

**Town of Rotterdam
Zoning Board of Appeals
Summary Meeting Minutes March 16, 2022**

A regular meeting of the Town of Rotterdam Zoning Board of Appeals was held Wednesday, March 16, 2022 at 7:30 p.m. at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York.

Present:	Philip Eats, Chairman Angelo Melillo, Vice Chairman Alex Stramenga Craig Serafini Stephanie DiLallo-Bitter, Attorney Peter Comenzo, Sr. Planner Lisa Gallo, Secretary	Excused: Bruce Bonacquist
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The agenda for the evening was discussed. Chairman Eats called the meeting to order. The Pledge of Allegiance to the Flag was recited. Attendance was taken.

1. **William Dominelli - 3351 South Thompson Street, Rotterdam, NY, Tax Map #48.17-6-28** located in the General Business (B-2) Zoning District. Petitioner respectfully requests that he be granted variance(s) as prescribed in the Town of Rotterdam Zoning Code Chapter 270-68 entitled "Lot Area; lot coverage, yard requirements" which states that "a minimum front yard of 30 feet is required." The applicant is proposing to construct a 35' x 40' single story building addition onto an existing 36' x 60' building with a front yard setback of 26 feet. This would require a variance of 4 feet.

- a. **Chad Pagan of Ingalls and Associates LLP representing this application.**

- b. **Representative(s) addressed five (5) criteria to the Board.**

Mr. Pagan is representing Uncle Bills Foods. There is an existing facility which Mr. Dominelli would like to put an addition on but it will encroach into the front setback by four feet (4'). The building to the west has the same projection. It is self-created. If the existing building could be moved back four feet (4') then there would not be a need for the variance. The property is surrounded by commercial and residential. The use is similar to the surrounding area. Cannot add space due to the location of the septic system in the rear and the loading dock. The four feet (4') is only a 13% variance which is not substantial.

Chairman Eats explained instead of the 30' front setback the building will be located at 26'.

Mr. Pagan stated the area is mostly commercial and to the east is a residence which looks out of place.

- c. **This proposal is not exempt from referral to Schenectady County Planning pursuant to Memorandum of Understanding – April 2011.**

Schenectady County Economic Development and Planning deferred to local consideration with the recommendation that the applicant obtain any permit necessary for the proposed holding tank.

- d. **Questions/comments from the Board.**

Mr. Stramenga stated he knows the area very well and has no questions.

Chairman Eats spoke to Mr. Dominelli and Mr. Pagan. Chairman Eats asked Mr. Dominelli to explain the operation. Mr. Dominelli explained the addition will be constructed to be in-line with the tire installation operation next door. The height of the existing building will be higher than the proposed addition. The cotton candy makers are low to the ground however, the popcorn machine is 16' tall which is what necessitates the height of the building addition. The popcorn goes up the conveyor belt and is dropped into bags. He figured he needed 18' but to make sure MR. Dominelli is going with 20' ceiling height. Chairman Eats asked about the holding tank. Mr. Dominelli explained the popcorn machine needs to be washed every day. Chairman Eats said he spoke to one of his neighbors and she was okay with everything. Mr. Dominelli explained that she offered to sell him land so he did not move.

e. No Public Hearing Comments.

f. This project is classified as an Type 2 Listed Action under SEQR.

g. Motion to APPROVE the variances: Mr. Stramenga

h. Seconded: Mr. Serafini

i. Approved unanimously:

NAME	AYES	NOES	EXCUSED	RECUSED
Chairman Eats	X			
Mr. Melillo	X			
Mr. Stramenga	X			
Mrs. Bonacquist			X	
Mr. Serafini	X			

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Town of Rotterdam
Zoning Board of Appeals

Philip Eats, Chairman
Peter J. Comenzo, Senior Planner

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RESOLUTION NUMBER ZBA7-2022
Moved by Mr. Stramenga, Seconded by Mr. Serafini
Applicant(s): 3351 S. Thompson Street

Applicant(s): William Dominelli

Project Location: 3351 S. Thompson Street
Rotterdam, NY

Tax Number or Numbers: 48.17-6-28

Zoning: General Business (B-2) Zoning District

Proposed Project: The applicant is proposing to construct a 35' x 40' single story building addition onto an existing 36' x 60' building with a front yard setback of 26 feet.

WHEREAS, petitioner respectfully requests that he be granted variance(s) as prescribed in the Town of Rotterdam Zoning Code Chapter 270-68 entitled "Lot Area; lot coverage, yard requirements" which states that "a minimum front yard of 30 feet is required;" and,

WHEREAS, the applicant is proposing to construct a 35' x 40' single story building addition onto an existing 36' x 60' building with a front yard setback of 26 feet; and,

WHEREAS, this would require a variance of 4 feet; and,

WHEREAS, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on March 16, 2022 to consider the above referenced variance request; and,

WHEREAS, a legal notice was published in the Schenectady Daily Gazette on Thursday, March 10, 2022 announcing that a public hearing was to take place Wednesday, March 16, 2022 at 7:30 p.m. to consider the variance requests; and,

IT IS HEREBY RESOLVED, that the Rotterdam Zoning Board of Appeals has considered the foregoing five (5) criteria as evidenced by the application materials of the March 16, 2022 hearing. Taking into consideration the benefit to the applicant if the variances are granted, as weighted against the detriment to the health, safety, and welfare of the neighborhood or community by such grant, the Zoning Board of Appeals hereby **APPROVES** said application.

NAME	AYES	NOES	EXCUSED	RECUSED
Chairman Eats	X			
Mr. Melillo	X			
Mr. Stramenga	X			
Mr. Bonacquist			X	
Mr. Serafini	X			

This decision is bound by the application materials, schematic drawings, site plan, and testimony submitted to the Zoning Board of Appeals.



Philip A. Eats, Chairman

Meeting adjourned: 7:45 PM
Motion to adjourn: Mr. Stramenga
Seconded: Mr. Melillo
Approved unanimously

Next meeting: April 20, 2022

Respectfully Submitted, Lisa Gallo