

**Town of Rotterdam Planning Commission
Minutes of April 2, 2024, Meeting**

The Rotterdam Planning Commission held a meeting on Tuesday, April 2, 2024 at 7:30 p.m. at the Rotterdam Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York 12306.

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

Attendance was taken and it was determined that there was a quorum.

1. **Stewart's Shops Corp – 2740 Hamburg Street.** The applicant requests a Waiver of Site Plan review for the installation of a ±160 square foot freezer addition and a ±30 square foot pad for the freezer compressor on the outside of an existing ±3,300 square foot Stewarts on a ± 0.89-acre parcel.

Motion was made by Mr. Collins to approve the Wavier 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. 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 #3 for specifications.
5. Property is in Sewer District #7 and shall be connected to sanitary sewer. Connection to sanitary sewer must be completed and existing septic will need to be properly decommissioned on or before July 31, 2024. A lateral was provided to the property with the reconstruction of Hamburg Street.

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

Ms. Scannell: We need a motion to approve the summary minutes from the March 19, 2024 Planning Commission meeting.

Mr. Collins: I make a motion that we approve the summary minutes from the March 19, 2024 meeting.

Ms. Scannell: Motion made by Mr. Collins. Is there a second?

Ms. Flansburg: I second the motion.

Ms. Scannell: Motion seconded by Ms. Flansburg. Are there any questions on the motion? Please call the vote.

Lisa Gallo: Mr. Collins?

Mr. Collins: Yes.

Lisa Gallo: Ms. Flansburg?

Ms. Flansburg: Yes.

Lisa Gallo: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Lisa Gallo: Mr. D'Alessandro

Mr. D'Alessandro: Yes

Lisa Gallo: Mr. Calder?

Mr. Calder: Yes.

Lisa Gallo: Mr. Signore?

Mr. Signore: Yes.

Lisa Gallo: Mr. Miglucci

Mr. Miglucci: Yes.

Lisa Gallo: Ms. Scannell?

Ms. Scannell: Yes.

Motion carried.

1. **GDPL Ville Rotterdam, LLC - 900 & 880 Duanesburg Road.** Preliminary Review for a ±102,725 square foot BJ's Wholesale Club with associated 8 island fueling station at 900 Duanesburg Road and a ±2,300 square foot retail building with associated drive thru. Engineer: ABD Engineers LLC.

Luigi Palleschi from ABD Engineers & Surveyors was present for the project and discussed the DPW comments. Two (2) representatives from BJ's were present. The Town Designated Engineer from VHB was also present.

1. Applicant has been progressing plan review with the TDE. See attached letter from ABD Engineers dated March 14, 2024 responding to the TDE comments of February 28, 2024.
2. Project needs to add a pedestrian actuated crosswalk at the light with Schalmont School Campus. See letter from School Superintendent Thomas Reardon dated November 16, 2023.
3. Applicant should provide copies of all permit applications to NYSDOT.
4. Add evergreen trees throughout the site, along Duanesburg Road, and northern property line. Proposed landscaping is very sparse given the size of the parking lot and buildings.

Ms. Scannell would like Boxwoods.

5. Applicant still needs to meet with Fire District and discuss access and proposed hydrant locations.

Mr. Palleschi has met with the Fire District twice, once with BJ's representatives.

6. Is a food court proposed?

Yes, a small one with pretzels and such.

7. Bollards should be provided for the hydrants located near the fueling station and in the island near the proposed 2,300 square foot retail building.
8. Extend concrete to include all parking spaces that are adjacent to the BJs, adjacent to the propane dispensing area, and adjacent to the 2,300 square foot retail building.

This is an extra added expense and he will discuss with his clients. They have mitigation measures in place for oil spills. They are sidewalks and water line and possibly a crosswalk, at their expense.

9. Access easement to the adjoining Mohawk Valley property should be formalized and will need to be filed prior to signature on the final site plan maps.
10. Given the size of the vehicle fueling operation, a second free air pump should be added to prevent vehicle queuing and backups into the roadway.

Mr. Palleschi will check to see if this is feasible.

They are waiting for responses from the Army Corp of Engineers on wetland determination.

There will not be alcohol sales at this location.

No action was taken on this project.

2. RMRCOMP, LLC (Contract Vendee) – 796 Burdeck Street. Waiver of Site Plan/Special Use Permit Public Hearing to convert an existing ±8,534 square foot office building with warehousing/garage space to a veterinary office with associated kennel, crematorium, and animal hospital. Engineer: ABD Engineers & Surveyors LLP.

Luigi Palleschi from ABD Engineers & Surveyors was present for the project

There was discussion on the septic system in the back for the dogs to possibly go from the designed 1000 gallon to a 1500 gallon.

