

**Town of Rotterdam Planning Commission
Minutes of February 5, 2019 Meeting**

The Rotterdam Planning Commission held a meeting on Tuesday, February 5, 2019, at 7:30 p.m. at the Rotterdam Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York 12306

Present:	Jack Denny – Chairman	Excused: Clark Collins
	Larry DiLallo – Vice Chairman	
	Thomas Yuille	
	Lynn Flansburg	
	Mark D'Alessandro	
	Wayne Calder	
	Peter Comenzo, Town Planner	
	Jonathon Tingley, Attorney	
	Marlo Carter, Secretary	

Chairman Denny called the caucus to order at 7:00 p.m. in the Town Board Office.

WAIVERS:

1. Bradley/Andrea Strang & Ronald/Maureen Walsh – 3705 Putnam Road & 3810 Putnam Road. The applicant's request a Waiver of Subdivision to Boundary Line Adjust $\pm 23,801$ square feet from Tax Parcel #36.00-3-33.1 (3705 Putnam Road) to Tax Parcel # 36.00-3-32 (3810 Putnam Road) and eliminate and incorporate a $\pm 23,801$ square foot parcel Tax Parcel #36.00-3-34 (vacant) into Tax Parcel #36.00-3-33.1 (3705 Putnam Road). Surveyor: Ausfeld & Waldruff Land Surveyors LLP.

Motion was made by Mr. DiLallo to approve the Wavier conditioned on the following:

1. The final maps (with all necessary changes discussed at the Planning Commission) need to be submitted for signature and filing with Schenectady County.
2. The Planning Commission Chairman will sign up to two (2) Mylar's (One for Schenectady County and one for the applicant).
3. The signed Mylar's need to be filed with Schenectady County Clerk's office within ten (10) days.
4. After signature and filing with Schenectady County six paper copies shall be returned to the Planning Commission office.

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

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

The Pledge of Allegiance to the Flag was recited.

Chairman Denny: We need a motion to approve the summary minutes from the January 22, 2019 Planning Commission meeting.

Mrs. Flansburg: I make a motion that we approve the summary minutes from the January 22, 2019 meeting.

Chairman Denny: Motion made by Mrs. Flansburg. Is there a second?

Mr. D'Alessandro: I second the motion.

Chairman Denny: Motion seconded by Mr. D'Alessandro. Are there any questions on the motion? Please call the vote.

Marlo Carter: Mr. DiLallo?

Mr. DiLallo: Yes.

Marlo Carter: Mr. Yuille?

Mr. Yuille: Yes.

Marlo Carter: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Marlo Carter: Mr. D'Alessandro?

Mr. D'Alessandro: Yes.

Marlo Carter: Mr. Calder?

Mr. Calder: Yes.

Marlo Carter: Chairman Denny?

Chairman Denny: Yes.

Motion carried.

1. **Sheri Lamb & Daniel Messersmith (Owners)/Stewart's Shops (Contract Vendee) – 1174 & 1180 Floral Avenue. Report and Recommendation to the Town Board for a Change of Zone on ±0.3 acres of property from Single Family Residential (R-1) to General Business (B-2) to facilitate the construction of a new Stewart's Shop with self-service fueling station.**

Chairman Denny: Can you give us an insight as to what you want to propose. Please state your name and where you are from.

Mr. Fronte: My name is Tyler Fronte and I am here with Stewart's Shops and I handle the real estate and development here. I am here tonight to present our proposed development at the current AC Body Shop encompassing 1180 Floral Avenue and 1174 Floral Avenue.

As you can see from the drawing here, 1174 and 1180 Floral Avenue are currently zoned single family residential and they do about the general business zone, the B-2 zoning. What we were proposing was to demolish these two (2) properties, these two (2) current houses and do a total redevelopment here and the purpose was to really offer a larger screening between the residential and the commercial development that takes place.

Mr. DiLallo: For the folks that can't see the map, these are two (2) lots behind Caprara's Auto Body that are in question. We are considering making a recommendation, not tonight, whether to have a zone change on these properties. I don't know if you are all familiar with that. We are not actually talking about the construction of the Stewart's tonight. We are talking zone change recommendation to the Town Board for those two (2) properties that he just explained.

Mr. Fronte: That is pretty much what I have to offer, and I will open it up to any questions.

Chairman Denny: I will ask the Planning Commission for questions and comments. Mr. Yuille?

