

**Town of Rotterdam  
Zoning Board of Appeals  
Summary Meeting Minutes for October 16, 2019**

A regular meeting of the Town of Rotterdam Zoning Board of Appeals was held Wednesday, October 16, 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 Craig Serafini Alex Stramenga Stephanie DiLallo Bitter, Attorney for the ZBA Peter Comenzo, Sr. Planner Lisa Gallo, Secretary	Excused: Bruce Bonacquist
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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 16, 2019**

**1. Justin and Lindsay Peterson – 3036 Putnam Road, Rotterdam, NY, Tax Map #36.00-3-44** 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 270-138 entitled “Accessory Structures and Uses.” The applicant wishes to construct a 32’ x 32’ detached garage with a height of 20 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 1024 square feet in size and the existing attached garage area is 560 square feet in size creating a total proposed garage space of 1584 square feet, which is 684 square feet over the allowed size of 900 square feet. The proposed height is 20 feet which would require a variance of 5 feet.

**a. Justin Peterson of 3036 Putnam Road representing this application.**

\*Mr. Peterson disclosed that he has worked for the Town for 12 years and is currently a Water Treatment Plant Operator.

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

Mr. Peterson stated he needs two (2) variances; one for the height of the accessory structure and one for square footage. There are only two (2) houses visible from his property. It is all zoned agricultural. The structure he wants to put up will be the mirror image of the attached garage. The neighbors won’t see it. They did look at putting it somewhere else but they did not work. There are items stored outside and he has other items stored off site so he is looking for these variances so he can keep the property neat. There will not be any environmental impacts and no run off on neighbor’s properties. It is self-created because he bought the house this way. If it were up to him the existing garage would have been bigger.

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

**d. Questions/comments from the Board.**

Chairman Eats asked if all the equipment he needs storage for is for a business. Mr. Peterson stated it is all his stuff and not for a business. He does not have time for that.

e. No Public Comments.

f. Motion to APPROVE:

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  
Facsimile (518) 355-2725

**RESOLUTION NUMBER ZBA27-2019**  
**Moved by Mr. Serafini, Seconded by Mr. Stramenga**  
**Applicant(s): Justin Peterson**

**Applicant(s):** Justin Peterson

**Project Location:** 3036 Putnam Road  
Rotterdam, NY

**Tax Number or Numbers:** 36.-3-44

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

**Proposed Project:** The applicant wishes to construct a 32' x 32' detached garage with a height of 20 feet.

**WHEREAS**, petitioners respectfully request that they 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 applicant wishes to construct a 32' x 32' detached garage with a height of 20 feet; and,

**WHEREAS**, the proposed detached garage is 1024 square feet in size and the existing attached garage area is 560 square feet in size creating a total proposed garage space of 1584 square feet, which is 684 square feet over the allowed size of 900 square feet; and,

**WHEREAS**, the proposed height is 20 feet which would require a variance of 5 feet; and,

**WHEREAS**, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on October 16, 2019 to consider the above referenced variance request; and,

**RESOLUTION NUMBER ZBA27-2019**

**Applicant(s): Justin Peterson**

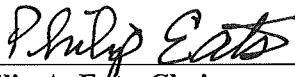
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**WHEREAS**, pursuant to a Memorandum of Understanding dated April 2011 with the Schenectady County Department of Planning and Economic Development this project is exempt from review, **NOW**,

**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 October 16, 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:

<b>NAME</b>	<b>AYES</b>	<b>NOES</b>	<b>EXCUSED</b>
<b>Chairman Eats</b>	<b>X</b>		
<b>Mr. Melillo</b>	<b>X</b>		
<b>Mr. Stramenga</b>	<b>X</b>		
<b>Mr. Serafini</b>	<b>X</b>		
<b>Mr. Bonacquist</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  
October 16, 2019**

2. **Salvatore and Jennifer Cannavo - 103 Country Walk Road**, Rotterdam, NY – Tax Map #57.12-1-1 located in the Agriculture (A-1) Zoning District. Petitioners request variance(s) as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-22 entitled “Lot Area.” The applicant would like to subdivide ±2,466 square feet of property to facilitate a Boundary Line Adjustment with an adjoining lot of the Lands N/F of Rico Viscusi. The variances are as follows:

