

**Town of Rotterdam
Zoning Board of Appeals Meeting
Summary Meeting Minutes
Wednesday, October 16, 2024**

A meeting of the Town of Rotterdam Zoning Board of Appeals was held Wednesday, October 16, 2024 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 Bruce Bonacquist Alex Stramenga Craig Serafini Alexandra Finocchio for Stephanie DiLallo-Bitter, ZBA Attorney Peter Comenzo, Sr. Planner Lisa Gallo, Secretary | Excused: |
|----------|---|----------|

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) **Ryan Brown – 46 South Westcott Road, Rotterdam, NY**, Tax Map #58.18-3-8.111 located in the Agriculture (A-1) Zoning District. Petitioner respectfully request 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 42’ x 60’ attached garage. The variance request(s) are as follows: **Chapter 270-138(c)**: “Lot Coverage” states with respect to private garages, the floor area for each stall for the enclosed parking or storage of private motor vehicles shall not exceed 300 square feet. Calculations computed for square footage shall be based upon exterior foundation dimensions. The proposed attached garage is 2520 square feet, which is 1620 square feet over the allowed size of 900 square feet.

a. **Mike Floccuzio of Floccuzio Construction representing this application.**

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

Mr. Floccuzio explained that the applicant would like a garage bigger than what is permitted by code. There will not be any impacts. The proposed house is approximately 600’ off the road. It is an attached garage. The house is a bigger house so it fits with the scale of the house. It will complement the home. It cannot be seen from the road. It can be achieved by other means as the garage could be built smaller but it would not meet the applicant’s needs. Mr. Floccuzio does not feel that 1100 square feet is a large variance. They were not aware of the size requirements for attached garages when the permit was requested. It is self-created.

c. **This proposal is exempt from referral to Schenectady County Planning**

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

Mr. Bonacquist stated this is a seven (7) acre lot. Previously, they were looking for three (3) lots and the property backs up to the railroad. Mr. Floccuzio covered all the criteria and the criteria are mitigated by the lot size. Therefore, he can support the variance requests.

Mr. Stramenga questioned Mr. Floccuzio stating the variance request is 1100 square feet but the advertisement is for 1620 square feet. Mr. Comenzo stated he went off the Building Department application and the determination of the Building Inspector who calculated the proposed garage at 1620 square feet. Mr. Floccuzio stated he misspoke and thanked the Town for correcting his request.

Mr. Serafini said based on the presentation and comments by Mr. Bonacquist he can support the variance requests.

Chairman Eats stated he visited the property. He drove up the driveway. He questioned the curves in the driveway as the plan shows a straight driveway. Mr. Floccuzio stated it does curve due to wet areas. They did fill in the rear of the property.

- e. **No Public Hearing Comments.**
- f. **This project is classified as Type 2 Listed Action – 6NYCRR Part 617 under SEQR.**
- g. **Motion to APPROVE the variance:** Mr. Bonacquist
- h. **Seconded:** Mr. Serafini
- i. **Approved unanimously:**

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



Zoning Board of Appeals

RESOLUTION NUMBER ZBA26-2024
Moved by Mr. Bonacquist, Seconded by Mr. Serafini
Applicant(s): Ryan Brown

Applicant(s): Ryan Brown
Project Location: 46 South Westcott Road
Rotterdam, NY
Tax Number or Numbers: 58.18-3-8.111
Zoning: Agricultural (A-1) Zoning District
Proposed Project: The applicant wishes to construct a 42' x 60' attached garage.

WHEREAS, petitioner respectfully request that he be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-138 entitled "Accessory structures and uses;" and,

WHEREAS, Chapter 270-138(c): "Lot Coverage" states with respect to private garages, the floor area for each stall for the enclosed parking or storage of private motor vehicles shall not exceed 300 square feet. Calculations computed for square footage shall be based upon exterior foundation dimensions;" and,

WHEREAS, the applicant wishes to construct a 42' x 60' attached garage; and,

WHEREAS, the proposed attached garage is 2520 square feet, which is 1620 square feet over the allowed size of 900 square feet; and,

WHEREAS, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on Wednesday, October 16, 2024 to consider the above referenced variance request; and,

