

**TOWN OF ROTTERDAM
ZONING BOARD OF APPEALS
April 17, 2024**

Workshop 7:00pm – Public Hearings 7:30pm

Workshop (2nd Floor Conference Room) – 7:00pm

Public Hearings (V. Dalton Bambury Hearing Room 2nd Floor) – 7:30pm

- 1) **Gary Rai – 1971 Hamburg Street, Rotterdam, NY, Tax Map #49.19-7-15** located in the Single Family Residential (R-1) Zoning District. Petitioner respectfully requests that he be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-138 entitled “Accessory structures and uses.” The applicant wishes to construct a 26’ x 33’ detached garage with a 10’ x 33’ covered overhang area that is 25 foot in height. The variance request(s) are as follows: **Chapter 270-138(b)(2)**: Detached structures. Every detached accessory structure shall be located no less than five feet from a side or rear property line. The applicant is proposing the accessory structure be located within 3.2 feet of the side yard and 4.8 feet from the rear yard. **Chapter 270-138(c)**: “Lot Coverage” states that no accessory garages shall exceed a maximum height of 15 feet in all existing zoning districts. The proposed detached garage height is 25 feet and is 10 feet over the allowed height of 15 feet.

1. **Gary Rai – 1971 Hamburg Street, Rotterdam, NY**, Tax Map #49.19-7-15 located in the Single Family Residential (R-1) Zoning District. Petitioner respectfully requests that he be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-138 entitled “Accessory structures and uses.” The applicant wishes to construct a 26’ x 33’ detached garage with a 10’ x 33’ covered overhang area that is 25 foot in height. The variance request(s) are as follows: **Chapter 270-138(b)(2)**: Detached structures. Every detached accessory structure shall be located no less than five feet from a side or rear property line. The applicant is proposing the accessory structure be located within 3.2 feet of the side yard and 4.8 feet from the rear yard. **Chapter 270-138(c)**: “Lot Coverage” states that no accessory garages shall exceed a maximum height of 15 feet in all existing zoning districts. The proposed detached garage height is 25 feet and is 10 feet over the allowed height of 15 feet.

SEQR Requirement: Type 2 Listed Action – 6NYCRR Part 617

County 239-m Requirement: County review is required.

RECEIVED
OCT 02 2023
TOWN OF ROTTERDAM
PUBLIC WORKS



Town of Rotterdam
Zoning Board of Appeals
AREA VARIANCE APPLICATION

PART II

TOWN OF ROTTERDAM
General Information

All requested information shall be provided and must be filled out in ink or typed
for photocopying purposes

Legal Owner's Name: GARY I. RAI

Mailing Address: 1124 OWEN ROAD
City: Rotterdam State: NY Zip: 12303
Daytime Phone: 518-495-2665 E-mail: GARYD616@icloud.com

If applicant is not the owner, include the written owner authorization form below designating the contact to
serve as representative.

Owner's Designated Contact: N/A

Mailing Address: N/A
City: N/A State: N/A Zip: N/A
Daytime Phone: N/A E-mail: N/A

Project/Proposal Site Area (Acres or sq. ft.): 1224 SQ FT
Assessor Tax Parcel No.(s) of Proposal Site: 49-19-7-15
Street Address of Proposed Site (if any): 1971 Hamburg St. Rotterdam

Adjacent Area Owned or Controlled (Acres or sq. ft.): .55 ACRES
Assessor Tax Parcel No.(s) of Adjacent Land Owned or Controlled: 49-19-7-14
Name and Address of All Adjacent Landowners:

NAME: Guy P. Bassi NAME: _____
ADD: 1985 Hamburg St ADD: _____
Rotterdam

NAME: _____ NAME: _____
ADD: _____ ADD: _____

NAME: _____ NAME: _____
ADD: _____ ADD: _____

NAME: _____ NAME: _____
ADD: _____ ADD: _____

Describe Existing Use(s) on Proposed Site (Such as buildings, well, sewer drainfield and others): _____

NONE, new construction GARAGE

Existing Zoning Classification: _____

B-1
LEGAL INFORMATION

Please attach the deed to the proposed site (REQUIRED)