<b>103 Country Walk Road</b>	<b><i>Required</i></b>	<b><i>Existing</i></b>	<b><i>Proposed</i></b>	<b><i>Variance</i></b>
Lot Area	1 acre	0.81 acres	0.75 acres	0.06 acres

- a. **Luigi Palleschi of ABD Engineers, LLP representing this application.**
- b. **Representative addressed five (5) criteria to the satisfaction of the Board.** Mr. Palleschi explained Mr. Cannavo and Mr. Viscusi own 97 & 103 Country Walk Road. In order for Mr. Viscusi to have a better placement of the new home, he would like to build on the property, Mr. Cannavo agreed to sell him a portion of his frontage. Mr. Viscusi gets 70’ of frontage but this makes 103 Country Walk slightly more non-conforming and that is why they are here. It is only a difference of 0.06 acres. All lots in the area are less than the one (1) acre minimum required for the agricultural district. He looked at other ways to get the new home to face forward but this was the cleanest. It is self-created. Mr. Cannavo agreed to the lot line adjustment as long as he receives the area variance tonight.
- c. **This proposal is exempt from referral to Schenectady County Planning pursuant to Memorandum of Understanding – April 2011.**
- d. **Questions/comments from the Board.** Chairman Eats stated he spoke to Mr. Cannavo who won’t have to mow the extra yard. Chairman Eats also mentioned that the shed would need to be moved five (5) feet from the property line. Mr. Palleschi stated the shed has already been moved to 9’4” off the property line. The map shown is the latest which was just done last week.

e. Public Comments.

f. Motion to APPROVE:

Mr. Melillo

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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**RESOLUTION NUMBER ZBA28-2019**  
**Moved by Mr. Melillo, Seconded by Mr. Stramenga**  
**Applicant(s): Salvatore & Jennifer Cannavo**

**Applicant(s):** Salvatore & Jennifer Cannavo

**Project Location:** 103 Country Walk Road  
Rotterdam, NY

**Tax Number or Numbers:** 57.12-1-1

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

**Proposed Project:** The applicant would like to subdivide ±2,466 square feet of property to facilitate a Boundary Line Adjustment with an adjoining lot of the Lands N/F of Rico Viscusi.

**WHEREAS,** petitioners request variance(s) as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-22 entitled "Lot Area;" and,

**WHEREAS, Chapter 270-22** states that the minimum lot area required for each principal use is one acre; and,

**WHEREAS, 103 Country Walk Road**

	<i>Required</i>	<i>Existing</i>	<i>Proposed</i>	<i>Variance</i>
Lot Area	1 acre	0.81 acres	0.75 acres	0.06 acres

; and,

**WHEREAS,** a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on October 16, 2019 to consider the above referenced variance request; and,



**RESOLUTION NUMBER ZBA28-2019**  
**Applicant(s): Salvatore & Jennifer Cannavo**  
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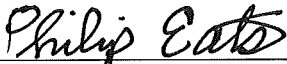
**WHEREAS**, a legal notice was published in the Schenectady Daily Gazette on Thursday, October 10, 2019 announcing that a public hearing was to take place in the V. Dalton Bambury Hearing Room, at the John F. Kirvin Government Center located at 1100 Sunrise Boulevard, Rotterdam, New York on Wednesday, October 16, 2019 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 October 16, 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:

<b>NAME</b>	<b>AYES</b>	<b>NOES</b>	<b>EXCUSED</b>
<b>Chairman Eats</b>	<b>X</b>		
<b>Mr. Melillo</b>	<b>X</b>		
<b>Mr. Stramenga</b>	<b>X</b>		
<b>Mr. Serafini</b>	<b>X</b>		
<b>Mr. Bonacquist</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: 7:50 PM  
Motion to adjourn: Mr. Melillo  
Seconded: Mr. Serafini  
Approved unanimously

**Next meeting: November 20, 2019**  
Respectfully Submitted,  
Lisa Gallo