

**Town of Rotterdam
Planning Commission
April 16, 2019**

Approval of the Summary of Minutes April 2, 2019

1. **Chu Ren Wang – 2697 Hamburg Street.** Final 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 acre parcel. Architect: Keith Cramer.

Waiver(s)

1. **Amy Kretzler – 2517 Hamburg Street.** The applicant requests a Waiver of Site Plan review to operate a five (5) chair hair salon in an existing ±1,125 square foot tenant space on a ±0.38 acre parcel.
2. **Francis DelGallo – 370 Mariaville Road.** The applicant requests a Waiver of Site Plan review to convert an existing ±2,729 square foot building (former Bank of America) for the retail sale of antiques, guns and related merchandise (Take it to the Bank), located on a ±0.43 acre parcel.

DPW Comments
April 16, 2019

1. **Chu Ren Wang – 2697 Hamburg Street.** Final 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 acre parcel. Architect: Keith Cramer.
 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 Safety Inspector and/or 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. Prior to operation the applicant shall obtain approvals from the Schenectady County Department of Health.
 5. Owner/applicant shall install Knox box for emergency personnel. Please contact Fire District #3 for specifications.
 6. Existing septic system shall be abandoned in accordance with DPW specifications. Building shall be connected to municipal sanitary sewer system. Applicant shall install a minimum 100G/200# grease trap on the line.
 7. **Add note to plan:** “Front parking area will be substantially impacted during construction of landscaped area and removal/installation of utilities. This area shall be repaired, repaved, and striped in accordance with the plans no later than September 30, 2019.”
 8. **Add note to plan:** “Lighting fixtures (both recessed and on building) shall be replaced with LED lighting and shielded downward to prevent off-site illumination.”
 9. **Add note to plan:** “Landscaping areas shall be sprinklered and dead/dying plants replaced in kind and in perpetuity.”

DPW comments from February 5, 2019

1. Eliminate proposed handicap access loading area and move to Space #13. From there add access isle to new ramp.
2. Proposed handicap entryway and sidewalk access should be reviewed for compliance with ADA standards.
3. Eliminate Space #9 and reshape striped area to improve access to front parking area. Twenty (20) foot is too narrow for parking lane width; 24 feet is standard. May want to consider additional landscaping in this area as well.
4. Applicant should provide details on grease traps and should provide redundancy. Check with Building Department for specifications.
5. Property is located in the newly formed Hamburg Street Sewer District. Sewers should be operational in May 2019. Applicant to work with the Town regarding abandonment of existing septic and connection to sewer lateral.
6. Detail lighting fixtures and be cognizant of adjacent existing single family house located to the east.
7. Applicant should consider adding sprinklers to the newly created landscaped areas along Hamburg Street.

SEQR Requirement: 6 NYCRR 617 Unlisted Action. Rotterdam Planning Commission declared lead agency on February 5, 2019. A Draft Negative Declaration has been prepared by the Town Planner and is attached for your consideration.

Involved/Interested Agencies

Schenectady County Economic Development and Planning
Schenectady County Department of Health
New York State Department of Transportation
Rotterdam Highway Department
Fire District #3