Width of Property Fronting on Public Road: _____

80 LF

Section(s) of the zoning ordinance under which a variance is requested:

Z70 Set Back to Adjacent Owner per survey

Purpose for the requested variance: _____

Set back distance to Adjacent property Owner

Are there special circumstances such as lot size, slope, topography or necessary size or shape of the building, which prevent compliance with the zoning ordinance? If so, please explain:

Lot size and project shape

Does any Town officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? Yes _____ No *. If yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

PLEASE DISCUSS EACH OF THE FOLLOWING FIVE (5) CRITERIA WHICH FORM THE LEGAL BASIS FOR THE GRANTING OF A VARIANCE

Explain why you believe that your variance request will not create an undesirable change to the character of the neighborhood or be a detriment to nearby properties if it is granted.

Variance in setback is located at back corner of specified lots within 2 feet of variance code.

Can the benefit you seek by this variance request be achieved by some other means? If not, explain why there are no other alternatives.

No. New construction footprint requires specific location and variance.

Is your request a substantial variance from the ordinance? Please explain.

No. Set back is within 2 feet per survey completed Sept. 2023

Why do you believe the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood? Please explain.

The variance has no effect on surrounding neighborhood.

Explain how the difficulty arose and why said difficulty was not self created (purchasing property without first checking the zoning restrictions and/or limitations is an example of a self-created hardship).

Limitations on New Construction Footprint

AGREEMENT

THIS AGREEMENT, dated September 26, 2023, between Guy P. Bassi (hereinafter referred to as "Bassi"), with an address of 1985 Hamburg Street, Rotterdam, New York 12306 and Gary L. Rai and Lalleeta Rai (hereinafter referred to as "Rai"), with an address of 1124 Owen Road, Schenectady, New York 12303;

WHEREAS, Rai is building a structure in the southeastern portion of his lands at 1971 Hamburg Street, Rotterdam, New York; and

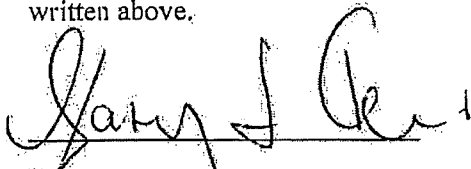
WHEREAS, a survey dated August 17, 2023, prepared by Raymond A. Koch, P.L.S., shows a portion of the concrete, block foundation for said structure located within a five foot setback from the northerly boundary line of lands of Bassi; and

WHEREAS, Bassi desires to allow the completion of the structure within the five foot setback; and


NOW, THEREFORE, in consideration of the sum of One (\$1.00) Dollar and other valuable consideration, Bassi and Rai agree as follows:

1. Bassi agrees to allow the completion of the construction of Rai's structure within the five foot setback from Bassi's northerly boundary line.
2. Bassi and Rai agree to hold each other harmless for damage caused by the location of the structure, within the five foot setback.
3. Bassi agrees to allow the structure to remain within the five foot setback line and be repaired and rebuilt in its current location, so long as the same shall stand.
4. Bassi and Rai agree that this agreement shall run with the land and shall bind their heirs, successors and/or assigns.

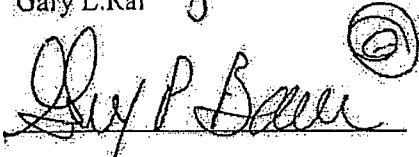
IN WITNESS WHEREOF, the Parties hereto have set their hands the day and year first above written above.



Gary L. Rai



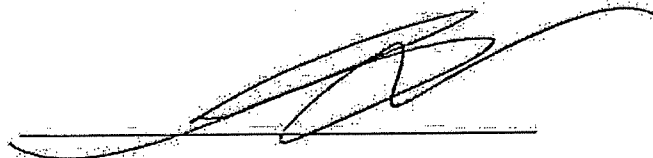
Lalleeta Rai



Guy P. Bassi

STATE OF NEW YORK }
COUNTY OF Albany } SS.

On the 26th day of September, 2023, before me, the undersigned, Gary L. Rai and Lalleeta Rai, personally appeared, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that they executed the same in their capacity, and that by their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual acted, executed the instrument.




STATE OF NEW YORK }
COUNTY OF Schenectady } SS.

