

**Town of Rotterdam  
Zoning Board of Appeals  
Summary Meeting Minutes for August 15, 2018**

A regular meeting of the Town of Rotterdam Zoning Board of Appeals was held Wednesday, August 15, 2018 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 Bruce Bonacquist Craig Serafini Jeff Nuzzaco, Alternate Stephanie DiLallo Bitter, Attorney for the ZBA Peter Comenzo, Sr. Planner Lisa Gallo, Secretary	Absent: Alex Stramenga
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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  
August 15, 2018**

1. **Keith and Leann Warren – 2019 Greenpoint Avenue, Rotterdam, NY, Tax Map #59.13-6-2** 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 270-33 entitled “Yard Requirements.” **Chapter 270-33(A)** states that the front yard depth shall be 25 feet. The applicants would like to construct a carport addition onto the front of the existing house within 6 feet of the front property line, which would require a variance of nineteen (19) feet.
  - a. **Sam Campagnano representing this application.** Keith and Leann Warren also present. This project was previously before the Zoning Board of Appeals in 2017 and was tabled at the applicant’s request in order to contemplate modifications to the plan that might be require a smaller variance request. The Board Members discussed the updated plans stating the structure will be 22’ from property line not the 26’ to the property line as originally proposed.
  - b. **Applicant addressed five (5) criteria to the satisfaction of the Board.** Mr. Campagnano stated the Warren’s have been lifelong residents of the town and would like to add a carport to their property. It would assist Mr. Warren, who is disabled get in and out of home with ease. It will not create an undesirable change. It will mimic the existing façade with the same materials and match the house. There are no other means to achieve as the current garage is not big enough for his vehicle with the handicapped accessibility. The garage is used for storage. It is not a substantial variance. The overhang is within four feet (4’) of the front property line however, the posts are another two feet (2’) away making the variance request 19’. No environmental changes. The existing driveway will remain and the water will still shed on their property and to downspouts. It was not self-created as Mr. Warren now needs the handicap accessibility and covered area for inclement weather.
  - 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 visited the property during the first application submission which was tabled. He asked if there is direct access from the garage to the house. Mr. & Mrs. Warren stated yes. He asked why they are putting this up instead of using the garage. The Warrens explained the house is built on a slab and there is no cellar. There is a small ladder to the attic which is not very accommodating. They looked at enlarging the garage but the furnace, water heater, washer, dryer, work bench etc. are stationery. It would also be too close to neighbor’s property line. Mr. Bonacquist also asked if they were okay with the possible approval being conditioned on the construction documents submitted.

Mr. Nuzzaco stated he remember when they were in the first time and they were going to pursue disability rights and not having to go thru the variance process. The Warren’s stated they did try and they were told they had to be consistent with the Town’s regulations.

Mr. Serafini stated all his questions were answered.

Chairman Eats stated he visited the property and the first application was tabled.

e. **Public Comments.**

Paul Questel of 1246 Vinewood Avenue stated the Warrens should get the variance.

f. **Motion to APPROVE with the following condition:**

Structure shall be built as per the drawing submitted. Mr. Bonacquist

g. **Seconded:**

Mr. Melillo

h. **Approved unanimously:**

NAME	AYES	NOES	ABSENT	RECUSED
Chairman Eats	X			
Mr. Melillo	X			
Mr. Bonacquist	X			
Mr. Nuzzaco	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 ZBA14-2018**  
**Moved by Mr. Bonacquist, Seconded by Mr. Melillo**  
**Applicant(s): Keith & Leann Warren**

**Applicant(s):** Keith & Leann Warren  
**Project Location:** 2019 Greenpoint Avenue  
Rotterdam, NY  
**Tax Number or Numbers:** 59.13-6-2  
**Zoning:** Single Family Residential (R-1)  
**Proposed Project:** The applicants would like to construct a carport addition onto the front of the existing house.

**WHEREAS**, petitioners respectfully request that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-33 entitled "Yard Requirements;" and,

**WHEREAS**, **Chapter 270-33(A)** states that the front yard depth shall be 25 feet; and,

**WHEREAS**, the applicants would like to construct a carport addition onto the front of the existing house within 6 feet of the front property line, which would require a variance of nineteen (19) feet; and,

**WHEREAS**, a legal notice was published in the Schenectady Daily Gazette on Thursday, August 9, 2018, 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, August 15, 2018 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 15, 2018 to consider the above referenced variance requests; 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**,

**RESOLUTION NUMBER ZBA14-2018**

**Applicant(s): Keith & Leann Warren**


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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 August 15, 2018 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 with the following condition:

1. The proposed carport structure shall be constructed as depicted on the final site plan drawings A101 – A105 dated September 5, 2018 and prepared by the Applicant’s Representative Samuele Campagnano.