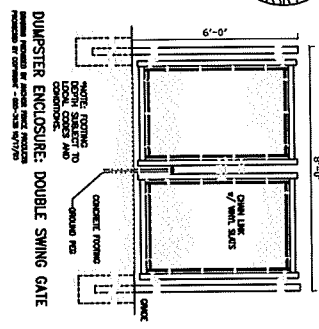
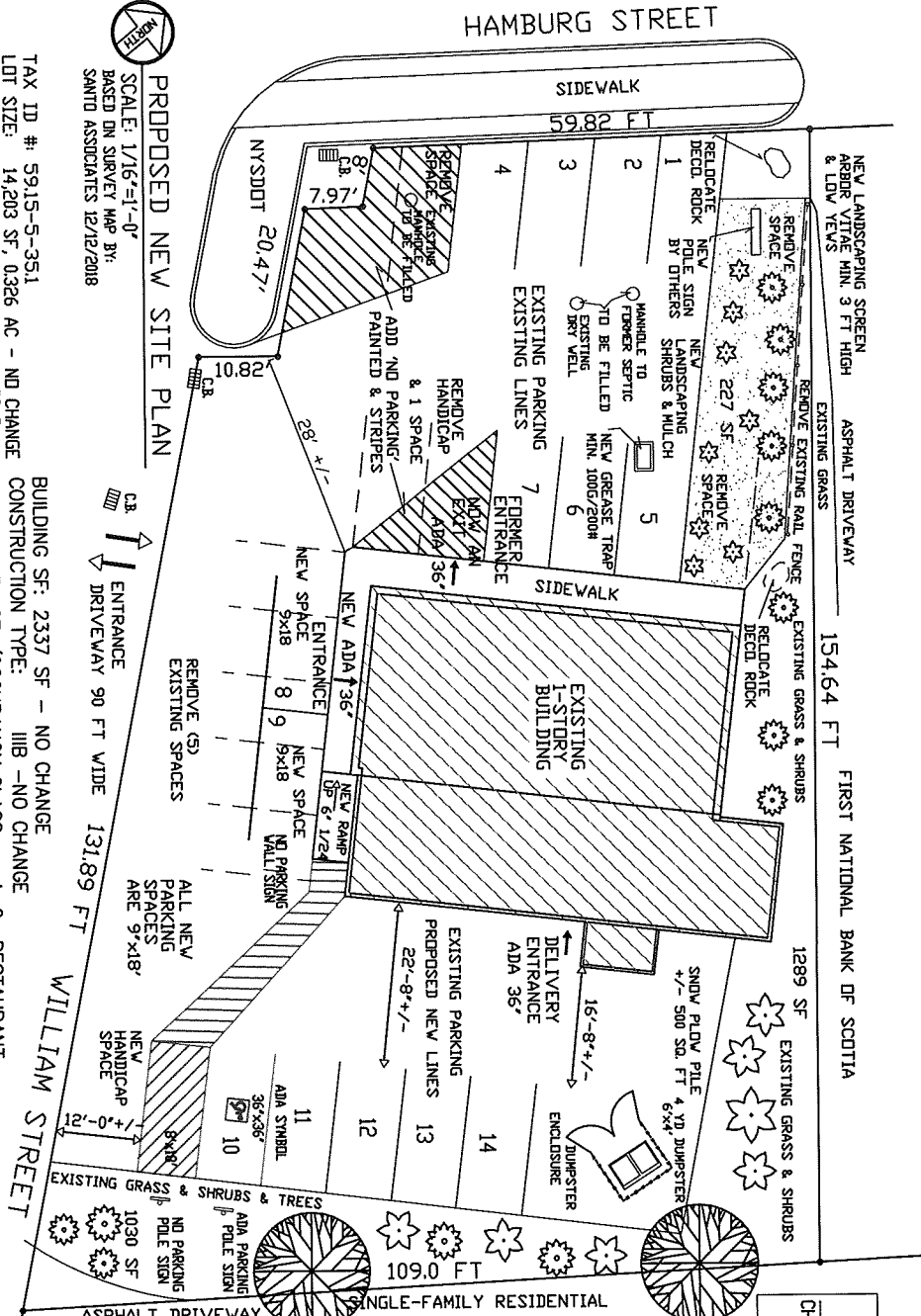
PROPOSED NEW SITE PLAN

SCALE: 1/16"=1'-0"
 BASED ON SURVEY MAP BY:
 SANDO ASSOCIATES 12/12/2018

TAX ID #: 59.15-5-35.1
 LOT SIZE: 14,203 SF, 0.326 AC - NO CHANGE
 CLASS CODE: 484 1-USE SMALL BUILDING
 SITE: CDM 1
 ZONING: B-1
 NEIGHBORHOOD: 00004
 SCHODD, MOHONASEN
 OWNER: CHU REN WANG
 209 WILLIAM STREET, ROTTERDAM, NY

BUILDING SF: 2337 SF - NO CHANGE
 CONSTRUCTION TYPE: IIB - NO CHANGE
 CHANGE OF USE / OCCUPANCY CLASS: A-2 RESTAURANT
 OCCUPANT LOAD: 15 (12 CUSTOMERS + 3 EMPLOYEES)
 NON-SPRINKLERED
 EXISTING PARKING: 25 SPACES (INCLUDES 1 HANDICAP)
 PROPOSED NEW PARKING: 14 SPACES (INCLUDES 1 HANDICAP)
 TOWN WATER & SEWER

YUMMY YUMMY RESTAURANT
 2697 HAMBURG ST., ROTTERDAM, NY
 KEITH CRAMER, ARCHITECT (518) 438-8352
 cramerkeith@msn.com
 95 HURST AVE., ALBANY, NY 12208
 SH. NO. 1 OF 5 DATE: JAN. 4, 2019
 REVISED: 1/22/19; 2/6/19; 3/28/19; 4/4/19



- NOTES:**
1. SNOW/FALL ACCUMULATIONS IN EXCESS OF FOUR (4) INCHES SHALL BE REMOVED FROM ALL PARKING AREAS/WALKWAYS WITHIN 48 HOURS.
 2. ALL LIGHTING SHALL BE SHIELDED AND/OR PLACED IN SUCH A MANNER AS TO PREVENT OFF-SITE ILLUMINATION.
 3. DEVELOPMENT MUST MEET ALL NYS BUILDING AND FIRE CODES.
 4. ZONING: B-1
 5. EXISTING SEPTIC TO BE ABANDONED, AND ALL TANKS TO BE FILLED WITH COMPACTED GRAVEL OR STONE.

CHAIRMAN, ROTTERDAM PLANNING COMMISSION:
 DATE: _____

ZONING COORDINATION REFERRAL

SCHENECTADY COUNTY DEPT. OF ECONOMIC DEVELOPMENT & PLANNING
Recommendations shall be made within 30 days after receipt of a full statement of the proposed action.