Ms. Scannell: We need a motion for Negative Declaration.

Mr. Signore: I make a motion that we approve Negative Declaration.

Ms. Scannell: Motion made by Mr. Signore. Is there a second?

Mr. Miglucci: I second the motion.

Ms. Scannell: Motion seconded by Mr. Miglucci. Are there any questions on the motion? Please call the vote.

Lisa Gallo: Mr. Collins?

Mr. Collins: Yes.

Lisa Gallo: Ms. Flansburg?

Ms. Flansburg: Yes.

Lisa Gallo: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Lisa Gallo: Mr. D'Alessandro

Mr. D'Alessandro: Yes

Lisa Gallo: Mr. Calder?

Mr. Calder: Yes.

Lisa Gallo: Mr. Signore?

Mr. Signore: Yes.

Lisa Gallo: Mr. Miglucci

Mr. Miglucci: Yes.

Lisa Gallo: Ms. Scannell?

Ms. Scannell: Yes.

Motion carried.

Ms. Scannell: We need a motion for the Special Use Permit.

Mr. Collins: I make a motion that we approve the Special Use Permit.

Ms. Scannell: Motion made by Mr. Collins. Is there a second?

Mr. Calder: I second the motion.

Ms. Scannell: Motion seconded by Mr. Calder. Are there any questions on the motion? Please call the vote.

Lisa Gallo: Mr. Collins?

Mr. Collins: Yes.

Lisa Gallo: Ms. Flansburg?

Ms. Flansburg: Yes.

Lisa Gallo: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Lisa Gallo: Mr. D'Alessandro

Mr. D'Alessandro: Yes

Lisa Gallo: Mr. Calder?

Mr. Calder: Yes.

Lisa Gallo: Mr. Signore?

Mr. Signore: Yes.

Lisa Gallo: Mr. Miglucci

Mr. Miglucci: Yes.

Lisa Gallo: Ms. Scannell?

Ms. Scannell: Yes.

Motion carried.

Ms. Scannell: We need a motion for the Modification of the Site Plan.

Mr. Miglucci: I make a motion that we approve the Modifications of the Site Plan.

Ms. Scannell: Motion made by Mr. Miglucci. Is there a second?

Ms. Flansburg: I second the motion.

Ms. Scannell: Motion seconded by Ms. Flansburg. Are there any questions on the motion? Please call the vote.

Lisa Gallo: Mr. Collins?

Mr. Collins: Yes.

Lisa Gallo: Ms. Flansburg?

Ms. Flansburg: Yes.

Lisa Gallo: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Lisa Gallo: Mr. D'Alessandro

Mr. D'Alessandro: Yes

Lisa Gallo: Mr. Calder?

Mr. Calder: Yes.

Lisa Gallo: Mr. Signore?

Mr. Signore: Yes.

Lisa Gallo: Mr. Miglucci

Mr. Miglucci: Yes.

Lisa Gallo: Ms. Scannell?

Ms. Scannell: Yes.

Motion carried.

Meeting adjourned at 8:16 p.m.

Motion to adjourn made by Mr. Collins and seconded by Mr. Calder

Next meeting scheduled for April 16, 2024.

Respectfully Submitted,

Lisa Gallo for 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 PC20-2024

Moved by Mr. Collins seconded by Mr. Calder
Applicant: RMRCOMP, LLC (Contract Vendee)

- Applicant:** RMRCOMP, LLC (Contract Vendee)
- Project Location:** 796 Burdeck Street
Rotterdam, NY
- Tax Number or Numbers:** 48.13-2-42.1
- Proposed Project:** Special Use Permit to convert an existing ±8,534 square foot office building with warehousing/garage space to a veterinary office with associated kennel, crematorium, and animal hospital.

WHEREAS, a public hearing was conducted by the Town of Rotterdam Planning Commission on April 2, 2024, 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**

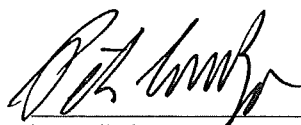
IT IS HEREBY RESOLVED THAT this Special Use Permit is approved with the following conditions as stipulated by the Planning Commission:

- | | | | |
|---|-----------------|---------------------|--------------|
| 1 | Final fees due: | Waiver of Site Plan | \$100.00 |
| | | <u>Advertising</u> | <u>37.95</u> |
| | | | \$137.95 |
- 2 Prior to operation the crematorium shall receive all permits necessary from New York State DEC (Air Permits & Registration) and comply with all conditions set forth in the permit.
 - 3 Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.