Mr. Yuille: No, it seems like a good use of the property. It's been a body shop for years and there are a lot of vehicles that are stored there. The two (2) houses in the back, I know one of them is in pretty rough shape. To me, it's a good use of that property. I assume that you are going to do some soil testing once you get the property.

Mr. Fronte: Absolutely. We will do all the environmental testing prior.

Mr. Yuille: I would think there may be something on that property with all the cars that have been put there over the years.

Mr. Fronte: I would assume so, yes.

Mr. Yuille: That is all I have, Mr. Chairman.

Chairman Denny: Mr. Calder?

Mr. Calder: I have something a little unrelated, but I am just curious, but do you plan on closing the other Stewart's that is on Helderberg and Curry?

Mr. Fronte: No, we do not. That is a total separate store.

Mr. Calder: I know, but you have no plans of shutting that one down and opening this new one?

Mr. Fronte: Absolutely not. Nope.

Mr. Calder: That's all I have.

Chairman Denny: Mr. D'Alessandro?

Mr. D'Alessandro: I think Mr. Yuille asked my questions regarding the two (2) existing properties in the back. I think that is a good idea that you are trying to make the change for those to open that up. That's all I have.

Chairman Denny: Mr. DiLallo?

Mr. DiLallo: I think it's a good idea as well. Guilderland Avenue is B-2 anyways. I can't see that as a big change as far as zoning goes. That's all I have.

Chairman Denny: Mrs. Flansburg?

Mrs. Flansburg: I agree with the others and my concern would be the buffering that you have for the residential area. "Inaudible..."

Mr. DiLallo: And with the understanding that the Town Board does okay the zone change, the Stewart Shop will come back to us and there is a number of issues that will be addressed before it's given the okay to build, if it's given the okay to build.

Chairman Denny: At this time, we will have our attorney explain exactly the report and recommendation we'll consider.

Mr. Tingley: The board is familiar with the process, but for the benefit of the public whenever the Town Board is considering an amendment to the zoning, it refers that amendment to the Planning Commission for a report and recommendation. The report and recommendation of the board is board's review of the proposal and either a positive recommendation, in other words, suggesting to the Town Board that it should be amended. A negative recommendation or stated otherwise suggesting that the Town Board not move forward with the amendment or something in between, whether it be a positive with modifications or maybe a neutral recommendation with some suggestions and what the Planning Commission's process has been on those is we hear from the applicant and then the Board asks questions and makes comments. I prepare for the Board's consideration a draft report and recommendation that the Board will then be in a position to act upon at a future meeting, usually it's the next meeting or sometimes it's two (2) meetings later.

What the Board is doing tonight is not taking any final action on the project or on the rezoning. It is strictly a report and recommendation to the Town Board. The Town Board is the decision maker on this particular aspect, in other words, the Town Board will make the decision on whether or not to rezone those two (2) parcels that are at issue and in connection with that the Town Board is required by law to hold a public hearing and as a decision maker to the extent comments are intended, those comments should be directed to the decision maker at the appropriate public hearing so that they are contained in the record. This report and recommendation will also be part of the Town Board's record when it's back before the Town Board.

That is the process that the Planning Commission has been following at least since I've been involved and that is the process that I understand the Planning Commission will follow here.

Chairman Denny: At this time, I need a motion to authorize the Chairman to enter into a TDE agreement.

Mr. DiLallo: Do you want that at this time or do you want to wait?

Chairman Denny: Yes.

Mr. Tingley: A motion to authorize the Chairman to enter into an agreement with a TDE, not on a report and recommendation.

Mr. DiLallo: Mr. Chairman, I will make that motion.

Chairman Denny: Mr. DiLallo made the motion. Do I have a second?

Mr. Yuille: I'll second.

Chairman Denny: Mr. Yuille seconds the motion. Are there any questions? Please call the vote.

Marlo Carter: Mr. DiLallo?

Mr. DiLallo: Yes.

Marlo Carter: Mr. Yuille?

Mr. Yuille: Yes.

Marlo Carter: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Marlo Carter: Mr. D'Alessandro?

Mr. D'Alessandro: Yes.

Marlo Carter: Mr. Calder?

Mr. Calder: Yes.

Marlo Carter: Chairman Denny?

Chairman Denny: Yes.

Motion carried.

That's all we have on Stewart's until the next phase. At this time, is there anyone in the audience who would like to make a comment? Please come to the podium and state your name and your concerns.