For Use By SCDEDP

Received 2-8-19
Case No. R-3-19
Returned 2-20-19

FROM: Legislative Body
 Zoning Board of Appeals
 Planning Board

Municipality:
Town of Rotterdam

TO: Schenectady County Department of Economic Development and Planning
Schaffer Heights, 107 Nott Terrace, Suite 303
Schenectady, NY 12308

(tel.) 386-2225
(fax) 382-5539

ACTION: Zoning Code/Law Amendment Special Permit
 Zoning Map Amendment Use Variance
 Subdivision Review Area Variance
 Site Plan Review Other (specify) _____

PUBLIC HEARING OR MEETING DATE: March 5, 2019

SUBJECT: Chu Ren Wang – 2697 Hamburg Street. 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 acre parcel. Architect: Keith Cramer.

REQUIRED ENCLOSURES: 1. Public hearing notice & copy of the application.
2. Map of property affected. (Including Tax Map I.D. number if available)
3. Completed environmental assessment form and all other materials required by the referring body in order to make its determination of significance pursuant to the state environmental quality review act.

- This zoning case is forwarded to your office for review in compliance with Sections 239-l, 239-m and 239-n of Article 12-B of the General Municipal Law, New York State.
- This material is sent to you for review and recommendation because the property affected by the proposed action is located within 500 feet of the following:
 - the boundary of any city, village or town;
 - the boundary of any existing or proposed County or State park or other recreation area;
 - the right-of-way of any existing or proposed County or State parkway, thruway, expressway, road or highway;
 - the existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines;
 - the existing or proposed boundary of any County or State-owned land on which a public building or institution is situated;
 - the boundary of a farm operation located in an agricultural district, as defined by Article 25-AA of the agriculture and markets law. The referral requirement of this subparagraph shall not apply to the granting of area variances.

SUBMITTED BY:

Name: Peter Comenzo Title: Senior Planner
Address: 1100 Sunrise Boulevard, Schenectady, NY 12306
E-mail: pcomenzo@rotterdamny.org Phone: 518-355-7575 Ext 338


Signature

Date: 2/7/19

RECEIVED

FEB 21 2019

TOWN OF ROTTERDAM
PUBLIC WORKS



PLANNING & ZONING COORDINATION REFERRAL

Case No. R-03-19

Applicant Chu Ren Wang

Referring Officer Peter Comenzo

Municipality Rotterdam

Considerations: Site plan approval to renovate existing building into a restaurant. Located on the northeast corner of the Hamburg and William Street intersection approximately 375 feet south of Campbell Avenue.

RECOMMENDATION

Receipt of zoning referral is acknowledged on February 8, 2019. Please be advised that the undersigned Commissioner of Economic Development and Planning of the County of Schenectady (having under the Schenectady County Charter the powers and duties of a County Planning Board) has reviewed the proposed action stated on the opposite side of this form and makes the following recommendations:

- *Approve of the proposal.
- Defer to local consideration (No significant county-wide or inter-community impact)
- Modify/Conditionally Approve. Conditions:

- Advisory Note:

- Disapprove. Reason:

*A recommendation of approval should not be interpreted that the County has reviewed all local concerns and/or endorses the project; rather the proposed action has met certain County considerations.

Section 239-m of the general Municipal Law requires that within 30 days after final action, the referring body shall file a report of the final action it has taken with the Schenectady County Department of Economic Development and Planning. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

2/19/19
Date

[Signature]
Ray Gillen, Commissioner
Economic Development and Planning

D R A

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

Date: April 16, 2019

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: Chu Ren Wang
209 Williams Street
Schenectady, NY 12306

Location: 2697 Hamburg Street
Schenectady, NY 12303

Tax Map Number(s): 59.15-5-35.1

Zoning: Retail Business (B-1) Zoning District.

Action: Site Plan approval 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 acre parcel.

Other Involved Agencies: None

Reasons Supporting This Determination:

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

This project was conducted as a SEQR coordinated review. The site plan was sent to all interested/involved agencies on February 7, 2019. 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 a Site Plan 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 acre parcel. The existing curb cut onto Hamburg Street has been removed in 2018 with the reconstruction that has been completed. This property is located in the recently formed Hamburg Street Sewer District. The existing septic system will be abandoned to the building and the new restaurant will be connected to municipal sanitary sewer. Changes to the site will be minimal with enhanced landscaping to be added with removal of existing asphalt and to the southern side of the property and along Hamburg Street.

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 Hearing held on April 16, 2019 at the Rotterdam Town Hall, 1100 Sunrise Boulevard, Rotterdam, NY 12306. Adoption of this Negative Declaration was moved by XXXXXXXXXXXX, seconded by XXXXXXXXXXXX, and approved by the Rotterdam Planning Commission.

John Denny III
Planning Commission Chairman