WHEREAS, a legal notice was published in the Schenectady Daily Gazette on Thursday, October 10, 2024, announcing that a public hearing was to take place Wednesday, October 16, 2024 at 7:30 p.m. to consider the variance requests; and,

RESOLUTION NUMBER ZBA26-2024

Applicant(s): Ryan Brown

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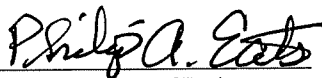
WHEREAS, this project is classified as a Type II Action under SEQR pursuant to 6NYCRR Part 617.5(c)(17) this is a granting of an area variance for a single-family home and as a result is therefore exempt from SEQR; and,

WHEREAS, pursuant to a Memorandum of Understanding dated April 2011 with the Schenectady County Department of Planning and Economic Development this project is exempt from review; **NOW**

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 Wednesday, October 16, 2024 hearings. 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
Zoning Board of Appeals

2) **Ernest Porter (Contract Vendee) – Pinelawn Avenue, Rotterdam, NY** - Tax Map #58.8-12-23 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 270-31 entitled “Lot Area,” and Chapter 270-33 entitled “Yard Requirements.” The applicant would like to construct a new single-family residence. **Chapter 270-31(A)** states that “the required minimum lot area shall be not less than 15,000 square feet, with a lot width of not less than 100 feet. The applicant is requesting to construct a new single-family residence on a 7,000 square foot lot that has a lot width of 50 feet. This would require a variance of 8,000 square feet for lot area and 50 feet for lot width. **Chapter 270-33(B)** states that the “side yard width shall be not less than 10 feet.” The applicant is proposing a side yard width of 5 feet on the northern side yard which would require a variance of 5 feet.

a. **Mark Blackstone of Blackstone Land Surveyors representing the application.**

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

Mr. Blackstone stated the lot is occupied by an accessory structure. They would like to replace with a single-family residence. The lots in the area are all similar with the 50’ by 140’. The house will be 30’ X 40’. The home will be slid to the left side as the house on the neighboring property on the right is very close to the property line. This is better for the separation of living space from living space. They are accommodating 20’ from the living space structure. It is consistent with the lots in the area. This is the only vacant land remaining so it is an in-fill of land that will blend with the character of the neighborhood. It is not substantial. There are 19 out of 27 lots that are the same size or less than this one. There are 15 out of 27 with similar side yards. There are 20 out of 27 with similar lot area. There are sandy soils. It is a good setting for drainage and municipal sewer is available.

c. **This proposal is exempt from referral to Schenectady County Planning**

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

Mr. Melillo stated that Mr. Blackstone answered the five (5) criteria to his satisfaction.

Mr. Stramenga explained that he visited and no one was around. He asked how old the garage is. Mr. Blackstone stated it is very old and it will not be standing much longer.

Mr. Serafini agrees with sliding the house over. It is a substantial variance but will not change the character of the neighborhood and in -line with the area.

Chairman Eats also visited the property. He asked if there was ever a house on the lot as there is a garage on it currently. Mr. Blackstone said the owner owned both and the garage was constructed. Mr. Blackstone also said the 30’ X 40’ footprint will include a garage. Chairman Eats spoke to the woman who lives across the street and she explained the area. She would like to see a house there and have a new neighbor.

Mr. Bonacquist agrees with Mr. Serafini.

e. **Public Hearing Comments.**

Margaret Anderton of 2106 Pinelawn Avenue stated she is glad it is 15' away. It will be good to have another house in the neighborhood. She is the neighbor that was not home.

f. **This project is classified as a Type 2 Listed Action – 6NYCRR Part 617 under SEQR.**

g. **Motion to APPROVE the variance(s):** Mr. Stramenga

h. **Seconded:** Mr. Melillo

i. **Approved unanimously by Members:**

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



Zoning Board of Appeals

RESOLUTION NUMBER ZBA27-2024
Moved by Mr. Stramenga, Seconded by Mr. Melillo
Applicant(s): Ernest porter (Contract Vendee)

Applicant(s): Ernest Porter (Contract Vendee)
Project Location: Pinelawn Avenue
Rotterdam, NY
Tax Number or Numbers: 58.8-12-23
Zoning: Single Family Residential (R-1) Zoning District
Proposed Project: The applicant would like to construct a new single-family residence.

