannell: Thank you.

Mr. Collins: I'll second it.

Ms. Scannell: Thank you and for mentioning it, Clark. Marlo, please call the roll.

Ms. Carter: Mr. Collins?

Mr. Collins: Yes.

Ms. Carter: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Ms. Carter: Mr. D'Alessandro?

Mr. D'Alessandro: Yes.

Ms. Carter: Mr. Calder?

Mr. Calder: Yes.

Ms. Carter: Mr. Signore?

Mr. Signore: Yes.

Ms. Carter: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Carter: Ms. Scannell?

Ms. Scannell: Yes.

Mr. Collins: I'll make a motion for the adjourn this evening's meeting.

Ms. Scannell: I would entertain that motion. Do I have a second?

Mr. Calder: I'll second it.

Ms. Scannell: All in favor?

Planning Commission Members: I.

Meeting adjourned at 8:11 p.m.

Respectfully Submitted,

Marlo L. Carter
Planning Commission Secretary



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 PC54-2024

Moved by Mr. Collins seconded by Mrs. Flansburg

Applicant: Mark DeMeo (owner) and Dominic Leone (owner and contract vendee)

Applicant: Mark DeMeo (owner) and Dominic Leone (owner and contract vendee)

Project Location: Willow Drive & Suffolk Avenue
Rotterdam, New York

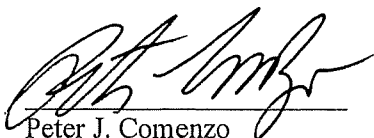
Tax Number or Numbers: 59.5-8-14.51 (Willow Drive – Lot 1), 59.5-10-1.1 & 59.5-8-14.52 – (Suffolk Avenue - Lot 2), and 59.5-8-14.52 & 59.6-2-43.1 (Sandy Lane – Lot 3).


Proposed Project: Three (3) Lot Major Subdivision with Boundary Line Adjustment: Lot #1 = ±2.1 acres with proposed improvements to Willow Drive and the construction of a single-family residence. Lot #2 = ±24,351 square feet with proposed improvements to Suffolk Avenue and the construction of a single-family residence. Lot #3 = ±5.3-acre boundary line adjustment to consolidate lands and increase the lot size of an existing developed lot on Sandy Lane.

WHEREAS, pursuant to 6 NYCRR Part 617 State Environmental Quality Review the above referenced project is an Unlisted Action; and,

WHEREAS, the Rotterdam Planning Commission desires to establish itself as lead agency on this project; **NOW:**

IT IS HEREBY RESOLVED THAT, on this day, Tuesday, October 15, 2024, the Rotterdam Planning Commission hereby declares itself lead agency and authorizes the Rotterdam Town Planner to prepare, file, publish, and distribute all documents as necessary to comply with 6 NYCRR Part 617 (State Environmental Quality Review).


Peter J. Comenzo
Senior Planner


Kimberly Ricker-Scannell
Planning Commission Chairman



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 PC55-2024

Moved by Mrs. Flansburg seconded by Mr. Collins

Applicant: Mark DeMeo (owner) and Dominic Leone (owner and contract vendee)

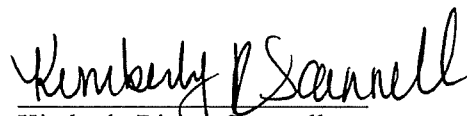
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WHEREAS, the Town of Rotterdam does not employ an Engineer for the review of plans; and,

WHEREAS, the Rotterdam Town Board approved a list of Town Designated Engineers to be utilized for such plan review at its January 1, 2024 organizational meeting; **NOW:**

IT IS HEREBY RESOLVED THAT on this day, Tuesday, October 15, 2024, the Rotterdam Planning Commission hereby authorizes the Planning Commission Chairman to execute a contract with a Town Designated Engineer (TDE) to assist in Site Plan review for the above referenced project.


Peter J. Comenzo
Senior Planner


Kimberly Ricker-Scannell
Planning Commission Chairman