Notary Public
STANLEY J SKUBIS
NOTARY PUBLIC STATE OF NEW YORK
SCHENECTADY COUNTY
LIC. #02SK4897484
COMMISSION EXPIRES MAY 11, 2027

On the 7th day of September, 2023, before me, the undersigned, Guy P. Bassi, personally appeared, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that they executed the same in their capacity, and that by their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual acted, executed the instrument.

SHAELYN A. REAGAN
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01RE6431304
Qualified In Albany County
Commission Expires 04/04/2026

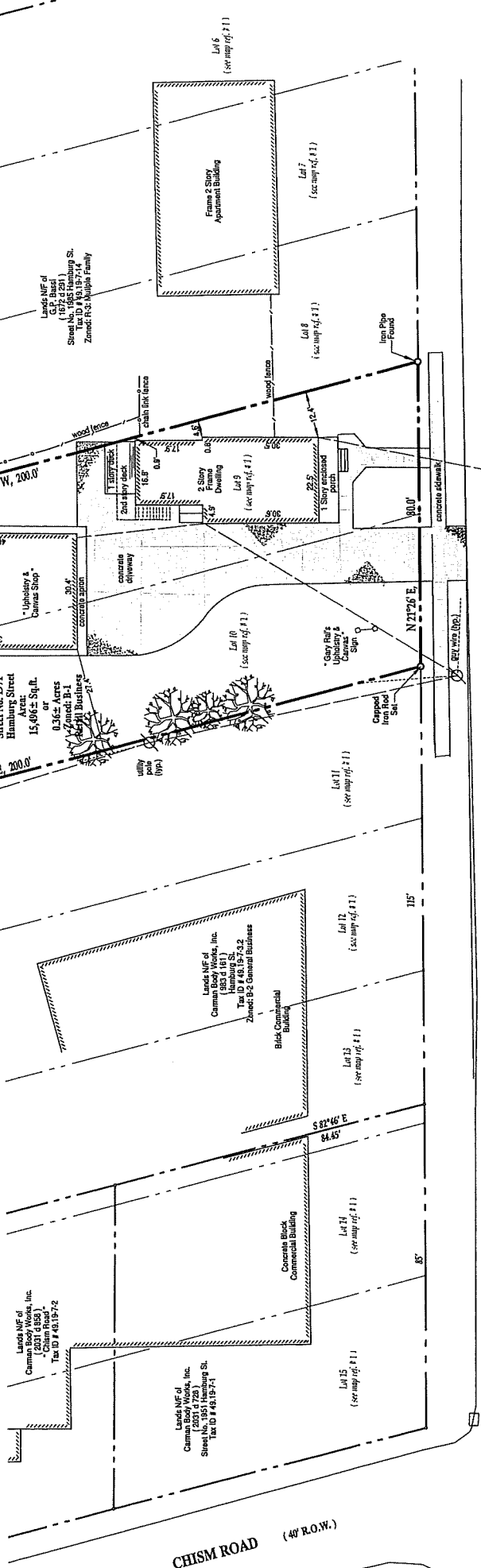
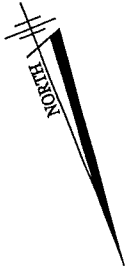


Notary Public

SCHERMERHORN STREET
(40' R.O.W.)

MAP REFERENCE

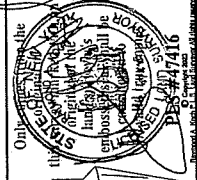
1. * Map of Lands Belonging to Christian Long * W.G. Siller, Apt. Dated August 20, 1889 on file in the Schenectady County Clerk's Office in Plat Cabinet A as Map number 32.
2. * Amendment to a previously filed plat entitled "Map of lands belonging to Christian Long" August 21, 1891, on file in the Schenectady County Clerk's Office in Plat Cabinet A as Map number 33. The said map is known as Lot 6-7-8, Town of Rotterdam, County of Schenectady. * Made by C.T. Male February 8, 1894 filed in the Schenectady County Clerk's Office June 6, 1894, found in Plat Cabinet F as Map number 135.



