

TOWN OF ROTTERDAM

Diane M. Marco
Town Clerk



John F. Kirvin Government Center • 1100 Sunrise Boulevard • Rotterdam, NY 12306
Telephone: 518-355-7575 Ext. 352 • Fax: 518-355-7837 • Website: www.rotterdamny.org
Email * dmarco@rotterdamny.org

May 30, 2024

New York State Department of State
Bureau of State Records and Law
One Commerce Plaza
99 Washington Avenue
Albany, NY 12231-0001

RE: Filing of Town of Rotterdam Local Law 10-2024 To Amend Chapter 270 Zoning

To Whom It May Concern:

Enclosed are forms required to file Local Law 10-2024, adopted by the Town Board of the Town of Rotterdam meeting held on May 22, 2024.

If you are in need of anything else please feel free to call my office.

Sincerely,

A handwritten signature in black ink that reads 'Diane M. Marco'.

Diane M. Marco
Town Clerk

Enclosure

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, May 22, 2024, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 226.24

TO ENACT INTRODUCTORY LOCAL LAW NO. 10 OF 2024; TO AMEND CHAPTER 270, ZONING, OF THE TOWN CODE, TO EXTEND THE EXISTING MAIN STREET/NEIGHBORHOOD CENTER (MS/NC) OVERLAY DISTRICT FROM THE INTERSECTION OF CURRY ROAD AND GUILDERLAND AVENUE NORTH TO THE BOUNDARY WITH THE CITY OF SCHENECTADY

**THEREFORE, UPON MOTION OF Councilmember DODSON, seconded by Councilmember SCHLAG,
BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:**

SECTION 1. The Town Board hereby enacts Introductory Local Law No. 10 of 2024.

SECTION 2. The Town Clerk is directed, following consultation with the Attorney to the Town, to file said Local Law in final form with the New York State Department of State.

SECTION 3. This resolution shall become effective May 22, 2024.

DATED: May 22, 2024

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
Gallucci	X		
Schlag	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board Meeting of the Town of Rotterdam on May 22, 2024, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this May 28, 2024.

Diane M. Marco
Diane M. Marco, Town Clerk



Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one:)

of Rotterdam

Local Law No. 10 of the year 20²⁴

A local law TO AMEND CHAPTER 270, ZONING, OF THE TOWN CODE RELATING TO EXTEND
(Insert Title)
THE EXISTING MAIN STREET/NEIGHBORHOOD CENTER (MS/NC) OVERLAY
DISTRICT

Be it enacted by the Town Board of the
(Name of Legislative Body)

County City Town Village
(Select one:)

of Rotterdam as follows:

See attached

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 10 of 2024 of the (County)(City)(Town)(Village) of Rotterdam was duly passed by the Town Board on May 22 2024, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

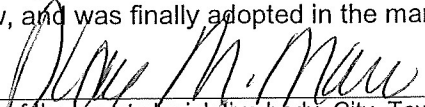
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.