Mr. Butt: My name is Arshad Butt and my nickname is Ali. I own Qik Pik as you know. I have a concern about this Stewart's going on right next to my business. I'm a local guy. I live in this town. I spend here. I live here, everything. My kids go to the schools and college. Now, Stewart's, Mr. Fronte, they came to us and they want to buy my property. Now the deal didn't go through and they told me they're going to put me out of business. "Inaudible" this is not right. They are putting the Stewart's next to me which is not a good idea. Now the question is, they are putting two (2) entrances on Lilac which is totally residential. They are trying to divert all the traffic from Guilderland Avenue. They are driving big trucks because they have diesels. They are going to draw this traffic to Lilac, Floral, Willow, Beverly; all these streets are going to be crowded.

Chairman Denny: Let me say this, sir, none of that is positive. That's just a sketch drawing of how it may be. There is no guarantee that there is going to be entrances on Lilac. All the entrances have to be approved by us and by our TDE before we make a decision on that.

**Sheri Lamb & Daniel Messersmith (Owners)/Stewart's Shops (Contract Vendee)
1174 & 1180 Floral Avenue**

Mr. Butt: I think if you go back like eight (8) or nine (9) months, the Sunoco Gas Station and the guy just put in a half a million dollars over there and they are trying to close up three (3) business, me, Sunoco and Country Farm. Even five corners they have a Valero over there. They are going to be at risk too. Why they are trying to close the small business? We are the family living here, we have property here, we have businesses, everything here. I'm 62 years old now. Why I have to worry about my property, my kids, my business. They have so many stores. How many stores they need? I only have this one store and they are trying to throw me out. I don't think this is a right decision to be making. First of all, this is not a perfect spot for Stewart's. Stewart's needs to be a bigger spot. Some place they have a good lot. This is not a good lot for Stewart's. This is a residential area and it's supposed to be residential. That is all I want to say.

Chairman Denny: Nothing is definite, and nothing is guaranteed yet. It all has to be brought in front of the Planning Commission and our engineers before we make a decision. We don't want to hurt the neighborhood and we want the neighborhood to work with us on this project.

Mr. Butt: Right here I have over 500 signatures and 131 people come into my store and I have 630 people sign the petition who are supporting me. What am I saying is 630 people "Inaudible..." anything?

Chairman Denny: Yes, I understand.

Mr. Butt: They are local people. They are supporting me. They do not want Stewart's. They like Stewart's but they don't like the Stewart's spot at this time. The spot they are picking is not the right spot. They should go someplace else.

Chairman Denny: We will have to see what the decision is. If they decide if that's the place they got to be, and they abide to our town codes and we will do what we can to keep the neighborhood happy.

Mr. Butt: Thank you.

Mr. Tingley: I just want to remind you that if you have comments that you want the Town Board, not the Planning Commission because they are not making the decision, but you should attend the Town Board public hearing otherwise what you state tonight will be in minutes but not necessarily part "Inaudible..."

Mr. Butt: I will. I brought you copies. If you want copies of the petition, I can give you that and you can put it in the file.

Mr. Tingley: That's totally up to you. I just want to make it clear that anything you submit really should be submitted to the decision maker.

Mr. DiLallo: Do you have original copies to give to the Town Board.

Chairman Denny: Not saying petitions are right or wrong, but what they do need is the address of these people who signed this petition. It would be important to know if they live in the area what they are concerned with.

Anyone else have a comment about this project? Basically, we're concerned with the zone change tonight.

Mr. Madonna: I have "Inaudible" too, but I understand that we should speak at the Town Board. With the zoning change I'm just "Inaudible" as a big store in a middle of a nice quiet neighborhood.

Mr. DiLallo: Can you speak up a little bit, please.

Mr. Madonna: A big store in a nice quiet neighborhood. I agree that it's like too big of an area and one thing that I got to ask, which side of the road are we going to put the new Cumberland Farms because that's coming down the road.

Sheri Lamb & Daniel Messersmith (Owners)/Stewart's Shops (Contract Vendee)
1174 & 1180 Floral Avenue

They go back and forth like Rite Aid and CVS. Home Depot and Lowes. This goes back and forth and in the middle it's the neighborhoods that suffer and the little business man.