SURVEYOR'S NOTE: All visible improvements and/or use that has been either physically located and/or shown on the attached plat, in addition to the survey, have been noted and shown. This sketch or survey was prepared without benefit of an abstract title. RAYMOND A. KOCH Professional Land Surveyor and/or signing surveyor are in no way liable for any errors or omissions that may appear hereon. The plat is subject to all laws and regulations governing the recording of land. Land shown hereon may be subject to setbacks, easements and/or restrictions not shown on the record plat.

DATE	AUGUST 11, 2023	COUNTY OF	SCHENECTADY
PREPARED BY	RAYMOND A. KOCH	CITY OF	ROTTERDAM
SCALE:	1" = 20'	TITLE:	
SURVEY OF PREMISES KNOWN AS STREET NO. 1971 HAMBURG STREET SHOWING EXISTING CONDITIONS			
<p>RAYMOND A. KOCH P.L.S. LAND SURVEYORS 133 MOHAWK AVENUE SCOTIA, NEW YORK, 12102 phone: (518) 393-0989 email: kochsurveyor@gmail.com</p>			
NO.		REVISIONS & DATES	
		DESCRIPTION	DATE
		Capped iron rods set	8/17/2023

Certification indicated hereon signify that this survey was prepared in accordance with the regulations of the State of New York, as set forth in the State Survey Law, and that the survey is a true and correct representation of the survey as originally prepared, and on their behalf to the title and leading to the title herein, and to the acquisition of the leading to the title herein, and that the same are not intended to be additional beneficiaries or subsequent owners.