WHEREAS, petitioner respectfully requests that he be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-31 entitled "Lot Area," and Chapter 270-33 entitled "Yard Requirements; and,

WHEREAS, Chapter 270-31(A) states that "the required minimum lot area shall be not less than 15,000 square feet, with a lot width of not less than 100 feet; and,

WHEREAS, the applicant would like to construct a new single-family residence; and,

WHEREAS, the applicant is requesting to construct a new single-family residence on a 7,000 square foot lot that has a lot width of 50 feet; and,

WHEREAS, this would require a variance of 8,000 square feet for lot area and 50 feet for lot width; and,

WHEREAS, Chapter 270-33(B) states that the "side yard width shall be not less than 10 feet; and,

WHEREAS, the applicant is proposing a side yard width of 5 feet on the northern side yard which would require a variance of 5 feet; and,

WHEREAS, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on Wednesday, October 16, 2024 to consider the above referenced variance request; and,

RESOLUTION NUMBER ZBA27-2024
Applicant(s): Ernest Porter (Contract Vendee)
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WHEREAS, a legal notice was published in the Schenectady Daily Gazette on Thursday, October 10, 2024, announcing that a public hearing was to take place Wednesday, October 16, 2024 at 7:30 p.m. to consider the variance requests; and,

WHEREAS, this project is classified as a Type II Action under SEQR pursuant to 6NYCRR Part 617.5(c)(17) this is a granting of an area variance for a single-family home and as a result is therefore exempt from SEQR; and,

WHEREAS, pursuant to a Memorandum of Understanding dated April 2011 with the Schenectady County Department of Planning and Economic Development this project is exempt from review; **NOW**

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 Wednesday, October 16, 2024 hearings. 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 variances and adopts Negative Declaration.

| 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
Zoning Board of Appeals

3) **Michael and Tabitha Lawton – 2736 Wellington Avenue, Rotterdam, NY**, Tax Map #48.15-4-23 located in the Single Family Residential (R-1) Zoning District. Petitioners respectfully request that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-138 entitled “Accessory structures and uses” and Chapter 270-143 entitled “Fences.” The applicant wishes to place a 12’ x 24’ detached shed on the property. **Chapter 270-138 (a) Location.** States: “No accessory structure shall be located in the front yard of any lot.” The applicant is proposing to locate the shed in what is considered a front yard. **Chapter 270-138(c)** “Lot Coverage” states that the floor area of any accessory structure shall not exceed 15% of the total habitable floor area of an existing or proposed principal structure. The existing residential structure is 1320 square feet which would allow an accessory structure of 198 square feet. The proposed accessory structure is 288 square feet, which will require a variance of 90 square feet. **Chapter 270-143(A)(1)** sets a front yard fence height limit at four (4) feet. The applicant would like to install a six (6) foot high fence, which would require a variance of two (2) feet. **Chapter 270-143(A)(4)** states that front yard fences should be less than fifty percent (50%) solid or opaque. The applicant would like to install a six (6) foot high fence that is one hundred percent (100%) solid. The property is a corner lot.

a. **Michael Lawton of 2736 Wellington Avenue representing the application.**

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

Mr. Lawton stated he has been doing upgrades to this acquired house for five (5) years. He has brought the zombie property up to a point where he could move his family in. He would like to install a shed and a fence for the kids, dog, and storage. The shed will be professionally installed. The fence he will install himself. He is a contractor by trade. Being a contractor he has a lot of tools that are longer and would like to store them inside. The shed will be six feet (6’) off the back property line. Water will drain to his property. He could build a smaller shed but would not be the amount of space he needs. It is substantial. It will add value to the home and the area. Yes, it is self-created but he needs the fence for the kids and his happy-go-lucky Pitbull.

c. **This proposal is exempt from referral to Schenectady County Planning**

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

Mr. Stramenga asked if he could elaborate on the fence. Mr. Lawton stated the current fence is a 30-year-old dilapidated fence and he is just replacing with a new fence.

Mr. Serafini asked if there is currently a shed on the property. Mr. Lawton stated no there are no shed. Mr. Serafini wanted to know if the shed would be on the outside of the fence. Mr. Lawton said it would be enclosed inside the fence.

Mr. Bonacquist asked if it was a corner lot and it is. He feels it will not have an adverse effect on the neighborhood. He asked if there would be electric of water to the shed and Mr. Lawton said no.