I do have a lot that I want to address regarding them coming here. For the zoning, one of my main concerns is the noise on Guilderland Avenue. I live on 98 Pansy Street. The noise already on Guilderland Avenue is deafening in my neighborhood. There would be trucks coming in and everything else, it's going to be delivering gas and it's going to raise that level. Me and my neighbors have talked about it and we were going to ask the town to put up a wall just for noise reduction in our neighborhood. I live across the street from the railroad track and the railroad causes no problems. They only have three (3) or four (4) trains that come through there, but it's Guilderland Avenue and hits that bridge and it just echoes right through our neighborhood. So, noise reduction is one of the things that we were really worried about and that is going to affect once they move in because they are going to get heavier traffic. They are going to have tankers coming in delivering fuel and that's all going to add to that noise.

Everything else that I do have on here, you know I do stand up for the business man, but I understand that this is not the time to argue that and I will see you back at the Town Board meeting. Thank you.

Chairman Denny: Thank you. Anyone else in the audience have a comment concerning zoning.

Mr. Mastriani: Bernie Mastriani, 18 Memory Lane. I'm between the railroad tracks and the Thruway. I love it there. I love Rotterdam. I go to Stewart's and I love Ali's place as well. Two (2) questions and they may be premature like this gentleman said, I'm concerned about additional traffic loading on Guilderland Avenue. The size of Guilderland Avenue and additional traffic loading. Has any thought been made with the Stewart's, is it going to up the competition with customer base or are they going to have an additional customer base that they are going to draw in from other areas or is it going to make the customer base competition stiffer?

Chairman Denny: That is something that we can't answer, sir.

Mr. Mastriani: I know it's something down the road, but I just want to bring it up now. That's all I have.

Chairman Denny: Anyone else?

Mr. Kapfer: Hi, I'm Lynn Kapfer and I live at 1034 Beverly Street. One of my concerns is and I know this is probably not the time, but this gentleman over here said something about the oil samples, well what I would like to know if they are doing traffic studies, is that going to be done? All these people running through right by Beverly Street going fast and water. A while ago, probably eight (8) to 10 years ago I came to the Board and we stopped a house being built next to my house. Water, we all have problems with water. Where is the drainage going to go? Our drainage around there is going to get even worse. Everyone pumps. If you know the area, which you people live here, I hope, you know that this is going to be one of our problems. We want to know where this water is going to go, what is going to happen with it because I don't want any more water in my house. I flood right now.

Mr. DiLallo: One of the responsibilities of the Planning Commission is to make sure runoff from the roof, all that stays on their own property, where they have wells, dry wells and stuff to accept it.

Mr. Kapfer: That's going to go into the groundwater here. It's going to increase our groundwater. It's going to increase our groundwater. You know it is, that's the way it is here in Rotterdam. We don't need more.

Chairman Denny: To be honest with you, we're only concerned with the change of zone, but just looking at what is there now which is a garage and an auto parts store, where does the runoff go from that place now? Has that affected you, the water off that?

Mr. Kapfer: It probably has.

Chairman Denny: Has it or hasn't it?

Mr. Kapfer: It probably has. We all have problems. Everyone in that area and I don't want to see it increase. There should be a water study done or something so that it doesn't create problem for everybody else.

Chairman Denny: We're going to hire an engineer to look at the project also. We want to be sure, if it is built to our town codes so that it doesn't affect the water or the traffic or whatever. All that has to be done, will be done and we will be sure it gets done right.

Mr. Kapfer: Thank you.

Chairman Denny: Anyone else have a comment?

Mr. Fronte: Thank you for time, I appreciate it.

Chairman Denny: At this time, we're all set with this project.

Mr. Tingley: The public hearing will have to be advertised and the Town Board posts its agendas, I believe, the Friday before on the website. Check in there. You can also check with the Town Clerk's office on what the agenda is or the Supervisor's office.



Town of Rotterdam
Office of the Planning Commission

John Denny III, Chairman
Peter J. Comenzo, Senior Planner

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Resolution Number PC03-2019

Moved by Mr. DiLallo seconded by Mr. Yuille

Applicant: Sheri Lamb & Daniel Messersmith (Owners)/Stewart's Shops (Contract Vendee)

Applicant: Sheri Lamb & Daniel Messersmith (Owners)/Stewart's Shops
(Contract Vendee)

Project Location: 1174 & 1180 Floral Avenue
Rotterdam, NY

Tax Number or Numbers: 58.12-1-11 & 58.12-1-12


Proposed Project: Report and Recommendation to the Town Board for a Change of Zone on ±0.3 acres of property from Single Family Residential (R-1) to General Business (B-2) to facilitate the construction of a new Stewart's Shop with self-service fueling station.