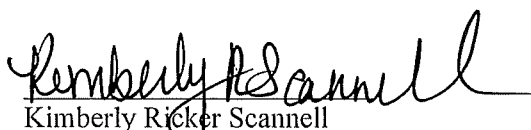
Resolution Number PC20-2024

Moved by Mr. Collins seconded by Mr. Calder
Applicant: RMRCOMP, LLC (Contract Vendee)
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- 4 Applicant to comply with all NYS Building and Fire Codes.
- 5 Applicant must apply for Building Permit and receive Certificate of Occupancy prior to commencement of operation.



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

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Resolution Number PC21-2024

Moved by Mr. Miglucci seconded by Ms. Flansburg
Applicant: RMRCOMP, LLC (Contract Vendee)

- Applicant:** RMRCOMP, LLC (Contract Vendee)
- Project Location:** 796 Burdeck Street
Rotterdam, New York
- Tax Number or Numbers:** 48.13-2-42.1
- Proposed Project:** Modification of Site Plan to convert an existing ±8,534 square foot office building with warehousing/garage space to a veterinary office with associated kennel, crematorium, and animal hospital.

WHEREAS, a public hearing was conducted by the Town of Rotterdam Planning Commission on April 2, 2024, to consider the above referenced, to consider the above referenced Modification of 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 MODIFICATION OF SITE PLAN; NOW,**

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

- | | | | |
|---|-----------------|---------------------|--------------|
| 1 | Final fees due: | Waiver of Site Plan | \$100.00 |
| | | <u>Advertising</u> | <u>37.95</u> |
| | | | \$137.95 |
- 2 Detail proposed fencing and add to plan.
 - 3 Prior to operation the crematorium shall receive all permits necessary from New York State DEC (Air Permits & Registration) and comply with all conditions set forth in the permit.
 - 4 Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.

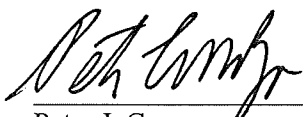
Resolution Number PC21-2024

Moved by Mr. Miglucchi seconded by Ms. Flansburg

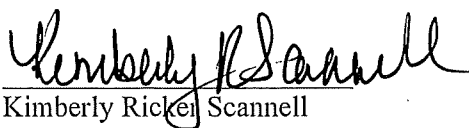
Applicant: RMRCOMP, LLC (Contract Vendee)

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- 5 Applicant to comply with all NYS Building and Fire Codes.
- 6 Applicant must apply for Building Permit and receive Certificate of Occupancy prior to commencement of operation.



Peter J. Comenzo
Senior Planner



Kimberly Rickett Scannell
Planning Commission Chairman



Town of Rotterdam
Office of the Planning Commission

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

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

Date: April 2, 2024

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

Owner: Burdeck Street Development, LLC
796 Burdeck Street
Schenectady, NY 12306

Contract Vendee: **RMRCOMP, LLC**

Location: 796 Burdeck Street
Schenectady, NY 12306

Tax Map Number(s): 48.13-2-42.1

Zoning: Light Industrial (I-1) Zoning District.

Action: Special Use Permit approval to convert an existing ±8,534 square foot office building with warehousing/garage space to a veterinary office with associated kennel, crematorium, and animal hospital

Involved Agency: **New York State DEC (Air Permits & Registration)**

20 APR 2024 09:51

TOWN OF ROTTERDAM

Reasons Supporting This Determination:

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

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

The applicants have requested approvals for Special Use Permit approval to convert an existing ±8,534 square foot office building with warehousing/garage space to a veterinary office with associated kennel, crematorium, and animal hospital. The existing site is currently being utilized as offices, warehousing, and equipment storage for an existing residential/commercial construction company. Changes to the site will be minimal with the addition of fencing for an animal exercise area, an additional septic system, and parking lot restriping. A portion of the existing garage area is proposed to be converted to crematorium for small animals. This will require permits from the NYSDEC Division of Air Resources.

Access to the site will remain the same with no additional curb cuts proposed for Opus Boulevard and no access directly to Burdeck Street. Reciprocal access and parking easements will be granted between 796 Burdeck and 784 Burdeck. Anticipated additional traffic volumes can be accommodated.

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

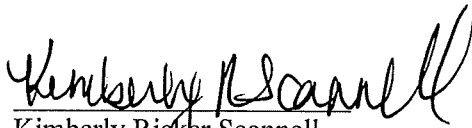
- (i) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) the removal or destruction 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 April 2, 2024 at the Rotterdam Town Hall, 1100 Sunrise Boulevard, Rotterdam, NY 12306. Adoption of this Negative Declaration was moved by Mr. Signore, seconded by Mr. Miglucchi, and approved by the Rotterdam Planning Commission.


Kimberly Ricker Scannell
Planning Commission Chairman