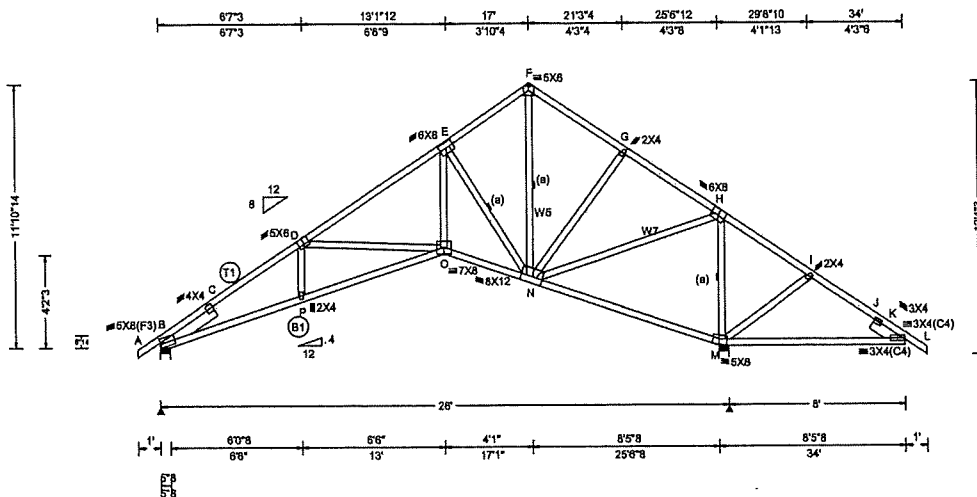


SEQN: 52419 / T3 / CATH
FROM: KF

Ply: 1
Qty: 18
Wgt: 207.9 lbs

Job Number: 597502A
hamburg treet
Truss Label: 34' cathedral

DRW: ... / ... 05/03/2023



Loading Criteria (psf) TCCL: 38.50 TCCL: 7.00 BCLL: 0.00 BCDL: 10.00 Des Ld: 55.50 NCBCLL: 0.00 Soffit: 2.00 Load Duration: 1.15 Spacing: 24.0 "	Wind Criteria Wind Std: ASCE 7-16 Speed: 115 mph Enclosure: Closed Risk Category: II EXP: C Kzt: NA Mean Height: 15.00 ft TCCL: 4.2 psf BCDL: 5.0 psf MWFRS Parallel Dist: 0 to h/2 C&C Dist a: 3.40 ft Loc. from endwall: Any GCPl: 0.18 Wind Duration: 1.60	Snow Criteria (Pg,Pf in PSF) Pg: 50.0 Ct: 1.1 CAT: II Pf: 38.5 Ce: 1.0 Lu: - Cs: 1.00 Snow Duration: 1.15 Building Code: IRC 2018 TPI Std: 2014 Rep Fac: Yes FT/RT: 20(0)/10(0) Plate Type(s): WAVE	Defl/CSI Criteria PP Deflection in loc L/defl L/# VERT(LL): 0.207 O 999 240 VERT(CL): 0.340 O 900 240 HORZ(LL): 0.180 M - - HORZ(TL): 0.296 M - - Creep Factor: 2.0 Max TC CSI: 0.752 Max BC CSI: 0.688 Max Web CSI: 0.986 Mfg Specified Camber:	▲ Maximum Reactions (lbs)																		
				<table border="1"> <thead> <tr> <th rowspan="2">Loc</th> <th colspan="2">Gravity</th> <th colspan="2">Non-Gravity</th> </tr> <tr> <th>R+</th> <th>/R-</th> <th>/Rh</th> <th>/U /RL</th> </tr> </thead> <tbody> <tr> <td>B</td> <td>1509</td> <td>-</td> <td>-</td> <td>/558 /98 /280</td> </tr> <tr> <td>M</td> <td>2721</td> <td>-</td> <td>-</td> <td>/1145 /129 -</td> </tr> </tbody> </table> <p>Wind reactions based on MWFRS B Brg Wid = 5.5 Min Req = 2.0 (Truss) M Brg Wid = 5.5 Min Req = 5.4 (Truss) Bearings B & M are a rigid surface.</p>				Loc	Gravity		Non-Gravity		R+	/R-	/Rh	/U /RL	B	1509	-	-	/558 /98 /280	M
Loc	Gravity		Non-Gravity																			
	R+	/R-	/Rh	/U /RL																		
B	1509	-	-	/558 /98 /280																		
M	2721	-	-	/1145 /129 -																		

Lumber
 Top chord: 2x4 SPF(S) #2;
 T1 2x4 SPF(S) 1650f-1.5E;
 Bot chord: 2x4 SPF(S) #2;
 B1 2x4 SPF(S) 1650f-1.5E;
 Webs: 2x4 SPF(S) Stud; W5,W7 2x4 SPF(S) #2;
 Lt Slider: 2x6 SPF #1/#2; block length = 2.955'
 Rt Slider: 2x6 SPF #1/#2; block length = 1.500'

Bracing
 (a) Continuous lateral restraint equally spaced on member.

Wind
 Wind loads based on MWFRS with additional C&C member design.
 Right cantilever is exposed to wind
 Wind loading based on both gable and hip roof types.

Maximum Top Chord Forces Per Ply (lbs)			
Chords	Tens.Comp.	Chords	Tens. Comp.
A - B	44 0	G - H	185 -1394
B - C	425 -3533	H - I	1054 -264
C - D	321 -3404	I - J	693 -234
D - E	235 -2412	J - K	650 -260
E - F	212 -1152	K - L	49 0
F - G	202 -1154		

Maximum Bot Chord Forces Per Ply (lbs)			
Chords	Tens.Comp.	Chords	Tens. Comp.
B - P	2918 -410	N - M	429 -896
P - O	2930 -417	M - K	243 -456
O - N	1941 -339		

Maximum Web Forces Per Ply (lbs)			
Webs	Tens.Comp.	Webs	Tens. Comp.
P - D	152 0	N - G	152 -362
D - O	289 -937	N - H	1720 -184
O - E	1670 -185	M - H	330 -2009
E - N	243 -1800	M - I	183 -434
F - N	803 -187		

****WARNING**** READ AND FOLLOW ALL NOTES ON THIS DRAWING!
****IMPORTANT**** FURNISH THIS DRAWING TO ALL CONTRACTORS INCLUDING THE INSTALLERS

Trusses require extreme care in fabricating, handling, shipping, installing and bracing. Refer to and follow the latest edition of BCSI (Building Component Safety Information, by TPI and SBCA) for safety practices prior to performing these functions. Installers shall provide temporary bracing per BCSI. Unless noted otherwise, top chord shall have properly attached structural sheathing and bottom chord shall have a properly attached rigid ceiling. Locations shown for permanent lateral restraint of webs shall have bracing installed per BCSI sections B3, B7, or B10, as applicable. Apply plates to each face of truss and position as shown above and on the Joint Details, unless noted otherwise. Refer to drawings 160A-2 for standard plate positions.