<b>NAME</b>	<b>AYES</b>	<b>NOES</b>	<b>RECUSED</b>
<b>Chairman Eats</b>	<b>X</b>		
<b>Mr. Melillo</b>	<b>X</b>		
<b>Mr. Bonacquist</b>	<b>X</b>		
<b>Mr. Nuzzaco</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**

**ZBA Meeting  
August 15, 2018**

2. **Paul and Amy Dillon Questel – 1246 Vinewood Avenue, Rotterdam, NY**, Tax Map #58.11-3-52 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 270-143 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.

- a. **Paul and Amy Questel of 1246 Vinewood Avenue representing this application.**

Carol Pollard, applicant’s mother and family court attorney, also present.

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

Mr. Questel stated he would like a six foot (6’) privacy fence. There used to be a pool and a fence. He is putting the new fence where the old one was. He is allowed a four foot (4’) but that will not work because his three (3) year old climbs the baby gate and having every other slat missing will just help him to climb. Mr. Questel spoke to the neighbor who misses the privacy of the greenhouse that used to be in the backyard. They moved in this winter and saw footprints in the snow cutting through their yard and they do not want someone to fall over tree stumps. Mrs. Questel stated it is really for the safety of the children. If she is holding one, the other one is running. They cannot go outside now without a fence. Mrs. Pollard stated they purchased the house in March and were not aware of the requirements. Mrs. Questel stated they chose a house within their price range and did not check on the fence requirements being there was a fence there before.

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

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

Stephanie DiLallo Bitter explained that without a survey the applicants should make sure the fence is on their property and that this Board is granting a variance for the fence but not the placement.

Mr. Bonacquist said he stopped on August 13 but no one was home. He saw where the fence and greenhouse used to be.

e. **No Public Comments.**

f. **Motion to APPROVE with the following condition:**

It is the applicant's responsibility that the fence is to be erected on the property.

Mr. Serafini

g. **Seconded:**

Mr. Melillo

h. **Approved unanimously:**

NAME	AYES	NOES	ABSENT	RECUSED
Chairman Eats	X			
Mr. Melillo	X			
Mr. Bonacquist	X			
Mr. Nuzzaco	X			
Mr. Serafini	X			

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**RESOLUTION NUMBER ZBA15-2018**  
**Moved by Mr. Serafini, Seconded by Mr. Melillo**  
**Applicant(s): Paul & Amy Questel**

**Applicant(s):** Paul & Amy Questel

**Project Location:** 1246 Vinewood Avenue  
Rotterdam, NY

**Tax Number or Numbers:** 58.11-3-52

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

**Proposed Project:** 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.

**WHEREAS**, petitioners respectfully request that they 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,

**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 that 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 subject property is a corner lot; and,

**WHEREAS**, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on August 15, 2018 to consider the above referenced variance requests; and,



**RESOLUTION NUMBER ZBA15-2018**

**Applicant(s): Paul & Amy Questel**

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**WHEREAS**, a legal notice was published in the Schenectady Daily Gazette on Thursday, August 9, 2018, 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, August 15, 2018 at 7:30 p.m. to consider the variance requests; 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 15, 2018 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 with the following condition:

1. The fence shall be erected entirely on your property.

<b>NAME</b>	<b>AYES</b>	<b>NOES</b>	<b>RECUSED</b>
<b>Chairman Eats</b>	<b>X</b>		
<b>Mr. Melillo</b>	<b>X</b>		
<b>Mr. Bonacquist</b>	<b>X</b>		
<b>Mr. Nuzzaco</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**

**ZBA Meeting  
August 15, 2018**

- 3. Nicholas Esposito (Owner) and James Strube (Contract Vendee) – 2834 Ford Avenue, Rotterdam, NY, Tax Map #48.14-7-8, located in the Single Family Residential (R-1) Zoning District.** Petitioners respectfully requests that they be granted area 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 is requesting variances in order to allow for a three (3) lot subdivision to facilitate the construction of a single family residence on each of the two (2) newly created lots. The variance request(s) are as follows:

**Proposed Lot #1 (Existing Single Family Residence - 2834 Ford Avenue)**

	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>	<b>Variance</b>
Front Setback	25 feet	17.7 feet	17.7 feet	7.3 feet
Side Setback (north)	10 feet	9.1 feet	9.1 feet	0.9 feet
Lot Area	15,000 sf	31,104 sf	11,092 sf	3,908 sf
Front Property Line	100 feet	216 feet	77.03 feet	22.97 feet

