Town of Rotterdam
Zoning Board of Appeals Meeting
Summary Meeting Minutes
Wednesday, February 19, 2025

A meeting of the Town of Rotterdam Zoning Board of Appeals was held Wednesday, February 19, 2025 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, ZBA Attorney
Lisa Gallo, Secretary

Excused: Peter Comenzo, Sr. Planner

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.

1) **National Grid & Dominion Transmission – 933 and 919 Burdeck Street, Rotterdam, NY** Tax Map #38.-1-2.31 and #47.20-4-27 located in the Light Industrial (I-1) Zoning District. Applicants request a permit pursuant to Chapter 270-143 entitled "Fences." **Chapter 270-143(D)(1)** states: "Barbed-wire and electrically charged fences." No barbed-wire fences or electrically charged fences shall be permitted except by authorization and permit issued by the Board of Zoning Appeals. The applicants request a permit to erect one (1) foot of barbed wire atop of an eight (8) foot high chain link fence for security purposes.

   a. **James LaValle of Young Sommer LLC representing this application.**

   b. **Applicant(s) addressed five (5) criteria to the Board.**
   Mr. LaValle explained that National Grid and Dominion Transmission is requesting two (2) variances; one for an eight (8) foot fence and one for one (1) foot of razor wire atop that eight (8) foot fence. This will meet National Grids security standards. They are upgrading the valve nest. The valve nest is underground currently. It will be easier for maintenance workers to work on this equipment if it is above ground. They will also be replacing other fencing. It will not change the character of the neighborhood as the current facility is fenced. Those lawfully entering the facility can enter. The only person being hurt would be someone entering the facility unlawfully and trying to climb over the fence.

   c. **This proposal is not exempt from referral to Schenectady County Planning**
   Schenectady County Economic Development and Planning deferred to local consideration.

   d. **Questions/comments from the Board.**
   Mr. Bonacquist sees that there is a practical need for the fence. He read the statement of intent and given the critical nature of the facility; he can support the request. He asked Mr. LaValle if it is barbed wire or razor wire. Mr. LaValle stated he interchanges the two (2) words and it is barbed wire.

   Mr. Serafini asked if there is currently a six-foot (6') chain link around the facility. He also stated the current valve nest is underground but if it is moved above ground, it is easier for the technicians to work on. What stops a kid from getting in if he has wire cutters? Mr. Lavalle stated there is currently a six-foot (6') fence around the facility. Most kids do not walk around with wire cutters.

   Chairman Eats wanted to clarify that this eight foot (8') fence with one foot (1') of barb wire is only surrounding the valve nest inside the facility. He visited the adjacent neighbor because he did not know if they could see the facility from where they were. She had stated that her husband works for the company and the house is owned by the company.

e. **No Public Hearing Comments.**
The person in the audience does the public outreach for National Grid. She will be notifying the neighbors about the construction.

f. **This project is classified as an Unlisted Action under SEQR.**

Stefanie DiLallo Bitter reviewed the SEAF with the Zoning Board members. She read the questions to Part 2 and the members replied no "impact" to all criteria.

Motion to Approve the Negative Declaration: Mr. Bonacquist

Seconded: Mr. Stramenga

NAME	AYES	NOES	EXCUSED	ABSTAIN
Chairman Eats	**X**			
Mr. Melillo	**X**			
Mr. Stramenga	**X**			
Mr. Bonacquist	**X**			
Mr. Serafini	**X**			

Motion to APPROVE the variance with the following condition: Mr. Bonacquist

1. The site plan map shall be updated depicting the eight-foot (8') fence and one foot (1') barbed wire surrounding the valve nest.

Seconded: Mr. Melillo

Approved unanimously:

NAME	AYES	NOES	EXCUSED	ABSTAIN
Chairman Eats	**X**			
Mr. Melillo	**X**			
Mr. Stramenga	**X**			
Mr. Bonacquist	**X**			
Mr. Serafini				**X**

RESOLUTION NUMBER ZBA4-2025
Moved by Mr. Bonacquist, Seconded by Mr. Melillo
Applicant(s): National Grid & Dominion Transmission

Applicant(s):	National Grid & Dominion Transmission
Project Location:	933 & 919 Burdeck Street
Tax Number or Numbers:	38.-1-2.31 & 47.20-4-27
Zoning:	Light Industrial (I-1) Zoning District
Proposed Project:	The applicants request a permit to erect one (1) foot of barbed wire atop of an eight (8) foot high chain link fence for security purposes.

