

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

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

Present: Philip Eats, Chairman                      Excused: Angelo Melillo, Vice Chairman  
Rachel Rappazzo  
Alex Stramenga  
Craig Serafini  
Stephanie DiLallo-Bitter, Attorney  
Peter Comenzo, Sr. Planner  
Lisa Gallo, Secretary

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.

e. **No Public Hearing Comments.**

f. **This project is classified as an Unlisted Action under SEQR.**

g. **Negative Declaration SEQR:**

At the suggestion of the attorney, Stephanie DiLallo Bitter, the Zoning Board of Appeals conducted an uncoordinated review on the Unlisted Action of granting variance approvals for the variances the under the Town Zoning Code. The applicant had submitted Part I of the Short Environmental Assessment Form (SEAF). She read into the record the questions on Part II of the SEAF and requested that the Board answer either no impact, small impact or large impact. All questions were read into the record and all were answered by the Board as small to no impact.

h. **Motion to Adopt Negative Declaration:** Mr. Serafini

i. **Seconded:** Mr. Stramenga

j. **Approved unanimously:**

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

k. **Motion to APPROVE the variances:** Mr. Stramenga

h. **Seconded:** Mrs. Rappazzo

i. **Approved unanimously:**

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

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*Town of Rotterdam*  
*Zoning Board of Appeals*

Philip Eats, Chairman  
Peter J. Comenzo, Senior Planner

Telephone (518) 355-7575 Ext. 338  
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**RESOLUTION NUMBER ZBA5-2022**  
**Moved by Mr. Stramenga, Seconded by Mrs. Rappazzo**  
**Applicant(s): 3324 S. Thompson Street, LLC**

**Applicant(s):** 3324 S. Thompson Street, LLC

**Project Location:** 3324 S. Thompson Street  
Rotterdam, NY

**Tax Number or Numbers:** 48.17-7-4

**Zoning:** Light Industrial (I-1) Zoning District

**Proposed Project:** The applicants are proposing to construct a 32' x 150' storage building on a parcel that is 15,262 square feet with a lot width of 50 feet.

**WHEREAS**, petitioners respectfully request that they be granted variance(s) as prescribed in the Town of Rotterdam Zoning Code Chapter 270-77 entitled "Lot Area," which states that the minimum lot area for each principal use is 20,000 square feet, with a minimum lot width of 100 feet; and Chapter 270-79 entitled "Yard Requirements," which states that the lot line setbacks are shall be not less than 25 feet;" and,

**WHEREAS**, the applicants are proposing to construct a 32' x 150' storage building on a parcel that is 15,262 square feet with a lot width of 50 feet; and,

**WHEREAS**, this would require a variance of 4,738 square feet for size and 50 feet for lot width; and,

**WHEREAS**, the proposed building will have a side yard setback of 5 feet on the north side of the property and 15 feet on the south side of the property; and,

**RESOLUTION NUMBER ZBA5-2022**  
**Applicant(s): 3324 South Thompson Street, LLC**  
**Page 2**

**WHEREAS**, this would require variances of 20 feet on the north side and 10 feet on the south side; and,

**WHEREAS**, pursuant to 6 NYCRR Part 617 State Environmental Quality Review the above referenced project is an Unlisted Action and the Zoning Board of Appeals conducted an uncoordinated review of the project request; and,

**WHEREAS**, the Rotterdam Zoning Board of Appeals after review of Part 1 of the Short Environmental Assessment Form (SEAF) and discussion of the criteria outlined in Part 2 of the SEAF, hereby issues a Negative Declaration on the project and authorizes the Rotterdam Town Planner to prepare, file, publish, and distribute all documents as necessary to comply with 6 NYCRR Part 617 (State Environment Quality Review); and,

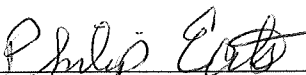
**WHEREAS**, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on February 16, 2022 to consider the above referenced variance request; and,