**Proposed Lot #2 (Vacant)**

	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>	<b>Variance</b>
Lot Area	15,000 sf	N/A	10,008 sf	4,992 sf
Front Property Line	100 feet	N/A	69.5 feet	30.5 feet

**Proposed Lot #3 (Vacant)**

	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>	<b>Variance</b>
Lot Area	15,000 sf	N/A	10,004 sf	4,996 sf

- a. **Chad Pagan of Ingalls & Associates representing this application.**  
James Strube contract vendee was also in attendance.
- b. **Representative and applicant addressed five (5) criteria to the satisfaction of the Board.**  
Mr. Pagan explained the variances sought and that he was at the Planning Commission meeting last night to start the SEQR process. The lot sizes are not out of the ordinary for that area.

Stephanie DiLallo Bitter asked who signed the application. Mr. Strube stated the Power of Attorney.

Mr. Strube stated 95% of the lots are this size. He has been trying to purchase the property for years. The owner was a good friend of his and he passed away. Mr. Esposito always told him he would get first choice at the land and now that he has passed the son is honoring that promise. Mr. Strube stated that the property is like beach sand so the septic should work. There will be zero (0) run off. There are not a lot of trees in area. It is self-created because he cannot satisfy the ordinance.

Mr. Pagan stated the soil tests have been performed and the lots are suitable for septic systems.

- 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 asked who actually owns the property and stated they would make it contingent upon that paperwork. He feels they are substantial variances but not a detriment to the neighborhood and consistent with the lot sizes in the neighborhood.

Stephanie DiLallo Bitter stated that the Town will need to confirm the ownership and that Mr. Esposito's son has the authority to represent on behalf of the property.

Mr. Comenzo stated the subdivision application has the signed contract for purchase by Mr. Strube.

Mr. Serafini agrees with Mr. Bonacquist although he does not usually like to benefit the profitability of the applicant by creating additional lots, he sees that it is in keeping with the development patterns in the immediate area.

e. **No Public Comments.**

f. **Motion to APPROVE with the following conditions:**

1. Applicant to furnish the Town with adequate documentation as to the legal ownership of said property (Part III of the application).
2. Planning Commission approval of the subdivision application.

Mr. Bonacquist

g. **Seconded:**

Mr. Serafini

h. **Approved unanimously:**

NAME	AYES	NOES	ABSENT	RECUSED
Chairman Eats	X			
Mr. Melillo	X			
Mr. Bonacquist	X			
Mr. Nuzzaco	X			
Mr. Serafini	X			



**RESOLUTION NUMBER ZBA16-2018**  
**Moved by Mr. Bonacquist, Seconded by Mr. Serafini**  
**Applicant(s): Nicholas Esposito (Owner)/James Strube (Contract Vendee)**

**Applicant(s):** Nicholas Esposito (Owner)/James Strube (Contract Vendee)  
**Project Location:** 2834 Ford Avenue  
Rotterdam, NY  
**Tax Number or Numbers:** 48.14-7-8  
**Zoning:** Single Family Residential (R-1)  
**Proposed Project:** The applicant is requesting variances in order to allow for a three (3) lot subdivision to facilitate the construction of a single family residence on each of the two (2) newly created lots.

**WHEREAS,** petitioners respectfully requests that they be granted area 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 variance request(s) are as follows:

<b><u>Proposed Lot #1 (Existing Single Family Residence - 2834 Ford Avenue)</u></b>				
	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>	<b>Variance</b>
Front Setback	25 feet	17.7 feet	17.7 feet	7.3 feet
Side Setback (north)	10 feet	9.1 feet	9.1 feet	0.9 feet
Lot Area	15,000 sf	31,104 sf	11,092 sf	3,908 sf
Front Property Line	100 feet	216 feet	77.03 feet	22.97 feet
<b><u>Proposed Lot #2 (Vacant)</u></b>				
	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>	<b>Variance</b>
Lot Area	15,000 sf	N/A	10,008 sf	4,992 sf
Front Property Line	100 feet	N/A	69.5 feet	30.5 feet
<b><u>Proposed Lot #3 (Vacant)</u></b>				
	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>	<b>Variance</b>
Lot Area	15,000 sf	N/A	10,004 sf	4,996 sf and;

**WHEREAS,** a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on August 15, 2018 to consider the above referenced variance requests; and,

**RESOLUTION NUMBER ZBA16-2018**

**Applicant(s): Nicholas Esposito (Owner)/James Strube (Contract Vendee)**

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**WHEREAS**, a legal notice was published in the Schenectady Daily Gazette on Thursday, August 9, 2018, 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, August 15, 2018 at 7:30 p.m. to consider the variance requests; 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 15, 2018 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 with the following conditions:

1. Applicant to furnish the town with adequate documentation as to legal ownership of said property (Part III of the application).
2. Planning Commission approval of the Subdivision application.

