

**Town of Rotterdam
Zoning Board of Appeals Meeting
Summary Meeting Minutes
August 16, 2023**

A meeting of the Town of Rotterdam Zoning Board of Appeals was held Wednesday, August 16, 2023 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 Bruce Bonacquist Alex Davis for Stephanie DiLallo-Bitter, ZBA Attorney Peter Comenzo, Sr. Planner Lisa Gallo, Secretary	Excused:
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The agenda for the evening was discussed. Michael Standhart attended a portion of the workshop session. Chairman Eats called the meeting to order. The Pledge of Allegiance to the Flag was recited. Attendance was taken.

**ZBA Meeting
August 16, 2023**

1. Joseph D'Aurizio – 26 Brentwood Lane, Rotterdam, NY, Tax Map #58.15-8-10 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 270-216 entitled “Yard and Property Line Requirements and Chapter 270-143 entitled “Fences.” **Chapter 270-216(D)** “Corner lots” states that “the placement of a swimming pool on a corner lot shall be permitted; a swimming pool is allowed to encroach 10 feet into the front yard but must maintain all other required setbacks.” Due to the location of the existing residence, the applicant wishes to place a 16’ x 32’ in-ground pool beyond the 10-foot encroachment limit. **Chapter 270-143(A)(1)** sets a front yard 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 subject property is a corner lot.

a. **Michael DelGallo of DelGallo Pools representing Joe D'Aurizio on behalf of this application.**

- Mr. DelGallo submitted paperwork signed by the neighbors stating they were in favor of Mr. D'Aurizio's proposal and did not have any opposition to the proposal.

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

Mr. DelGallo stated the pool and the fence will not impede traffic flow. The fence is for the safety of the family and will improve the curb appeal. There are no other alternatives for the pool as the leach field is located on the other side of the backyard. The property is a corner lot. The fence being installed will match the current existing white vinyl fence. It is not a substantial variance for the fence. It is a substantial variance for the pool as it is in the front yard. It will enhance the appearance of the property and increase the value. It is not self-created as the applicant was unaware of the requirements of owning a corner lot.

Chairman Eats explained why it is self-created as are most applications.

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 stated that he had visited the owner and they went over the criteria. The representative answered the criteria to his satisfaction.

e. **Public Hearing Comments.**

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

g. **Motion to APPROVE:**

Mr. Serafini

h. **Seconded:**

Mr. Bonacquist

i. **Approved unanimously:**

NAME	AYES	NOES	EXCUSED	RECUSED
Chairman Eats	X			
Mr. Melillo	X			
Mr. Stramenga	X			
Mr. Bonacquist	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 ZBA23-2023
Moved by Mr. Serafini, Seconded by Mr. Bonacquist
Applicant(s): Joseph D'Aurizio

Applicant(s): Joseph D'Aurizio

Project Location: 26 Brentwood Lane

Tax Number or Numbers: 58.15-8-10

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

Proposed Project: The applicant wishes to place a 16' x 32' in-ground pool. The applicant would like to install a six (6) foot high fence that is one hundred percent (100%) solid.

WHEREAS, petitioner respectfully requests that he be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-216 entitled "Yard and Property Line Requirements and Chapter 270-143 entitled "Fences," and;

WHEREAS, Chapter 270-216(D) "Corner lots" states that "the placement of a swimming pool on a corner lot shall be permitted; a swimming pool is allowed to encroach 10 feet into the front yard but must maintain all other required setbacks; and,

WHEREAS, due to the location of the existing residence, the applicant wishes to place a 16' x 32' in-ground pool beyond the 10-foot encroachment limit; and,

WHEREAS, Chapter 270-143(A)(1) sets a front yard 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,

RESOLUTION NUMBER ZBA23-2023

Applicant: Joseph D'Aurizio

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WHEREAS, the subject property is a corner lot; 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,

WHEREAS, a legal notice was published in the Schenectady Daily Gazette on Thursday, August 10, 2023 announcing that a public hearing was to take place Wednesday, August 16, 2023 at 7:30 p.m. to consider the variance requests; and,

WHEREAS, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on August 16, 2023 to consider the above referenced variance request; 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 August 16, 2023 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
Philip A. Eats, Chairman
Zoning Board of Appeals

ZBA Meeting
August 16, 2023

2. **Maurizio Campagnano – 1060 Fort Hunter Road, Rotterdam, NY**, Tax Map #59.18-1-2.1 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 270-21 entitled “Yard and Property Line Requirements.” **Chapter 270-21(D)** which states that front property line shall be a minimum of 150 feet. The applicant would like to boundary line adjust a ±12,499 square foot parcel of property with 50 foot of roadway frontage to the adjoining property located at 1068 Fort Hunter Road (Tax Parcel #59.18-1-3). This would make the road frontage for 1060 Fort Hunter Road 40 feet which would require a variance of 110 feet.