Alpine, a division of ITW Building Components Group Inc, shall not be responsible for any deviation from this drawing, any failure to build the truss in conformance with ANSI/TPI 1, or for handling, shipping, installation and bracing of trusses. A seal on this drawing or cover page listing this drawing, indicates acceptance of professional engineering responsibility solely for the design shown. The suitability and use of this drawing for any structure is the responsibility of the Building Designer per ANSI/TPI 1 Sec.2.

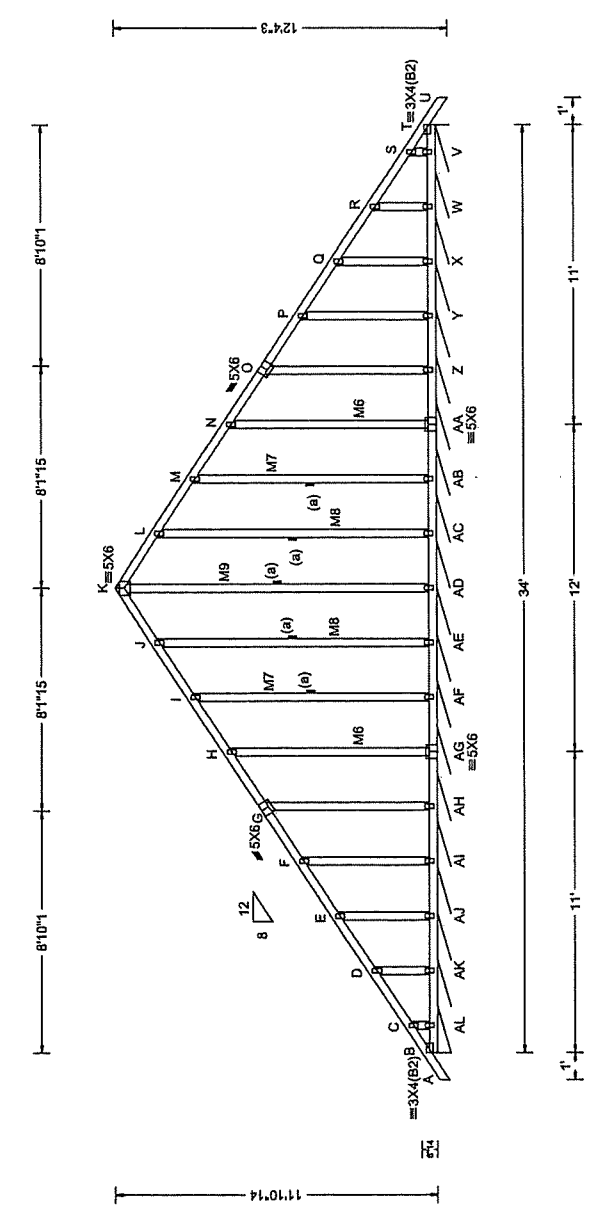
For more information see these web sites: Alpine: alpineitw.com; TPI: tpinst.org; SBCA: sbcacomponents.com; ICC: iccsafe.org; AWC: awc.org

Job Number: 597502A
 Hamburg Street
 Truss Label: gable

Ply: 1
 Qty: 2
 Wgt: 263.2 lbs

SEQN: 52422 / T4 / GABL
 FROM: KF

DRW: ... / ... 05/03/2023



Loading Criteria (psf)	Wind Criteria	Snow Criteria	Code / Misc Criteria	Defl/CSI Criteria
TCLL: 38.50 TCDL: 7.00 BCLL: 0.00 BCDL: 10.00 Des Ld: 55.50 NCBCLL: 0.00 Load Duration: 1.15 Spacing: 24.0"	Wind Std: ASCE 7-16 Enclosure: Closed TCDL: 4.2 psf Mean Height: 15.00 ft MWFRS Parallel Dist: 0 to h/2 C&C Dist a: 3.40 ft Loc. from endwall: Any GCpi: 0.18 Wind Duration: 1.60	(Pg,PI in PSF) Pg: 50.0 Ct: 1.1 Pf: 38.5 Ce: 1.0 CAT: II Lur: - Cs: 1.00 Snow Duration: 1.15	Bldg Code: IRC 2018 TPI Std: 2014 Rep Factors Used: Yes FT/RT: 20(0)/10(0) Plate Type: WAVE	PP Deflection in loc L/defl L/# Max TC CSI: 0.112 Max BC CSI: 0.072 Max Web CSI: 0.249 Creep Factor: 2.0 Mfg Specified Camber: VIEW Ver: 22.02.00.0914.12

