

**Town of Rotterdam  
Zoning Board of Appeals  
Summary Meeting Minutes for January 15, 2020**

A regular meeting of the Town of Rotterdam Zoning Board of Appeals was held Wednesday, January 15, 2020 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, Attorney for the ZBA	
	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  
January 15, 2020**

- 1. Douglas Hewett, Vacant Land Located between 1032 & 1040 Fort Hunter Road, Rotterdam, NY – Tax Map #59.17-2-37** located in the Agriculture (A-1) Zoning District. Petitioner requests variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-21 entitled “Yard and Property Line Requirements,” and Chapter 270-22 entitled “Lot Area.” The applicant would like to subdivide an existing 5.58 acre parcel into two (2) lots. The variances are as follows:

**Lot 1: Vacant Lot with Proposed Single Family Residence**

	<i>Required</i>	<i>Proposed</i>	<i>Variance</i>
Front Property Line	150 feet	93.66 feet	56.34 feet
Lot Area	1 acre	0.41 acres	0.59 acres

**Lot 2: Vacant Lot with Proposed Single Family Residence**

	<i>Required</i>	<i>Proposed</i>	<i>Variance</i>
Front Property Line	150 feet	20 feet	130 feet

- a. **Mark Blackstone on behalf of ABD Engineers LLP representing this application.**
- b. **Representative addressed five (5) criteria to the Board.**  
Mr. Blackstone stated this is a 5.6 acre parcel with 114’ of road frontage. The submitted application creates one (1) lot with 93.66’ of road frontage and another with 20’ of road frontage creating a keyhole lot. The created Lot 1 similar will have similar setbacks to current exiting developed parcel. Soil tests were performed. The soils are sufficient to accommodate a standard septic system. Would like the opinion of the Board in regards to the 20’ wide lot.
- 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 with a comment to obtain County Highway Permits.
- d. **Questions/comments from the Board.**  
Mr. Bonacquist stated as he looks to the criteria he believes it will create an undesirable change to the character of the neighborhood. He believes it is a substantial variance and will have an adverse effect on the environmental conditions in the neighborhood. He believes it can be mitigated by having an actual subdivision with a dedicated Town road and separate lots or alternatively the existing road frontage can be split down the middle. He is not in favor of the project.

Mr. Blackstone stated there are three (3) other lots in close proximity where the houses are setback like this. He described where they are located.

Mr. Melillo agrees with Mr. Bonacquist. He has an issue with the second lot having only 20’ of road frontage.

Mr. Blackstone explained he considers this proposal with the 20' of frontage "Scheme A." He has developed an alternate "Scheme B" splitting the existing roadway frontage to approximately 57' for each proposed house with the proposed house location being 300' from the road. Scheme B allows sliding of the driveways, minimizes impacts and creates a better buffer. The house to the north would face the street and the house to the south would be tilted. It does create an expense with the length of the driveways and placement of the utilities. It is zoned Agricultural but the proposed use is residential. It is a unique setting. Mr. Blackstone worked with Schenectady County Health and the grading does not have an impact on this proposal. The other option of putting a Town road in will not make the neighbors happy and is financially not feasible.

Mr. Stramenga stated he likes the second sketch better than the first. He wanted to know why the applicant did not consult the Town prior to purchasing the property. He asked if denied what would Mr. Hewitt do.

Mr. Hewitt stated he would only build one (1) house if it was denied.

Mr. Serafini stated he echoes the Members of the Board. Scheme B is thought out and alleviates issues with lot area and has the least impact. The financial aspect is not in their preview. The Board is looking at what is best for the Town.

Mr. Blackstone stated that Scheme B keeps with the character of the neighborhood and has less impact on the adjoining landowners.

Chairman Eats agrees with the other Members. Scheme B eliminates the need for area variances and project would only need a variance for less road frontage.

A discussion ensues as to if the project needs to be re-advertised. ZBA attorney Stephanie DiLallo Bitter suggested that it should be re-advertised.

Mr. Comenzo asked if the Board is okay with the next submittal being on 11" X 17" and Mr. Blackstone submitting a revised application. The Board and Mr. Blackstone agreed that a reduced sized map would be sufficient for this submittal.

Mr. Melillo asked if there could be a T-turnaround as no one likes to backup 190'. He also asked if there could be some greenspace between the driveways. Mr. Blackstone stated they are both good suggestions and will be included in the next submittal.

Mr. Comenzo asked if they could have a consultation with Schenectady County Engineering before next submittal. Mr. Blackstone was okay with that.

e. No Public Comments.

f. Motion to TABLE: Mr. Serafini

g. Seconded: Mr. Stramenga

h. 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 ZBA1-2020**  
**Moved by Mr. Serafini, Seconded by Mr. Stramenga**  
**Applicant(s): Douglas Hewitt**  
**TABLED**

**Applicant(s):** Douglas Hewitt  
**Project Location:** Vacant Land Located Between 1032 & 1040 Ft. Hunter Road  
Rotterdam, NY  
**Tax Number or Numbers:** 59.17-2-37  
**Zoning:** Agricultural (A-1) Zoning District  
**Proposed Project:** The applicant would like to subdivide an existing 5.58 acre parcel into two (2) lots.

**WHEREAS**, petitioner requests variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-21 entitled "Yard and Property Line Requirements," and Chapter 270-22 entitled "Lot Area;" and,

**WHEREAS**, The variances are as follows:

**Lot 1: Vacant Lot with Proposed Single Family Residence**

	<i>Required</i>	<i>Proposed</i>	<i>Variance</i>
Front Property Line	150 feet	93.66 feet	56.34 feet
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; and,

**WHEREAS**, the applicant would like to subdivide an existing 5.58 acre parcel into two (2) lots;  
and,

**RESOLUTION NUMBER ZBA1-2020**  
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**WHEREAS**, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on January 15, 2020 to consider the above referenced variance request; and,

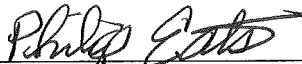
**WHEREAS**, a legal notice was published in the Schenectady Daily Gazette on Thursday, January 9, 2020 announcing that a public hearing was to take place in the V. Dalton Bambury Hearing Room, at the John F. Kirvin Government Center located at 1100 Sunrise Boulevard, Rotterdam, New York on Wednesday, January 15, 2020 at 7:30 p.m. to consider the variance requests; and,

**WHEREAS**, Schenectady County Department of Planning and Economic Development deferred to local consideration, **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 January 15, 2020 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 **TABLES** 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>Mr. Bonacquist</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: 8:05 PM  
Motion to adjourn: Mr. Stramenga  
Seconded: Mr. Melillo  
Approved unanimously

**Next meeting: Tuesday, February 11, 2020**  
Respectfully Submitted,  
Lisa Gallo