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

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

Mr. Blackstone explained that they want to decrease the lot width on Fort Hunter from 90’ to 40’. The applicant’s driveway and utilities exist well within the 40’ width. The applicant is going to transfer title to the lot out front increasing the existing 110’ of frontage to 160’ of frontage to propose and accessory structure in that area. The lot meets all the other set backs except the frontage and the applicant is willing to give the adjoining lot the 50’ for his proposed structure. The property is unused and unneeded by the Campagnano’s. There will not be an undesirable change until the accessory structure which won’t be until a future date. There is limited frontage. Yes, it is substantial to the 200’ of frontage in the back of the lot but in respect to the 1.5 acres this is not substantial. It all depends on how you look at it. There are no significant changes to the environmental conditions. The neighbor’s property is wet and the accessory structure will be raised. Yes, it is self-created but without impact on the Campagnano property.

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

Schenectady County deferred to local consideration and submission of a survey showing the water line is located on the property.

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

Mr. Bonacquist stated there are several similar lots in the neighborhood. It is substantial but with a two (2) acre parcel it is mitigated.

Mr. Melillo asked if the water line is on the property. Mr. Blackstone said it is and the project will have to go the Planning Commission. The map will be updated to show the water line is on the property.

Chairman Eats explained he met with Mr. Campagnano. Mr. Campagnano stated the purpose of the transfer of property and the property markers. Chairman Eats was also introduced to Mr. VanVranken, the person, purchasing the property which needs the Boundary Line Adjustment.

Mr. Blackstone stated that Mr. Campagnano does not have frontage on the Anthony Drive cul-de-sac and has no access to the lot. His definition of a front yard and the Town’s definition of a front yard differ. Mr. VanVranken will have to come back the Zoning Board of Appeals for the proposed structure and currently Mr. Blackstone is only here to represent Mr. Campagnano.

e. **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. Stramenga

i. **Approved unanimously:**

NAME	AYES	NOES	EXCUSED	RECUSED
Chairman Eats	X			
Mr. Melillo	X			
Mr. Stramenga	X			
Mr. 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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ESOLUTION NUMBER ZBA24-2023

Moved by Mr. Bonacquist, Seconded by Mr. Stramenga
Applicant(s): Maurizio Campagnano

Applicant(s): Maurizio Campagnano

Project Location: 1060 Fort Hunter Road

Tax Number or Numbers: 59.18-1-2.1

Zoning: Agricultural (A-1) Zoning District

Proposed Project: The applicant would like to boundary line adjust a ±12,499 square foot parcel of property with 50 foot of roadway frontage to the adjoining property located at 1068 Fort Hunter Road (Tax Parcel #59.18-1-3).

WHEREAS, petitioner respectfully requests that he be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-21 entitled "Yard and Property Line Requirements;" and,

WHEREAS, **Chapter 270-21(D)** which states that front property line shall be a minimum of 150 feet; and,

WHEREAS, the applicant would like to boundary line adjust a ±12,499 square foot parcel of property with 50 foot of roadway frontage to the adjoining property located at 1068 Fort Hunter Road (Tax Parcel #59.18-1-3); and,

WHEREAS, this would make the road frontage for 1060 Fort Hunter Road 40 feet which would require a variance of 110 feet; 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,

WHEREAS, a legal notice was published in the Schenectady Daily Gazette on Thursday, August 10, 2023 announcing that a public hearing was to take place Wednesday, August 16, 2023 at 7:30 p.m. to consider the variance requests; and,

WHEREAS, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on August 16, 2023 to consider the above referenced variance request; and,

RESOLUTION NUMBER ZBA24-2023

Applicant: Maurizio Campagnano

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WHEREAS, the Schenectady County Department of Planning and Economic Development deferred to local consideration but recommended the submission of an update survey showing the water line.

