

**Town of Rotterdam  
Zoning Board of Appeals  
Summary Meeting Minutes for October 18, 2017**

A regular meeting of the Town of Rotterdam Zoning Board of Appeals was held Wednesday, October 18, 2017 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 Craig Serafini Alex Stramenga Bruce Bonacquist John D. Wright, Alternate Attorney for Stefanie DiLallo Bitter, Attorney Peter Comenzo, Sr. Planner Lisa Gallo, Secretary	Absent:
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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 18, 2017**

**1. James R. Keith – 925 Shardon Court, Rotterdam, NY**, Tax Map #57.20-1-17.13 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 270-138 entitled “Accessory Structures and Uses.” The applicant wishes to construct a 12’ x 22’ attached garage onto an existing single family residence. 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. The proposed attached garage is 264 square feet and the existing attached garage is 888 square feet making the total garage space 1152 square feet, which is 252 square feet over the allowed size of 900 square feet.

**a. James Keith of 925 Shardon Court representing this application.**

\*Mr. Keith disclosed he is employed by the Town of Rotterdam as a Building Inspector/Code Enforcement Officer.

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

Mr. Keith explained he currently has three (3) garages. The proposed addition will be located on the back of the house and from the road will not be seen. He stated that he needs it to store lawn mowers, snowmobiles and yard equipment and currently does not have enough room. Mr. Keith stated that he will not be diverting water onto neighbor’s property and that it will shed on his. As an alternative, he could have put up a detached shed but it would not be as aesthetically pleasing to him or the neighbors. He does not feel it is substantial as it is only 200 square feet. Mr. Keith submitted a letter from Amy Camelo whom is the only neighbor that this addition will be visible to stating she did not have any objections to him erecting a storage shed to his garage.

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

**d. Questions from the Board.**

Mr. Bonacquist stated he agreed with Mr. Keith that the accessory structure will not have any adverse effect on the neighbors. There are wetlands in the back of the property. He does not feel it is substantial.

Mr. Eats spoke to Mr. Keith and agrees with Mr. Bonacquist’s comments.

e. **No Public Comments.**

f. **Motion to APPROVE:** Mr. Bonacquist

g. **Seconded:** Mr. Melillo

h. **Approved unanimously:**

<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. Serafini</b>	<b>X</b>			
<b>Mr. Stramenga</b>	<b>X</b>			
<b>Mr. Bonacquist</b>	<b>X</b>			

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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 ZBA32-2017**  
**Moved by Mr. Bonacquist, Seconded by Mr. Melillo**  
**Applicant(s): James Keith**

**Applicant(s):** James Keith

**Project Location:** 925 Shardon Court  
Rotterdam, NY

**Tax Number or Numbers:** 57.20-1-17.13

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

**Proposed Project:** The applicant wishes to construct a 12' x 22' attached garage onto an existing single family residence.

**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**, 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;" and,

**WHEREAS**, the proposed attached garage is 264 square feet and the existing attached garage is 888 square feet making the total garage space 1152 square feet, which is 252 square feet over the allowed size of 900 square feet; and,

**RESOLUTION NUMBER ZBA32-2017**

**Applicant(s): James Keith**

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**WHEREAS**, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on October 18, 2017 to consider the above referenced variance requests; and,

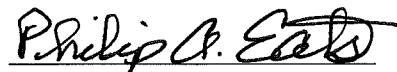
**WHEREAS**, a legal notice was published in the Schenectady Daily Gazette on Thursday, October 12, 2017, announcing that a public hearing was to take place in the V. Dalton Bambury Hearing Room, at the John F. Kirvin Government Center located at 1100 Sunrise Boulevard, Rotterdam, New York on Wednesday, October 18, 2017 at 7:30 p.m. to consider the variance requests; and,

**WHEREAS**, pursuant to a Memorandum of Understanding dated April 2011, Schenectady County Planning Board defers these types of matter 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 October 18, 2017 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**

2. **Michael Artse –1359 Main Street, Rotterdam Junction, NY, Tax Map #12.20-1-25** 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 270-138 entitled “Accessory Structures and Uses.” The applicant wishes to construct a 30’ x 30’ detached garage. 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 proposed detached garage is 900 square feet and the existing attached garage is 336 square feet making the total garage space 1236 square feet, which is 336 square feet over the allowed size of 900 square feet. The height of the proposed detached garage is 22 feet which is 7 feet over the allowed height of 15 feet.

- a. **Michael Artse of 1359 Main Street representing application.**

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

Mr. Artse would like to erect a 30’ X 30’ garage on his property. He stated that there will not be any environmental impacts. It is located in the back of the house and is being constructed with the same materials to match the house. He is staying six feet (6’) off of the property line. He stated that he does not have enough space for his boat and truck and since the boat is in the yard and covered it keeps getting mice in it. Mr. Artse would like to store it in a garage and currently the existing garage and 12’ x 14’ shed does not fit. He is proposing to move the existing shed to the back of the property and he will keep it at least six feet (6’) to eight feet (8’) off the property line. He stated that the variance is substantial but it will not block anyone’s view. He spoke to both neighbors and they do not have a problem with it. The property in the rear is being farmed and behind that is the bike hike trail and old Erie Canal. The variance is self-created as he has a lot of things and needs the room.

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

- d. **Questions from the Board.**

Mr. Bonacquist agreed there will not be any adverse impact. It is not out of character. He does not feel that one (1) additional stall is a substantial.

Chairman Eats stated he addressed the criteria to his satisfaction.

- e. **No Public Comments.**
- f. **Motion to APPROVE:** Mr. Serafini
- g. **Seconded:** Mr. Stramenga
- h. **Approved unanimously:**

<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. Serafini</b>	<b>X</b>			
<b>Mr. Stramenga</b>	<b>X</b>			
<b>Mr. Bonacquist</b>	<b>X</b>			

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**RESOLUTION NUMBER ZBA33-2017**  
**Moved by Mr. Serafini, Seconded by Mr. Stramenga**  
**Applicant(s): Michael Artse**

**Applicant(s):** Michael Artse

**Project Location:** 1359 Main Street  
Rotterdam, NY

**Tax Number or Numbers:** 12.20-1-25

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

**Proposed Project:** The applicant wishes to construct a 30' x 30' detached garage.

**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**, 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; and,

**WHEREAS**, no accessory garages shall exceed a maximum height of 15 feet in all existing zoning districts; and,

**WHEREAS**, the proposed detached garage is 900 square feet and the existing attached garage is 336 square feet making the total garage space 1236 square feet, which is 336 square feet over the allowed size of 900 square feet; and,

**WHEREAS**, the height of the proposed detached garage is 22 feet which is 7 feet over the allowed height of 15 feet; and,



**RESOLUTION NUMBER ZBA33-2017**

**Applicant(s): Michael Artse**

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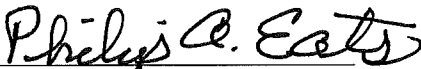
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<b>NAME</b>	<b>AYES</b>	<b>NOES</b>	<b>ABSENT</b>	<b>RECUSED</b>
<b>Chairman Eats</b>	<b>X</b>			
<b>Mr. Melillo</b>	<b>X</b>			
<b>Mr. Stramenga</b>	<b>X</b>			
<b>Mr. Bonacquist</b>	<b>X</b>			
<b>Mr. Serafini</b>	<b>X</b>			

**This 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: 7:47 PM  
Motion to adjourn: Mr. Bonacquist  
Seconded: Mr. Stramenga  
Approved unanimously

**Next meeting: November 15, 2017**

Respectfully Submitted,  
Lisa Gallo