Wind
 Wind loads based on MWFRS with additional C&C member design.
 Wind loading based on both gable and hip roof types.

Additional Notes
 See DWGS A11515ENC160118, GBLLETIN0118, & GARRST160118 for gable wind bracing and other requirements.

Lumber
 Top chord: 2x4 SPF(S) #2;
 Bot chord: 2x4 SPF(S) #2;
 Webs: 2x4 SPF(S) Stud; M6, M7, M8, M9 2x4 SPF(S) #2;

Bracing
 (a) Continuous lateral restraint equally spaced on member.

Plating Notes
 All plates are 2x4 except as noted.

This is a preliminary drawing the can be used only for trusses fabricated By S.R. Sloan, Inc. It represents loading, span and pitch. S. R. Sloan, Inc. reserves the right to adjust materials and design at the time of production. The structural integrity will not be compromised. Sealed drawings will be furnished, upon request.

S.R. SLOAN, Inc.
 TRUSSES · WALL PANELS · STAIRS
 PO BOX 560, NEW HARTFORD, NY 13413
 Office (800) 366-7562 * Fax (315) 736-7740

▲ Maximum Reactions (lbs), or *PLF

Loc	R+	/R-	/Rh	/-	/40	/U	/R
B*	120	-	-	-	-	-	-

Wind reactions based on MWFRS
 B Brg Wid = 408 Min Req = -
 Bearing B is a rigid surface.

Maximum Top Chord Forces Per Ply (lbs)

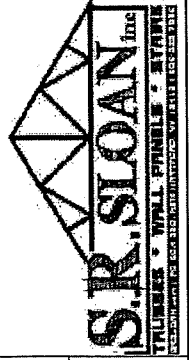
Chords	Tens. Comp.	Chords	Tens. Comp.		
A-B	55	0	K-L	278	-63
B-C	166	-222	L-M	221	-51
C-D	156	-190	M-N	165	-55
D-E	138	-159	N-O	110	-62
E-F	119	-127	O-P	82	-76
F-G	114	-110	P-Q	88	-96
G-H	112	-94	Q-R	106	-127
H-I	165	-78	R-S	124	-159
I-J	221	-63	S-T	132	-188
J-K	278	-63	T-U	55	0

Maximum Bot Chord Forces Per Ply (lbs)

Chords	Tens. Comp.	Chords	Tens. Comp.		
B-AL	181	-152	AD-AC	178	-137
AL-AK	186	-157	AC-AB	177	-137
AK-AJ	187	-159	AB-AA	176	-136
AJ-AI	187	-160	AA-AZ	175	-136
AI-AH	188	-161	Z-Y	174	-135
AH-AG	188	-162	Y-X	173	-134
AG-AF	176	-137	X-W	171	-133
AF-AE	177	-137	W-V	168	-131
AE-AD	178	-137	V-T	162	-126

Maximum Gable Forces Per Ply (lbs)

Gables	Tens. Comp.	Gables	Tens. Comp.		
C-AL	71	-90	AC-L	83	-212
D-AK	80	-191	AB-M	82	-182
E-AJ	78	-183	AA-N	80	-189
F-AI	80	-188	Z-O	78	-183
G-AH	78	-183	Y-P	80	-188
H-AG	80	-189	X-Q	78	-183
I-AF	82	-182	W-R	80	-191
J-AE	83	-212	V-S	71	-90
K-AD	11	-257			



TRUSSES · WALL PANELS · STAIRS
 PERSONALITY TO YOUR DESIGN

GARY RAI'S UPHOLSTERY

518-495-2665

1971 Hamburg Street
Schenectady, NY 12304