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 August 16, 2023 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
Zoning Board of Appeals**

**ZBA Meeting
August 16, 2023**

3. David Sutherland – 2900 Wellington Avenue, Rotterdam, NY, Tax Map #48.15-8-15 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 270-143 entitled “Fences.” **Chapter 270-143(A)(1)** sets a front yard 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. David Sutherland and his fiancé Kayla of 2900 Wellington Avenue representing this application.

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

Mr. Sutherland explained that he wants to install a six-foot (6') privacy fence but the ordinance only allows for a four foot (4'). It will be an enhancement to the property. Other neighbors have privacy fences. It cannot be achieved by other means. We would like the privacy and safety and keep the dog contained. The dog will be able to jump a four-foot (4') fence and he will be distracted if it is not a privacy fence. It is not substantial. It is a corner lot. Visibility will not be impeded. There will not be any adverse effect on the environment. He spoke to his one (1) neighbor and that neighbor does not have any issues with him installing the fence. He does not feel it is self-created as he did not know he would get a dog or need a fence. He would also like to have small gatherings and needs privacy.

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

d. Questions/comments from the Board.

Mr. Serafini asked what kind of dog. Mr. Sutherland answered a Goldendoodle.

Chairman Eats said that he met with the applicant's dad. They know where the property lines are. It will not interfere with traffic on the corner or the other cross street. He also explained that it is self-created because the applicant is asking for relief from the ordinance.

- e. No Public Hearing Comments.
- f. This project is classified as a Listed Type 2 Action under SEQR.
- g. Motion to APPROVE the variances: Mr. Serafini
- 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			

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Peter J. Comenzo, Senior Planner

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RESOLUTION NUMBER ZBA25-2023
Moved by Mr. Serafini, Seconded by Mr. Melillo
Applicant(s): David Sutherland

Applicant(s): David Sutherland

Project Location: 2900 Wellington Avenue

Tax Number or Numbers: 48.15-8-15

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

Proposed Project: The applicant would like to install a six (6) foot high fence that is one hundred percent (100%) solid.

WHEREAS, petitioner respectfully requests that he be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-143 entitled "Fences;" and,

WHEREAS, **Chapter 270-143(A)(1)** sets a front yard 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; 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, the property is a corner lot; 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,

WHEREAS, a legal notice was published in the Schenectady Daily Gazette on Thursday, August 10, 2023 announcing that a public hearing was to take place Wednesday, August 16, 2023 at 7:30 p.m. to consider the variance requests; and,

RESOLUTION NUMBER ZBA25-2023

Applicant: David Sutherland

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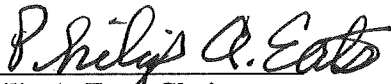
WHEREAS, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on August 16, 2023 to consider the above referenced variance request; and,

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 August 16, 2023 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
Zoning Board of Appeals

**ZBA Meeting
August 16, 2023**

4. Ryan Carpentier – 15 Old Fort Avenue, Rotterdam, NY, Tax Map #48.17-2-14 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 270-143 entitled “Fences.” **Chapter 270-143(A)(1)** sets a front yard 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. Ryan Carpentier of 15 Old Fort Avenue representing this application.

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

Mr. Carpentier stated he hates the sound of his voice so this will be interesting. He would like to put up a fence. The lot is a corner lot according to the Town. Already has permit for six foot (6') wooden fence in the back and now trying to fence in front. Mr. Carpentier and his girlfriend would like the privacy. The road beyond Kellar, if people are walking, they can see to his porch. He has a six (6) month old puppy. There are two (2) property markers so he knows the property line. He spoke to the neighbors and they blessed it. The house was his grandmother's. It is self-created as he learned from the previous two (2) applications. Most of the neighbors have fences including the corner lots. It will give him another 12.9' of property if he moves the fence further away from the front corner of his house. It may not mean much to others but it is to them. There is a full car length before the fence so it should not impede sight distances.

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

d. Questions/comments from the Board.

Mr. Serafini asked what kind of dog. Mr. Carpentier stated a Black Mouth Cur.

Chairman Eats stated he spoke to the applicant. He agrees that the fence should not impede traffic.