Chairman Eats stated he spoke to the applicant and his wife. He sees the reasons for the shed and the fence on this corner lot. He can support a six-foot (6') fence for privacy for the kids and the dog and he can support a shed for his tools to be stored in.

Ms. Finocchio explained that the application in front of them only answered the criteria for the shed and she wanted go over the criteria for the fence for the benefit of the hearing. Mr. Lawton stated the neighbors have a six-foot (6') fence. The dog runs the current fence line and barks. Hoping the dog will not with the six-foot (6') privacy fence. He does not feel it is substantial. It will be professionally installed.

- e. **No Public Hearing Comments.**
- f. **This project is classified as a Listed Type 2 Action under SEQR.**
- g. **Motion to APPROVE:** Mr. Bonacquist
- h. **Seconded:** Mr. Melillo
- i. **Approved unanimously:**

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



Zoning Board of Appeals

**RESOLUTION NUMBER ZBA28-2024
Moved by Mr. Bonacquist, Seconded by Mr. Melillo
Applicant(s): Michael & Tabitha Lawton**

Applicant(s): Michael & Tabitha Lawton

Project Location: 2736 Wellington Avenue
Rotterdam, NY

Tax Number or Numbers: 48.15-4-23

Zoning: Single Family Residential (R-1) Zoning District

Proposed Project: The applicant wishes to place a 12' x 24' detached shed on the property. The applicant would like to install a six (6) foot high fence that is one hundred percent (100%) solid.

WHEREAS, petitioners respectfully request that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-138 entitled "Accessory structures and uses" and Chapter 270-143 entitled "Fences; and,

WHEREAS, the applicant wishes to place a 12' x 24' detached shed on the property; and,

WHEREAS, Chapter 270-138 (a) Location. States: "No accessory structure shall be located in the front yard of any lot; and,

WHEREAS, the applicant is proposing to locate the shed in what is considered a front yard; and,

WHEREAS, Chapter 270-138(c) "Lot Coverage" states that the floor area of any accessory structure shall not exceed 15% of the total habitable floor area of an existing or proposed principal structure; and,

WHEREAS, the existing residential structure is 1320 square feet which would allow an accessory structure of 198 square feet; and,

WHEREAS, the proposed accessory structure is 288 square feet, which will require a variance of 90 square feet; and,

WHEREAS, Chapter 270-143(A)(1) sets a front yard fence height limit at four (4) feet; and,

WHEREAS, the applicant would like to install a six (6) foot high fence, which would require a variance of two (2) feet; and,

WHEREAS, Chapter 270-143(A)(4) states that front yard fences should be less than fifty percent (50%) solid or opaque; and,

WHEREAS, the applicant would like to install a six (6) foot high fence that is one hundred percent (100%) solid; and,

WHEREAS, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on Wednesday, October 16, 2024 to consider the above referenced variance request; and,

WHEREAS, a legal notice was published in the Schenectady Daily Gazette on Thursday, October 10, 2024, announcing that a public hearing was to take place Wednesday, October 16, 2024 at 7:30 p.m. to consider the variance requests; and,

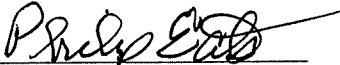
WHEREAS, this project is classified as a Type II Action under SEQR pursuant to 6NYCRR Part 617.5(c)(17) this is a granting of an area variance for a single-family home and as a result is therefore exempt from SEQR; and,

WHEREAS, pursuant to a Memorandum of Understanding dated April 2011 with the Schenectady County Department of Planning and Economic Development this project is exempt from review, 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 Wednesday, October 16, 2024 hearings. 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
Zoning Board of Appeals

4) William Warren – 194 Countyline Road, Rotterdam, NY, Tax Map #70.12-1-12.1 located in the Agriculture (A-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 32’ x 32’ detached garage with a height of 24 feet. The variance request(s) are as follows: **Chapter 270-138(c):** “Lot Coverage” states with respect to private garages, the floor area for each stall for the enclosed parking or storage of private motor vehicles shall not exceed 300 square feet. Calculations computed for square footage shall be based upon exterior foundation dimensions. No accessory garages shall exceed a maximum height of 15 feet in all existing zoning districts. The proposed detached garage is 1024 square feet, and the existing garage is 390 square feet which would make the total garage space 1414 square feet, which is 514 square feet over the allowed size of 900 square feet. The proposed garage height is 24 feet and is 9 feet over the allowed height of 15 feet.

