

**Town of Rotterdam
Zoning Board of Appeals Meeting
Summary Meeting Minutes
February 15, 2023**

A meeting of the Town of Rotterdam Zoning Board of Appeals was held Wednesday, February 15, 2023 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
Bruce Bonacquist
Alex Stramenga
Craig Serafini
Stephanie DiLallo-Bitter, ZBA 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.

**ZBA Meeting
February 15, 2023**

1) Starlight Development/Larry Martinelli – 1741 Amsterdam Avenue (vacant), Rotterdam, NY, Tax Map #59.10-1-18 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 270-31 entitled “Lot Area.” The applicants are requesting variances in order to facilitate the construction of a single-family residence on an existing vacant lot. The variance request(s) are as follows: **Chapter 270-31** states that the minimum lot area shall be not less than 15,000 square feet, with a lot width of not less than 100 feet. The existing lot is 9,051 square feet with a lot width of 70 feet necessitating an area variance of 5,949 sf and a lot width variance of 30 feet.

a. Larry Martinelli representing this application.

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

Mr. Martinelli explained this is an old neighborhood. His proposed single-family residence is the average size and the proposed development is the same as most of lots in the area. There are a couple lots that are smaller than this lot. No other land available to purchase in order to make this lot larger. Yes, it is a substantial variance but he has built homes on smaller lots in the area, Greenpoint and Fiero. The area is all residential. New colonials have recently been constructed across the street. The soil conditions are favorable for the septic system. It is self-created but he cannot purchase land to satisfy the criteria. Mr. Martinelli assumed that the variances would be allowed since he has built other homes in the area on similar lots.

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

d. Questions/comments from the Board.

a. Mr. Bonacquist visited the property. He spoke to Mr. Burns who sold the lot. The lot frontages in the area are 35’, 70’ and 105’. It will not create an undesirable change to the area. They are significant variances requested, but that is mitigated by the similar lot sizes in the area.

Mr. Stramenga also visited the site. It will not make a big difference in the area.

Mr. Serafini agrees with the other members and mentioned that the soils are great for the septic system in that area.

Chairman Eats visited the site and spoke to Mr. Burns. The house will be built with 18’ on the one side and 12’ on the other side. Mr. Burns is the adjoining neighbor and did not have any objections to a house being built on the lot. Chairman Eats also agrees with the other Board Members comments.

- 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. Stramenga
- i. Approved unanimously:

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

A Nice Place to Live

"A Nice Place to Do Business"



Town of Rotterdam
Zoning Board of Appeals

Philip Eats, Chairman
Peter J. Comenzo, Senior Planner

Telephone (518) 355-7575 Ext. 338
Facsimile (518) 355-2725

RESOLUTION NUMBER ZBA3-2023
Moved by Mr. Bonacquist, Seconded by Mr. Stramenga
Applicant(s): Starlight Development/Larry Martinelli

Applicant(s): Starlight Development/Larry Martinelli
Project Location: 1741 Amsterdam Avenue
Tax Number or Numbers: 59.10-1-18
Zoning: Single Family Residential (R-1) Zoning District
Proposed Project: The applicants are requesting variances in order to facilitate the construction of a single-family residence on an existing vacant lot.

WHEREAS, petitioners respectfully request that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-31 entitled "Lot Area;" and,

WHEREAS, Chapter 270-31 states that the 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 applicants are requesting variances in order to facilitate the construction of a single-family residence on an existing vacant lot; and,

WHEREAS, the existing lot is 9,051 square feet with a lot width of 70 feet necessitating an area variance of 5,949 sf and a lot width variance of 30 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 Friday, February 10, 2023 announcing that a public hearing was to take place Wednesday, February 15, 2023 at 7:30 p.m. to consider the variance requests; and,

RESOLUTION NUMBER ZBA3-2023
Applicant: Starlight Development/Larry Martinelli
Page 2


WHEREAS, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on February 15, 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 February 15, 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

Meeting adjourned: 7:44 PM
Motion to adjourn: Mr. Stramenga
Seconded: Mr. Serafini
Approved unanimously

Next meeting: March 15, 2023

Respectfully Submitted,
Lisa R. Gallo