- e. **No Public Hearing Comments.**
- f. **This project is classified as a Listed Type 2 Action under SEQR.**
- g. **Motion to APPROVE the variances:** 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			

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Zoning Board of Appeals

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RESOLUTION NUMBER ZBA26-2023
Moved by Mr. Bonacquist, Seconded by Mr. Serafini
Applicant(s): Ryan Carpentier

Applicant(s): Ryan Carpentier
Project Location: 15 Old Fort Avenue
Tax Number or Numbers: 48.17-2-14
Zoning: Single Family Residential (R-1) Zoning District
Proposed Project: The applicant would like to install a six (6) foot high fence that is one hundred percent (100%) solid.

WHEREAS, petitioner respectfully requests that he be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-143 entitled "Fences;" and,

WHEREAS, **Chapter 270-143(A)(1)** sets a front yard 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; 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, the property is a corner lot; 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,

WHEREAS, a legal notice was published in the Schenectady Daily Gazette on Thursday, August 10, 2023 announcing that a public hearing was to take place Wednesday, August 16, 2023 at 7:30 p.m. to consider the variance requests; and,

WHEREAS, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on August 16, 2023 to consider the above referenced variance request; and,

RESOLUTION NUMBER ZBA26-2023

Applicant: Ryan Carpentier

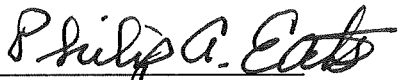
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WHEREAS, pursuant to a Memorandum of Understanding dated April 2011 with the Schenectady County Department of Planning and Economic Development this project is exempt from review, **NOW**,

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 August 16, 2023 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
Zoning Board of Appeals**

**ZBA Meeting
August 16, 2023**

5. James Standhart – 27 Keator Drive, Rotterdam, NY, Tax Map #71.9-1-26 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 30’ x 39’ detached garage with a height of 18 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 360 square feet and the proposed detached garage is 1170 square feet making the total square footage of garages on the property 1530 square feet in size, which is 630 square feet over the allowed size of 900 square feet. The proposed height is 18 feet which would require a variance of 3 feet.

- a. **Michael Standhart, James’ son, of 27 Keator Drive representing this application.**
- b. **Applicant(s) addressed five (5) criteria to the Board.**

Mr. Standhart explained the existing structure burned down last year and unfortunately did not meet Town ordinances. The structure had been there for 15+ years. There is no basement in the house and they need the storage for four wheelers and yard equipment. The new garage will not be an undesirable change as it is the same size as the one that was there. Neighbors have similar sizes or larger. It cannot be achieved by other means as they are using the existing slab. He does not feel it is substantial as they are just replacing what was there originally, before the building burned down.
- c. **This proposal is exempt from referral to Schenectady County Planning pursuant to Memorandum of Understanding – April 2011.**
- d. **Questions/comments from the Board.**

- e. **No Public Hearing Comments.**
- f. **This project is classified as a Listed Type 2 Action under SEQR.**
- g. **Motion to APPROVE the variances:** Mr. Stramenga
- 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			

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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 ZBA27-2023
Moved by Mr. Stramenga, Seconded by Mr. Melillo
Applicant(s): James Standhart

Applicant(s): James Standhart
Project Location: 27 Keator Drive
Tax Number or Numbers: 71.9-1-26
Zoning: Single Family Residential (R-1) Zoning District
Proposed Project: The applicant wishes to construct a 30' x 39' detached garage with a height of 18 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, the applicant wishes to construct a 30' x 39' detached garage with a height of 18 feet; 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 existing attached garage is 360 square feet and the proposed detached garage is 1170 square feet making the total square footage of garages on the property 1530 square feet in size, which is 630 square feet over the allowed size of 900 square feet; and,

WHEREAS, the proposed height is 18 feet which would require a variance of 3 feet; and

RESOLUTION NUMBER ZBA27-2023

Applicant: James Standhart

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WHEREAS, a legal notice was published in the Schenectady Daily Gazette on Thursday, August 10, 2023 announcing that a public hearing was to take place Wednesday, August 16, 2023 at 7:30 p.m. to consider the variance requests; and,

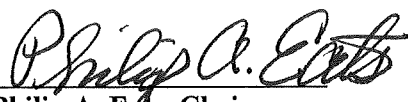
WHEREAS, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on August 16, 2023 to consider the above referenced variance request; and,

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 August 16, 2023 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 variances.

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

Meeting adjourned: 8:30 PM
Motion to adjourn: Mr. Bonacquist
Seconded: Mr. Stramenga
Approved unanimously

Next meeting: September 20, 2023

Respectfully Submitted,
Lisa R. Gallo