a. **William Warren of 194 Countyline Road representing the application.**

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

Mr. Warren would like to build a two-stall garage. He stated he encroached on some regulations. It is way in the back of the property, in a wooded area. He spoke to the neighbors and they are okay with it. The lot tapers downhill a couple feet. He said he could make it smaller but he is trying to get vehicles into the garage. There are piles of construction around the yard that would also get cleaned up. The size is substantial. There is no plumbing but it will have electricity. It will blend with the woods as he does not want to see it. It is self-created but he needs the space.

b. **This proposal is exempt from referral to Schenectady County Planning**

c. **Questions/comments from the Board.**

Mr. Serafini stated he thought it was 250’ over but it is 514’ so maintaining six feet (6’) on the side makes sense.

Mr. Bonacquist spoke to the applicant’s wife. He did see where the pad was. He said there are not other structure in the area that size. It does not create an undesirable change. He asked if Mr. Warren was operating a business. Mr. Warren stated no. He also wanted to know how the garage was going to be accessed. Mr. Warren stated the existing shed will be taken down and there will be a path to the new garage that will utilize parking grid pavers to allow for vegetation growth. Mr. Bonacquist said it is a substantial request but it is mitigated by the location.

Mr. Melillo stated the other members asked all the questions he had.

Mr. Stramenga visited the property and looked around. He has nothing against the project.

Ms. Finocchio stated it meets the five-foot (5') criteria for an accessory structure and that is why that was not addressed in the public hearing.

d. **No Public Hearing Comments.**

e. **This project is classified as a Listed Type 2 Action under SEQR.**

f. **Motion to APPROVE the variance(s):** Mr. Serafini

g. **Seconded:** Mr. Stramenga

h. **Approved unanimously by Members Present:**

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

Meeting adjourned: 8:20 PM
Motion to adjourn: Mr. Stramenga
Seconded: Mr. Serafini
Approved unanimously

Next meeting: November 20, 2024

Respectfully Submitted,
Lisa R. Gallo



Zoning Board of Appeals

RESOLUTION NUMBER ZBA29-2024

Moved by Mr. Serafini, Seconded by Mr. Stramenga

Applicant(s): William Warren

Applicant(s): William Warren

Project Location: 194 Countyline Road
Rotterdam, NY

Tax Number or Numbers: 70.12-1-12.1

Zoning: Agricultural (A-1) Zoning District

Proposed Project: The applicant wishes to construct a 32' x 32' detached garage with a height of 24 feet.

WHEREAS, 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; and,

WHEREAS, Chapter 270-138(c): "Lot Coverage" states with respect to private garages, the floor area for each stall for the enclosed parking or storage of private motor vehicles shall not exceed 300 square feet. Calculations computed for square footage shall be based upon exterior foundation dimensions. No accessory garages shall exceed a maximum height of 15 feet in all existing zoning districts; and,

WHEREAS, the applicant wishes to construct a 32' x 32' detached garage with a height of 24 feet; and,

WHEREAS, the proposed detached garage is 1024 square feet, and the existing garage is 390 square feet which would make the total garage space 1414 square feet, which is 514 square feet over the allowed size of 900 square feet; and,

WHEREAS, the proposed garage height is 24 feet and is 9 feet over the allowed height of 15 feet; and,

RESOLUTION NUMBER ZBA29-2024

Applicant(s): William Warren

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WHEREAS, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on Wednesday, October 16, 2024 to consider the above referenced variance request; and,

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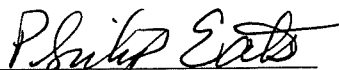
WHEREAS, this project is classified as a Type II Action under SEQR pursuant to 6NYCRR Part 617.5(c)(17) this is a granting of an area variance for a single-family home and as a result is therefore exempt from SEQR; and,

WHEREAS, pursuant to a Memorandum of Understanding dated April 2011 with the Schenectady County Department of Planning and Economic Development this project is exempt from review, 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 Wednesday, October 16, 2024 hearings. 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
Zoning Board of Appeals