

**TOWN OF ROTTERDAM
ZONING BOARD OF APPEALS
May 19, 2021**

PLEASE TAKE NOTICE, that a public hearing will be held by the Rotterdam Zoning Board of Appeals (ZBA) on Wednesday, May 19, 2021 at 7:00 p.m. to consider the following applications:

INSTRUCTIONS ON HOW TO ACCESS THE MEETING:

Members of the public may listen to the board meeting by dialing **1 (929) 205-6099**, then entering the conference ID no. **870 5708 0953**, followed by the pound symbol.

Written comments can be provided by emailing Peter Comenzo at pcomenzo@rotterdamny.org or by mail at: Town of Rotterdam Zoning Board of Appeals, 1100 Sunrise Boulevard, Schenectady, NY 12306. All written comments received by 4:30 p.m. on May 18, 2021, will be provided in advance of the meeting to the ZBA Members for their consideration.

- 1) **Frank Rosetti – 1159 Butler Street, Rotterdam, NY**, Tax Map #59.7-3-12 located in the Single Family Residential (R-1) Zoning District. Petitioner respectfully requests that he 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. The subject property is a corner lot.

- 2) **Paul Santabarbara – 107 East Claremont Street, Rotterdam, NY**, Tax Map #59.16-2-36 located in the Single Family Residential (R-1) Zoning District. Petitioner respectfully requests that he 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. The subject property is a corner lot.

- 3) **Kim and Dennis Marx – 11 Colvair Avenue, Rotterdam, NY**, Tax Map #48.17-2-9.11 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.

4) **Kevin and Brittany Knightes – 1333 Paul Avenue, Rotterdam, NY** - Tax Map #58.7-13-32.1 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 270-138 entitled “Accessory Structures and Uses.” The applicant wishes to place a 12’ x 20’ shed on the property. The variance request(s) are as follows: **Chapter 270-138(c)** “Lot Coverage” in regards to a shed state that the floor area of any accessory structure shall not exceed 15% of the total habitable floor area of an existing or proposed principal structure. The existing residential structure is 1,341 square feet which would allow an accessory structure of 201 square feet. The proposed detached accessory structure will create an accessory structure that is 240 square feet, which is 39 square feet over the allowed size.

5) **Daniel DiSorbo (owner) and Kelli Bold (contract vendee) – 1106 Laura Street (vacant), Rotterdam, NY**, Tax Map #58.8-4-10.2 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 270-31 entitled “Lot Area.” The applicants are requesting variances in order to facilitate the construction of a single-family residence on an existing vacant lot. The variance request(s) are as follows:

1106 Laura Street (proposed single family residence)

	Required	Existing	Proposed	Variance
Lot Area	15,000 s.f.	6,834 s.f.	6,834 s.f.	8,166 s.f.
Lot Width	100 feet	45.56 feet	45.56 feet	54.44 feet

6) **JRC of Rotterdam, LLC, John Mallozzi, Robert Mallozzi, Christine Chiaravalle – 1940 and 1944 Helderberg Avenue, Rotterdam, NY**, Tax Map #59.09-6-10 and #59.09-6-9 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 270-31 entitled “Lot Area.” The applicants are requesting variances in order to facilitate a boundary line adjustment of properties from 1936, 1940, and 1944 Helderberg Avenue to 1938 Curry Road. The variance request(s) are as follows:

1940 Helderberg Avenue – Tax # 59.09-6-10 (existing single-family residence)

	Required	Existing	Proposed	Variance
Lot Area	15,000 s.f.	15,918 s.f.	11,013 s.f.	3,987 s.f.

1944 Helderberg Avenue – Tax # 59.09-6-9 (existing single-family residence)

	Required	Existing	Proposed	Variance
Lot Area	15,000 s.f.	17,151 s.f.	12,235 s.f.	2,765 s.f.

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SEQR Requirement: Type II Listed Action – 6NYCRR Part 617.5. No further review is required.

County 239-m Requirement: County review is not required and is exempt pursuant to the 2011 MOU between Schenectady County Economic Development and Planning and the Town of Rotterdam.

2. **Paul Santabarbara – 107 East Claremont Street, Rotterdam, NY**, Tax Map #59.16-2-36 located in the Single Family Residential (R-1) Zoning District. Petitioner respectfully requests that he 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. The subject property is a corner lot.

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SEQR Requirement: Type II Listed Action – 6NYCRR Part 617.5. No further review is required.

County 239-m Requirement: County review is required. The 239m was mailed to Schenectady County Department of Economic Development and Planning on May 4, 2021.

COVID-19 Note: Due to public health and safety concerns related to COVID-19, the Zoning Board of Appeals (ZBA) will not be meeting in person. In accordance with the Governor’s Executive Order No. 202.1, with extensions, suspends Article 7 of the Public Officers Law (also known as the Open Meetings Law), to the extent necessary to permit any public body to meet and take such actions authorized by law without allowing the public to be physically present at the meeting. For the Public Hearing Agenda Items during these unprecedented conditions, the ZBA will provide the public reasonable and meaningful opportunities to submit comments via online conferencing technology during the meeting and in writing via email or mailed written comments.

By Order of the Rotterdam Zoning Board of Appeals
Philip Eats, Chairman