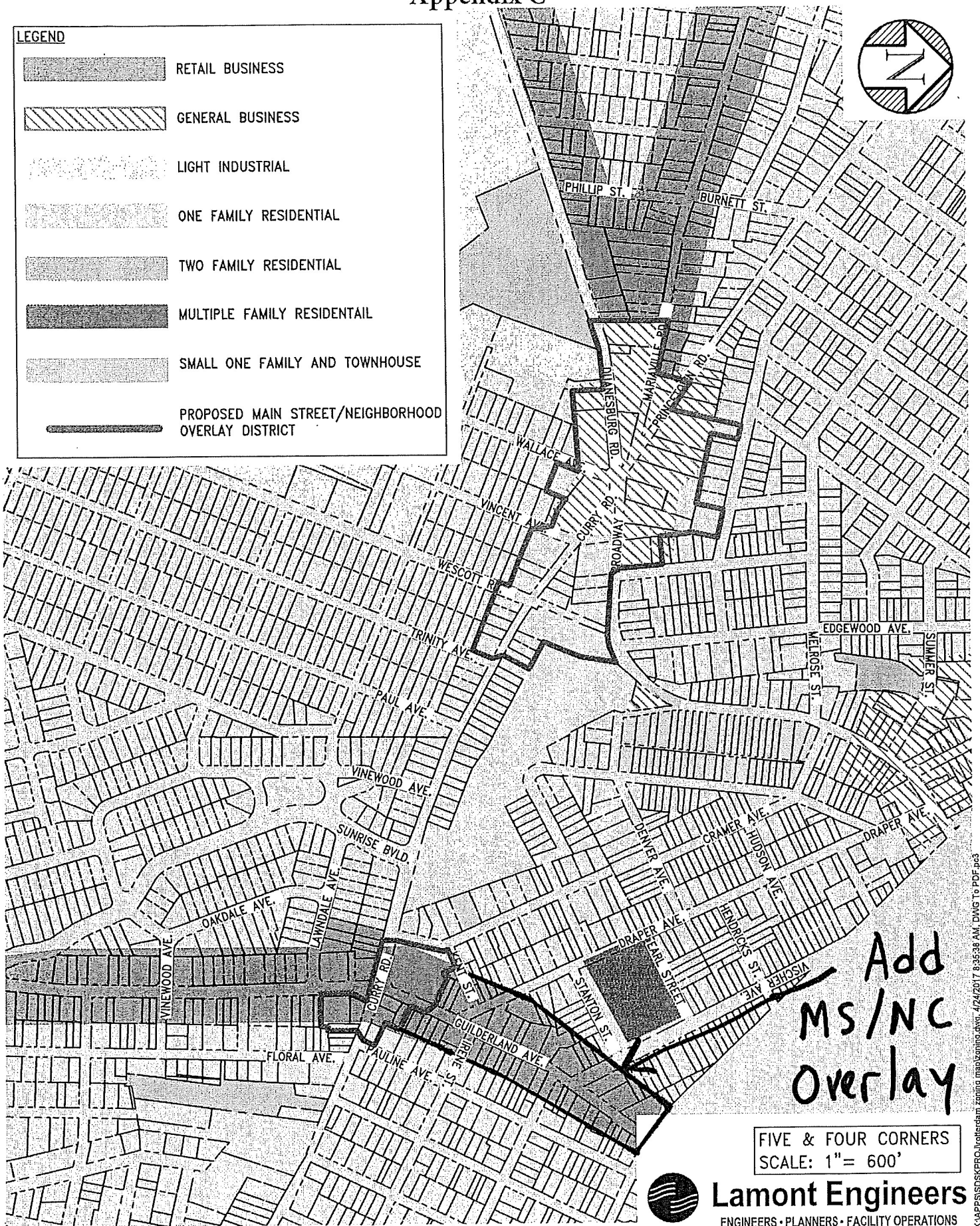
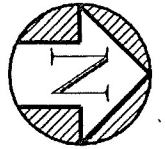
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 5/30/2024



Appendix C

LEGEND	
	RETAIL BUSINESS
	GENERAL BUSINESS
	LIGHT INDUSTRIAL
	ONE FAMILY RESIDENTIAL
	TWO FAMILY RESIDENTIAL
	MULTIPLE FAMILY RESIDENTIAL
	SMALL ONE FAMILY AND TOWNHOUSE
	PROPOSED MAIN STREET/NEIGHBORHOOD OVERLAY DISTRICT



FIVE & FOUR CORNERS
SCALE: 1" = 600'

Lamont Engineers
ENGINEERS • PLANNERS • FACILITY OPERATIONS

K:\PPS\SDS\FRO\Jveterdam zoning map\zoning.dwg, 4/24/2017 8:35:38 AM, DWG To PDF.pc3



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 PC 25-2024
Moved by Mrs. Flansburg seconded by Mr. Calder
Applicant: Town of Rotterdam

