

**Town of Rotterdam
Zoning Board of Appeals
Summary Meeting Minutes for February 6, 2019**

A regular meeting of the Town of Rotterdam Zoning Board of Appeals was held Wednesday, February 6, 2019 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
Alex Stramenga
Craig Serafini
Stephanie DiLallo-Bitter, Attorney for the ZBA
Peter Comenzo, Sr. Planner
Lisa Gallo, Secretary

Absent:

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.

Chairman Eats stated requested a motion to appoint a Vice Chairman for 2019.

Motion made by Mr. Bonacquist to appoint Mr. Melillo as Vice Chairman of the Zoning Board of Appeals for the year 2019.

Seconded: Mr. Stramenga

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

Approved unanimously.

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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
Facsimile (518) 355-2725

RESOLUTION NUMBER ZBA1-2019
Moved by Mr. Bonacquist, Seconded by Mr. Stramenga

At a regularly scheduled meeting of the Rotterdam Zoning Board of Appeals held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York on Wednesday, February 6, 2019.

WHEREAS, Chairman Eats called for a motion to appoint a Vice Chairman for the Rotterdam Zoning Board of Appeals; and,


WHEREAS, Mr. Bonacquist made a motion to appoint Mr. Melillo as Vice Chairman for the Rotterdam Zoning Board of Appeals for a one (1) year term from January 1, 2019 to December 31, 2019; and,

WHEREAS, Mr. Stramenga seconded the motion; and,

WHEREAS, the motion passed unanimously; **NOW**,

IT IS HEREBY RESOLVED, that the Rotterdam Zoning Board of Appeals has appointed Mr. Melillo as Vice Chairman of the Rotterdam Zoning Board of Appeals to a one (1) year term from January 1, 2019 to December 31, 2019.

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


Philip A. Eats, Chairman
Zoning Board of Appeals

**ZBA Meeting
February 6, 2019**

- 1. BLS Plaza, LLC – 2654 Hamburg Street, Rotterdam, NY, Tax Map #59.11-11-2.1** located in the Retail Business (B-1) Zoning District. Petitioners respectfully requests that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-151 entitled “Signs.” **Chapter 270-151 (E)(3)** states that one ground-mounted sign may be erected and maintained not less than five feet from the property line. Such sign may contain a total sign area of 15 square feet or not more than one square foot for each 1,000 square feet of the lot or parcel area containing such sign, whichever is greater, up to a maximum sign area of 200 square feet. The applicants are seeking to erect a thirty five (35) square foot internally illuminated ground mounted sign and they are allowed twenty seven (27) square feet which would require a variance of eight (8) square feet. The applicants were granted a variance on December 19, 2018 to locate the proposed sign within one (1) foot of the front property line.

- a. Bruno Sacchetti of 2751 Curry Road representing this application.**
This portion of the application was tabled from the December 19, 2018.
- b. Applicant addressed five (5) criteria to the satisfaction of the Board.**
Bruno Sacchetti stated this is a continuation of meeting in December where it was suggested to make the sign smaller. He eliminated the top of the sign and made the businesses signs smaller. Now he only needs and eight square foot (8sf) variance.
- 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.
- d. Questions/comments from the Board.**
Chairman Eats acknowledged an attendee at the meeting from Hudson Valley Community College. Chairman Eats explained to this student the Zoning Board’s role and duty in local government and stated that the applicant had previous addressed the review criteria for the granting of an area variance at the December 19, 2018 meeting.

Stephanie DiLallo Bitter explained that in December the applicant was requesting a 50 square foot sign which would have required a 23 square foot variance. Now the applicant is requesting a 35 square foot sign which only requires an eight square foot variance.

Chairman Eats explained the applicant is allowed one square foot for each 1,000 square foot of property. Since the applicant has 27,000 square feet of property, he allowed a 27 square foot sign.

Mr. Serafini thanked the applicant for making the adjustment and the previous suggestions from the Zoning Board at the December meeting.

e. No Public Comments.

f. Motion to APPROVE the variance: Mr. Serafini

g. Seconded: Mr. Stramenga

h. Approved unanimously:

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

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RESOLUTION NUMBER ZBA2-2019
Moved by Mr. Serafini, Seconded by Mr. Stramenga
Applicant(s): BLS Plaza, LLC

Applicant(s): BLS Plaza, LLC

Project Location: 2654 Hamburg Street
Rotterdam, NY

Tax Number or Numbers: 59.11-11-2.1

Zoning: Retail Business (B-1) Zoning District

Proposed Project: The applicant is seeking to erect a thirty-five (35) square foot internally illuminated ground mounted sign.

WHEREAS, petitioners respectfully requests that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-151 entitled "Signs," and,

WHEREAS, **Chapter 270-151 (E)(3)** states that one ground-mounted sign may be erected and maintained not less than five feet from the property line. Such sign may contain a total sign area of 15 square feet or not more than one square foot for each 1,000 square feet of the lot or parcel area containing such sign, whichever is greater, up to a maximum sign area of 200 square feet; and,

WHEREAS, the applicant is seeking to erect a thirty-five (35) square foot internally illuminated ground mounted sign and they are allowed twenty seven (27) square feet which would require a variance of eight (8) square feet; and,

WHEREAS, the applicants were granted a variance on December 19, 2018 to locate the proposed sign within one (1) foot of the front property line; and

WHEREAS, the applicants had also requested an area variance to allow for a fifty (50) square foot variance at the December 19, 2018 Rotterdam Zoning Board of Appeals meeting and after some deliberations with the Board this portion of the variance requests was tabled; and,

WHEREAS, the applicants submitted an updated proposed sign application and modified their original variance request to allow for a thirty five (35) square foot variance which would require a variance of eight (8) square feet; and,

RESOLUTION NUMBER ZBA2-2019

Applicant(s): BLS Plaza, LLC

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WHEREAS, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on February 6, 2019 to consider the above referenced variance request; and,

WHEREAS, a legal notice was published in the Schenectady Daily Gazette on Thursday, January 31, 2019 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, February 6, 2019 at 7:30 p.m. to consider the variance requests; and,


WHEREAS, the Schenectady County Department of Planning and Economic Development responded to referral of the GML 239-m comment request and deferred to local consideration, and,

WHEREAS, Schenectady County has 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 February 6, 2019 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	RECUSED
Chairman Eats	X		
Mr. Melillo	X		
Mr. Bonacquist	X		
Mr. Serafini	X		
Mr. Stramenga	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: 7:45 p.m.
Motion to adjourn: Mr. Bonacquist
Seconded: Mr. Stramenga
Approved unanimously

Next meeting: March 20, 2019

Respectfully Submitted,
Lisa Gallo