

**Town of Rotterdam  
Zoning Board of Appeals  
Summary Meeting Minutes for October 19, 2016**

A regular meeting of the Town of Rotterdam Zoning Board of Appeals was held Wednesday, October 19, 2016 at 7:30 p.m. at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York.

Present:	Philip Eats, Chairman	Excused:	Peter Comenzo
	Angelo Melillo, Vice Chairman		Kate McGuirl
	Craig Serafini		
	Alex Stramenga		
	Bruce Bonacquist		
	Marlo Carter for 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  
October 19, 2016**

**1. Derik and Katja Schmidt – 300 Debbie Drive, Rotterdam, NY, Tax Map #58.17-1-10** located in the Agriculture (A-1) Zoning District. Petitioners respectfully request that they 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. Property is a corner lot.

**a. Derik and Katja Schmidt of 300 Debbie Drive representing application.**

**b. Representatives addressed five (5) criteria to the satisfaction of the Board.**

Mrs. Schmidt stated they would like to request a variance allowing them to build a six foot (6') high solid fence on their corner lot. They feel a six foot (6') fence is necessary for privacy and security since they have a pool and two (2) working dogs that they train on their property. They do not feel that this variance is substantial since it is only allowing them to increase the height of two feet (2'). The fence will not create an undesirable change to the character of the neighborhood since it will tie in with the existing fences of the neighbors in the back. The proposed fence will be far enough from the property so it will not interfere with the line of sight when cars are trying to turn. They do not feel that there are any other suitable means currently that can be achieved by all of the benefits the fence would provide them.

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

**d. Questions from the Board.**

Chairman Eats stated Mrs. Schmidt addressed the criteria and what was presented at this meeting is sufficient and that your application is straightforward and the drawings for the property where the fence is located is clear and you're not going out to your property line and it is back far enough that it will not interfere with any traffic.

e. No Public Comments.

f. Motion to Approve: Mr. Bonacquist

g. Seconded: Mr. Serafini

h. Approved Unanimously:

NAME	AYES	NOES	ABSENT	RECUSED
Chairman Eats	X			
Mr. Melillo	X			
Mr. Serafini	X			
Mr. Stramenga	X			
Mr. Bonacquist	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 ZBA20-2016**  
**Moved by Mr. Bonacquist, Seconded by Mr. Serafini**  
**Applicant(s): Derik and Katja Schmidt**

**Applicant(s):** Derik and Katja Schmidt

**Project Location:** 300 Debbie Drive  
Rotterdam, NY

**Tax Number or Numbers:** 58.17-1-10

**Zoning:** Agriculture (A-1) Zoning District

**Proposed Project:** The applicant wishes 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 and Chapter 270-143(A)(4) states that front yard fences should be less than fifty percent (50%) solid or opaque states; and,

**WHEREAS**, the proposed fence is six (6) feet in height and one hundred percent (100%) solid, which is two (2) feet over the allowed height for a front yard and more than fifty percent (50%) solid or opaque; and,

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

**WHEREAS**, a legal notice was published in the Schenectady Daily Gazette on Thursday, October 13, 2016, 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, October 19, 2016 at 7:30 p.m. to consider the variance requests; and,

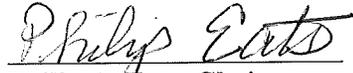
**WHEREAS**, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on October 19, 2016 to consider the above referenced variance requests; **NOW**,

**RESOLUTION NUMBER ZBA20-2016**  
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**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 October 19, 2016 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>ABSENT</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 approval 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: 7:40 PM  
Motion to adjourn: Mr. Bonacquist  
Seconded: Mr. Stramenga  
Approved unanimously

**Next meeting: November 17, 2016**

Respectfully Submitted,  
Marlo Carter for Lisa Gallo