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 December 12, 2018 meeting for the year 2019; **NOW:**

IT IS HEREBY RESOLVED THAT on this day, Tuesday, February 5, 2019, 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


John Denny
Planning Commission Chairman

2. **Chu Ren Wang – 2697 Hamburg Street. Sketch Site Plan review to convert an existing ±2,564 square foot building (former NYS Chief of Police Association) into a take-out restaurant (Yummy Yummy Chinese) on a ±0.32 acres parcel. Architect: Keith Cramer.**

Mr. Cramer: Good evening, I'm Keith Cramer and this is Mr. Wang who is the operator of the restaurant. You probably know right now he's one (1) block up in the little strip mall there and he wants to move over and take this building so he has his own parking and big interior and just be more convenient.

So basically, that was an old Stewart's. The only main thing that is going on on the outside for us, change wise, the parking lot is changing a lot due to the road work on Hamburg. They lost some land to the state right-of-way there. We are going to redo the parking based on that. The old front door was on Hamburg, just a single door and we want the front door now to move over to Williams Street and we are going to change the parking on Williams Street that was coming into the side of the building which is now our front because the cars there, head back into the street. We are going to put them 90 degrees from where the old ones were. Other than that, we are closing a couple of windows and basically everything else is staying the same.

Chairman Denny: I will open it up to the Planning Commission to see if they have any comments. Mrs. Flansburg do you have any comments or questions.

Mrs. Flansburg: Mr. Cramer, were you given the seven (7) comments that have come up at our DPW meeting.

Mr. DiLallo: He can have my copy.

Mrs. Flansburg: Could you just take a look and address some of those. Mostly mine are related to the parking.

Mr. Cramer: Which one?

Mrs. Flansburg: Number 3, in particular for me.

Mr. Cramer: We can go through all of them.

Mrs. Flansburg: If you wouldn't mind or whatever you are able to address today and then certainly as this is a sketch plan you'd be able to address them in a preliminary response.

Mr. Cramer: Number 1 we changed after our initial meeting.

Mr. Comenzo: We spoke about that one and he's aware of it.

Mr. Cramer: We agree to that one. Number 2 – there is no ramp there now, we're going to add a ramp on the Williams Street side. It's only about a five (5) or six (6) inch rise to the curb.

Chairman Denny: Number 3 is eliminate space #9.

Mr. Cramer: Okay, just for a straight drive in?

Chairman Denny: Yes, the access to the front parking.

Mr. Cramer: Do you agree to that?

Mrs. Flansburg: I think you have plenty of parking.

Mr. Cramer: We have plenty of parking for our needs, yes. We will agree to that.

Mr. Comenzo: Just to clarify that, at the DPW meeting it was brought up that 20' in between the spaces was too small. Twenty-four (24) is the standard so the thought was since Mr. Wang probably doesn't need all those parking spaces that if he eliminated parking space #9 and did something with that area it would be a lot easier to get in and out of.

Mr. Cramer: That is fine with us.

We will bring in something for the grease traps. There is no standard grease trap minimum requirement for the town, is there? Some towns have a minimum 500...

Chairman Denny: You'll have to talk to the building inspector.

Mr. Cramer: Yes, we will take care of that.

Number 5 – yes, we will definitely do that.

Number 6 – Other than changing the sign, we weren't really planning. There are wall lights there and everything already.

Mrs. Flansburg: As long as they are downward facing, and they do not go out onto anyone's property.

Mr. Cramer: Would you want us to replace existing lights?

Mrs. Flansburg: Not if they are conforming, I wouldn't.

Mr. Cramer: We will check on that but we will agree to that one.

Mrs. Flansburg: The only other thing that I would add is that typically on our plans I see that you have some landscaping and we have a note about any dead or dying landscaping be replaced in perpetuity that we usually have people add to their site plans just to keep the liveliness of the greenery that they do offer.

Mr. Cramer: I don't see a problem with any of these items.

Mrs. Flansburg: That's all I have, Mr. Chairman.

Chairman Denny: Mr. DiLallo any questions?

Mr. DiLallo: I see here you are going to have a unisex lavatory. I'm not sure what our code is, but is that permissible, do you know, for Rotterdam?