**Resolution Adopting a Report and Positive Recommendation on
the Extension of the Main Street/Neighborhood Center Overlay District**

WHEREAS, the Town Board of the Town of Rotterdam ("Town Board") has forwarded a proposed amendment to Chapter 270, entitled "Zoning" to extend the Main Street/Neighborhood Center Overlay District from the intersection of Curry Road and Guilderland Avenue north to the boundary with the City of Schenectady. Area encompasses ±11.5 acres; and

WHEREAS, the Town Board referred the Change of Zone application to the Planning Commission on April 10, 2024 for a report and recommendation thereon; and

WHEREAS, the Town Planner presented the proposed amendment to the Planning Commission at its regularly scheduled meeting held on April 16, 2024; and

WHEREAS, the Planning Commission reviewed the proposed amendment at its regularly scheduled meeting held on April 16, 2024; and

WHEREAS, the Planning Commission has deliberated on the proposed amendment;

NOW, THEREFORE, upon motion of Member Flansburg, seconded by Member Calder,

BE IT RESOLVED, by the Planning Commission of the Town of Rotterdam as follows:

The Planning Commission hereby adopts the following as its report on the proposed Zoning Code Amendment:

1. The amendment is to Chapter 270, entitled "Zoning" to extend the Main Street/Neighborhood Center (MS/NC) Overlay District from the intersection of Curry Road and Guilderland Avenue north to the boundary with the City of Schenectady. The area encompasses ±11.5 acres.

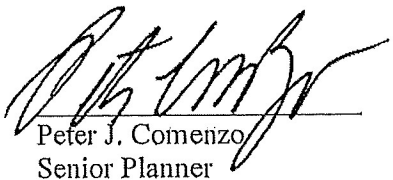
The MS/NC district was adopted back in 2017 as part of the effort that Town was conducted was to look at the properties in the existing commercial corridors and gateway areas to the town and encourage redevelopment. So, when the MS/NC was adopted, areas were added along Hamburg Street, in Rotterdam Junction, the five corners area, and four corners area of Guilderland Avenue and Curry Road.

The overlay district is not changing the underlying zoning. The underlying zoning will remain B-1 but the overlay district is encouraging redevelopment. It is another tool that allows the Town and developers can utilize and allows for additional options in redevelopment efforts. The MS/NC overlay district allows for retail on the first floor and residential on the second floor. This type of mixed-use development meets the objectives of the Comprehensive Plan for these commercial areas in Town.

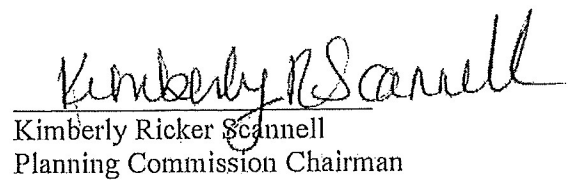
Guilderland Avenue is a gateway. There are several vacant properties in this corridor and additional options for mixed residential and commercial use supports several objectives of the Comprehensive Plan.

- 2. Subject to the considerations set forth in Paragraph 3, below, the Planning Commission hereby adopts a positive recommendation on the proposed request to extend the existing MS/NC overlay district.
- 3. Neither a positive recommendation by the Planning Commission, nor any rezoning action taken by the Town Board, should be construed as an approval or other favorable position concerning any proposed conceptual development. Any proposed development shall remain subject to full review by the Planning Commission and, as necessary, by the Zoning Board of Appeals.

<u>Member</u>	<u>Aye</u>	<u>Nay</u>
Kimberly Ricker Scannell	X	
Mark D'Alessandro	X	
Wayne Calder	X	
Clark Collins	X	
Joseph Signore	X	
Lynn Flansburg	X	
Joseph Miglucci	X	



 Peter J. Comenzo
 Senior Planner



 Kimberly Ricker Scannell
 Planning Commission Chairman