<b>NAME</b>	<b>AYES</b>	<b>NOES</b>	<b>RECUSED</b>
<b>Chairman Eats</b>	<b>X</b>		
<b>Mr. Melillo</b>	<b>X</b>		
<b>Mr. Bonacquist</b>	<b>X</b>		
<b>Mr. Nuzzaco</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**

**ZBA Meeting  
August 15, 2018**

4. **Theresa March – 1413 Evergreen Avenue, Rotterdam, NY, Tax Map #58.11-7-18** located in the General Business (B-2) Zoning District. Petitioner respectfully requests that she 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 28’ x 28’ detached garage with a height of 14.5 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 proposed detached garage is 784 square feet in size and the existing attached garage area is 484 square feet in size creating a total proposed garage space of 1268 square feet, which is 368 square feet over the allowed size of 900 square feet.

- a. **Ken March, co-owner of 1413 Evergreen Avenue representing this application.**
- b. **Applicant/representative addressed five (5) criteria to the satisfaction of the Board.**

Mr. March would like to construct a detached garage on this property. It will not create an undesirable change as it is within the required setbacks. There are three (3) building lots. It is larger than the other lots in the area. Could not come up with any other means to achieve this goal. He needs for his boat and vehicle. He does not feel it is substantial as it’s only a 784 square feet garage. There will not be any adverse effects as there is not any digging, no septic or plumbing. Mr. March stated that the runoff will be on their property. It is self-created as he bought a fishing boat because he likes to fish. It is a 26’ boat. This is actually his daughter’s house but she and her husband are on their honeymoon. Ken lives on Puritan Drive and stores his boat at his daughter’s residence.

- 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 does not see it as detrimental but feels it is a substantial variance but does not believe it is an issue.

Mr. Melillo and Mr. Nuzzaco agree with Mr. Bonacquist.

Chairman Eats visited the property and corrected Mr. March stating he is only asking for a 368 square foot variance not 784 square feet which is not substantial.

- e. **No Public Comments.**
- f. **Motion to APPROVE:** Mr. Serafini
- 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. Bonacquist</b>	<b>X</b>			
<b>Mr. Nuzzaco</b>	<b>X</b>			
<b>Mr. Serafini</b>	<b>X</b>			



**RESOLUTION NUMBER ZBA17-2018**  
**Moved by Mr. Serafini, Seconded by Mr. Melillo**  
**Applicant(s): Theresa March**

**Applicant(s):** Theresa March

**Project Location:** 1413 Evergreen Avenue  
Rotterdam, NY

**Tax Number or Numbers:** 58.11-7-18

**Zoning:** General Business (B-2)

**Proposed Project:** The applicant wishes to construct a 28' x 28' detached garage with a height of 14.5 feet.

**WHEREAS**, petitioner respectfully requests that she 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. No accessory garages shall exceed a maximum height of 15 feet in all existing zoning districts; and,

**WHEREAS**, the proposed detached garage is 784 square feet in size and the existing attached garage area is 484 square feet in size creating a total proposed garage space of 1268 square feet, which is 368 square feet over the allowed size of 900 square feet; and,

**WHEREAS**, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on August 15, 2018 to consider the above referenced variance requests; and,

**WHEREAS**, a legal notice was published in the Schenectady Daily Gazette on Thursday, August 9, 2018, 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, August 15, 2018 at 7:30 p.m. to consider the variance requests; and,



**RESOLUTION NUMBER ZBA17-2018**

**Applicant(s): Theresa March**

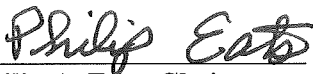
**Page 2**

**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 15, 2018 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>RECUSED</b>
<b>Chairman Eats</b>	<b>X</b>		
<b>Mr. Melillo</b>	<b>X</b>		
<b>Mr. Bonacquist</b>	<b>X</b>		
<b>Mr. Nuzzaco</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: 8:27 PM  
Motion to adjourn: Mr. Bonacquist  
Seconded: Mr. Serafini  
Approved unanimously

**Next meeting: September 19, 2018**

Respectfully Submitted,  
Lisa Gallo