Mr. Cramer: We are under 16 occupants, it's a state code.

Mr. DiLallo: Do you mean customers or occupants?

Mr. Cramer: Total occupants because it's mostly delivery. We don't see many people in there. There is an existing employees' bathroom. There are two (2) bathrooms in the back.

Mr. DiLallo: There is an employee's bathroom also.

Mr. Cramer: There are two (2) now but neither one meets the code. We are going to take one and rearrange it and use that for the employees.

Mr. DiLallo: On the drawing here, you have down in the front that that is just going to be an exit? Shouldn't it be both?

Mr. Cramer: The front door? Are you talking the driveway or the door?

Mr. DiLallo: On the Hamburg Street side of the building, you have an exit and it just says exit. It's an existing door.

Mr. Cramer: We just want it to be an emergency exit though because we want everyone to come in the new door.

Mr. DiLallo: I just thought it was an inconvenience to walk from the front if you are parking on the front of Hamburg Street and you have to walk all the way around the building to get in.

Mr. Cramer: It was Mr. Wang's idea. They don't want an extra door because there is usually only two (2) or three (3) workers in there. It's more of a customer comes in and faces the counter directly.

Mr. DiLallo: The parking on the side of the building, on Williams Street, is like parallel to the building. You're not going straight in, correct?

Mr. Cramer: Correct.

Mr. DiLallo: I think that deserves some looking at.

Mr. Cramer: Okay.

Mr. DiLallo: So, you access the building from Williams Street and then you park along side the building right there, correct?

Mr. Cramer: Correct.

Mr. DiLallo: And how do you get out? How do you turn around and get out?

Mr. Cramer: Back into one of the other parking areas.

Mr. DiLallo: That looks to me like it needs some work. I'm trying to look and see what you have planned in there. By the one that you just want to be an exit, it looks like all you have in there are tables?

Mr. Cramer: Correct. It is more of just keeping an eye on what is going on. They only wanted to have one door and there is not a lot of employees. It's usually Mr. Wang and his wife and maybe one other person.

Mr. DiLallo: I know, they are very nice people and I go there often.

Mr. Cramer: Again, if there is a problem with any parking spot and the Board agrees, we will eliminate it. Most of that is going to be empty all the time.

Mr. DiLallo: Please take a look at it. I don't like the way it is. I'm sorry and I'm not an architect and I just know that I go there, and it just looks awkward to go and park next to the building that way and then how do I get out. Turn around without running into oncoming traffic that might be coming in there to get in there also. It's just going to be a little awkward. If the front entrance is up in the front, just pull over there and go in the front, but if it's only an exit, then you can't get in.

Mr. Cramer: We can look at it.

Mr. DiLallo: That's all I have for now. Also, are you planning any blacktopping at all or not now?

Mr. Cramer: Not at this time. We are actually planning on removing some for the planters. It's not in horrible shape at the moment. The stripes all need to be redone.

Mr. DiLallo: I like to ask the people on the projects to water them, but you would have to tear blacktop to get underground water to it. I'm not going to force that issue.

Mr. Comenzo: You're going to have to abandon the septic so that will have to get dug up and filled in or at least a hole and then they will also have to dig a line out to the sewer.

Mr. Cramer: A good part of it will be ruined.

Mr. DiLallo: If at all possible, I'd like to see you get water to your landscaping, underground sprinkler.

Chairman Denny: That is going to be an expensive ordeal.

Mr. DiLallo: It is going to get tore up to hook up the sewers and take the tank out. So, it's going to be tore up. I think that's all I have for now, thank you.

Chairman Denny: Mr. Yuille, do you have any comments or questions?

Mr. Yuille: The one thing that I would say that I like the idea that you are removing a few parking spaces and putting some greenery in front. That will look nice there. It is already a restaurant in the neighborhood, so I don't see a big change of it moving over there. Your customers will like going over there, I would imagine.

The only thing that I would ask is what are you doing for a grease trap?

Mr. Cramer: We haven't gotten that far yet. Usually we just calculate...

Mr. Yuille: Usually have one (1) inside the building, a small one and a big one outside or...

Mr. Cramer: There are a couple of manholes in the parking lot, but we are not sure what they are. One may be septic, and one was an old "Inaudible".

Mr. Yuille: You're going to need a grease trap for the health department, correct?

Mr. Cramer: Yes.