**WHEREAS**, a legal notice was published in the Schenectady Daily Gazette on Thursday, February 10, 2022 announcing that a public hearing was to take place Wednesday, February 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 February 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			
Mrs. Rappazzo	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. **Katherine Chen & Edmond Ng – 1240 Lilac Street, Rotterdam, NY, Tax Map #58.7-11-28** 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.” The applicant wishes to construct a 28’ x 32’ detached garage with a height of 14 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 existing attached garage is 275 square feet, and the proposed detached garage is 896 square feet making the total garage space 1171 square feet, which is 271 square feet over the allowed size of 900 square feet.

a. **Katherine Chen of 1240 Lilac Street representing this application.**

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

Ms. Chen explained she originally wanted a 30’ X 24’ detached garage. She has a newborn and a two (2) year old. They want to change the attached garage to an office eventually but when will depend on finances. After meeting with Chairman Eats, they decided to go with a larger 32’ X 28’ detached garage so that everything will fit indoors. They have a 1981 Corvette which they cannot put outside. She texted to her neighbors and submitted copies of their responses stating they did not have any issues with them building a garage. The structure will match the house and line up with the front of the house. It will give the neighborhood a better appeal. Chairman Eats explained the detached garage could not go out further than the front of the house because they would need to submit for another variance if it does. Ms. Chen stated they need the extra size because with the two (2) kids getting in and out of the cars would be easier. It is not substantial. When the current attached garage is eventually turned into an office, they would not need a variance but they don’t know when they will be able to do that. Chairman Eats stated the three (3) cars that do not run bring a negative impact to the neighborhood. Ms. Chen thought they had enough space when they purchased the house but then the children came.

c. **This proposal is exempt from referral to Schenectady County Planning pursuant to Memorandum of Understanding – April 2011.**

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

Chairman Eats spoke to her husband about the car underneath the canvas. They will need space around the Corvette. This is the time to increase the size of the garage so now you’ll be satisfied with the size instead of wishing there was more if they built the smaller garage as originally planned.

- e. No Public Hearing Comments.
- f. This project is classified as a Type II Action under SEQR because pursuant to 6NYCRR Part 617.5(c)(17) this is a granting of an area variance for a single-family home. As a result, it is exempt from further SEQR review.
- g. Motion to APPROVE: Mr. Serafini
- h. Seconded: Mr. Stramenga
- i. Approved unanimously:

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

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**RESOLUTION NUMBER ZBA6-2022**  
**Moved by Mr. Serafini, Seconded by Mr. Stramenga**  
**Applicant(s): Katherine Chen & Edmond Ng**

**Applicant(s):** Katherine Chen & Edmond Ng

**Project Location:** 1240 Lilac Street  
Rotterdam, NY

**Tax Number or Numbers:** 58.7-11-28

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

**Proposed Project:** The applicant wishes to construct a 28' x 32' detached garage with a height of 14 feet.

**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,

**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 28' x 32' detached garage with a height of 14 feet; and,

**WHEREAS**, the existing attached garage is 275 square feet, and the proposed detached garage is 896 square feet making the total garage space 1171 square feet, which is 271 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 February 16, 2022 to consider the above referenced variance request; and,

**WHEREAS**, this project is classified as a Type II Action under SEQR because 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,

**RESOLUTION NUMBER ZBA6-2022**  
**Applicant(s): Katherine Chen & Edmond Ng**  
**Page 2**

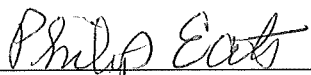
**WHEREAS**, a legal notice was published in the Schenectady Daily Gazette on Thursday, February 10, 2022 announcing that a public hearing was to take place Wednesday, February 16, 2022 at 7:30 p.m. to consider the variance requests; and,

**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 February 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.

<b>NAME</b>	<b>AYES</b>	<b>NOES</b>	<b>EXCUSED</b>	<b>RECUSED</b>
<b>Chairman Eats</b>	<b>X</b>			
<b>Mr. Melillo</b>			<b>X</b>	
<b>Mr. Stramenga</b>	<b>X</b>			
<b>Mrs. Rappazzo</b>	<b>X</b>			
<b>Mr. Serafini</b>	<b>X</b>			

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**



Meeting adjourned: 7:55 PM  
Motion to adjourn: Mr. Stramenga  
Seconded: Mrs. Serafini  
Approved unanimously

**Next meeting: March 16, 2022**

Respectfully Submitted, Lisa Gallo