Mr. Yuille: I'd like to see some detail on that. I noticed that the parking is a little tight. Usually the spaces are the correct size of 9 x 18, but usually the back between them there is 24' by code but since this is an existing parking lot already I'm not sure you can do that, but it's pretty close in the front. It's 20' at the one end and in the back it's 22' and then where that little building is back there it's like 16'. I don't think you are going to need a ton of parking there, three (3) or four (4) spots, probably employees would park as far back as possible. Other than that, I think it's a good use of a building and bring it back to life and hopefully that mall doesn't go under with you leaving it now and they have closed up several shops. I haven't been over there lately, but the dental place is gone, the urgent care is down, and the chiropractor is gone, so that mall must be pretty empty at this point. I think it's a good thing for the neighborhood and with the street being all torn up and getting replaced now is probably a good time to be opening. You don't want to open a year ago and have it closed up. That is all, Mr. Chairman.

Chairman Denny: Mr. Calder?

Mr. Calder: I'm a little new at this, but I do have a question. When you're cooking with the huge fans that use, the commercial fans, taking out any of the smells for the cooking and stuff, which way does that go? Does that go to the house behind it?

Mr. Cramer: I think the last page there I put that information on there. That is going to be the only visual change, really, on the outside. There is going to be two (2) fans on the roof. It's a very strange roof.

Chairman Denny: You will be venting up rather than at the houses next door.

Mr. Cramer: Yes. It will be two (2) exhaust vents.

Mr. Calder: That's all I have. Thank you.

Chairman Denny: Mr. D'Alessandro any questions or comments?

Mr. D'Alessandro: Most of the questions I've had have already been answered and asked by the other board members. It's nice that you're using this property and opening it back up. It looks very nice to me. Some of the concerns I had was the lavatory which you answered and the parking that Mr. DiLallo asked about. That's all, Mr. Chairman.

Chairman Denny: If you remove that #9 parking spot by the entrance door, it makes that availability to pull into the parking lot there. I think you have enough room in there to turn around and come back out again once you eliminate that #9 parking spot. That 20' opening gap there, when you take that parking spot out that opens up the whole area and makes it easier to get in and out of that parking lot. I think that will work for you.

Mr. Cramer: We agree with that.

Chairman Denny: At this time, does anyone else have any comments or questions? Mr. Tingley?

Mr. Tingley: No.

Chairman Denny: I need motion to declare lead agency.

Mr. Yuille: Mr. Chairman, I will make that motion to declare lead agency on this project.

Chairman Denny: Mr. Yuille made the motion. Do I have a second?

Mrs. Flansburg: I'll second.

Chairman Denny: Mrs. Flansburg seconds the motion. Are there any questions? Please call the vote.

Marlo Carter: Mr. DiLallo?

Mr. DiLallo: Yes.

Marlo Carter: Mr. Yuille?

Mr. Yuille: Yes.

Marlo Carter: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Marlo Carter: Mr. D'Alessandro?

Mr. D'Alessandro: Yes.

Marlo Carter: Mr. Calder?

Mr. Calder: Yes.

Marlo Carter: Chairman Denny?

Chairman Denny: Yes.

Motion carried.

Mr. Cramer: What is our next step? Does the lead agency contact us?

Mr. Comenzo: We will send this out to the various agencies and get back to you and get you back on the schedule.

Mr. Cramer: Thank you very much.

Mr. Wang: Thank you.

Next meeting is February 19, 2019.

Meeting adjourned at 8:06 p.m.

Motion to adjourn made by Mr. Yuille and seconded by Mr. D'Alessandro.

Respectfully Submitted,

Marlo L. Carter
Planning Commission Secretary



Town of Rotterdam
Office of the Planning Commission

John Denny III, Chairman
Peter J. Comenzo, Senior Planner

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Resolution Number PC04-2019

Moved by Mr. Yuille seconded by Mrs. Flansburg

Applicant: Chu Ren Wang

Applicant: Chu Ren Wang

Project Location: 2697 Hamburg Street
Rotterdam, NY

Tax Number or Numbers: 59.15-5-35.1

Proposed Project: Site Plan review to convert an existing $\pm 2,564$ square foot building (former NYS Chief of Police Association) into a take-out restaurant (Yummy Yummy Chinese) on a ± 0.32 acres parcel.

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, February 5, 2019, 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

John Denny
Planning Commission Chairman