WHEREAS, applicants request a permit pursuant to Chapter 270-143 entitled "Fences;" and,

WHEREAS, Chapter 270-143(D)(1) states: "Barbed-wire and electrically charged fences; and,

WHEREAS, no barbed-wire fences or electrically charged fences shall be permitted except by authorization and permit issued by the Board of Zoning Appeals; and,

WHEREAS, the applicants request a permit to erect one (1) foot of barbed wire atop of an eight (8) foot high chain link fence for security purposes; and,

WHEREAS, this project is classified as an Unlisted Action – 6NYCRR Part 617 under SEQR; and,

WHEREAS, the Rotterdam Zoning Board of Appeals issued Negative Declaration dated February 19, 2025, and,

WHEREAS, a legal notice was published in the Schenectady Daily Gazette on Thursday, February 13, 2025 announcing that a public hearing was to take place Wednesday, February 19, 2025 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 February 19, 2025 to consider the above referenced variance request; and,

WHEREAS, pursuant to a Memorandum of Understanding dated April 2011 with the Schenectady County Department of Planning and Economic Development this project is not exempt from review, and

WHEREAS, Schenectady County Economic Development and Planning 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 19, 2025 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.

1. The site plan map shall be updated depicting the eight-foot (8') fence and one foot (1') barbed wire surrounding the valve nest.

NAME	AYES	NOES	EXCUSED	ABSTAIN
Chairman Eats	**X**			
Mr. Melillo	**X**			
Mr. Stramenga	**X**			
Mr. Bonacquist	**X**			
Mr. Serafini				**X**

This decision is bound by the application materials, schematic drawings, site plan, and testimony submitted to the Zoning Board of Appeals.

Philip Eats

Philip A. Eats, Chairman
Zoning Board of Appeals

2. **Hungry Hill Ventures, LLC – 650 Consalus Avenue, Rotterdam, NY** Tax Map #58.5-8-9 and #59.5-8-10 located in the Light Industrial (I-1) Zoning District. Petitioners respectfully request that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-79 entitled "Yard Requirements." The applicants are requesting permission to demolish and existing single-family residence and detached garage and construct a 12,000 square foot warehouse. **Chapter 270-79** states that the setbacks are not less than 25 feet from any property line. The applicant is requesting to construct the building within 5 feet of the rear yard property boundary, which would require a variance of 20 feet.

   a. **John Hitchcock of ABD Engineers representing this application.**

   b. **Applicant(s) addressed five (5) criteria to the Board.**
   Mr. Hitchcock explained this is similar to other variances approved for the applicant in the area. The applicant plans on demolishing an existing residence and garage and combing two (2) parcels. The required setback in the rear is 25'. There will not be an undesirable change to the character of the neighborhood. This will clean up this area. It is an industrial area. There was a house across the street that has since burned down. It could be accomplished by shrinking the building or could move the rear property line back. The applicant owns the back lot but it is the old brush dump for the Town and he does not want to disturb that area. The person affected by this variance is the applicant. He has three (3) projects that are cleaning up the area. It is self-created as most of them are.

   c. **This proposal is not exempt from referral to Schenectady County Planning**
   Schenectady County Economic Development and Planning deferred to local consideration

   d. **Questions/comments from the Board.**
   Mr. Melillo asked why the building is set so far back from the front property line. Mr. Hitchcock explained for maneuverability in the front for the trucks that may have a trailer attached.

   Mr. Serafini understands that the brush dump is an unbuildable lot and has no issue with the way the project is laid out.

   Chairman Eats stated the criteria have been satisfied to him. He spoke to Mr. Floccuzio prior to the meeting and he explained that the five foot (5') variance gives people the front of the building the ability to move. It is an improvement to the area. He commends Mike on his efforts of cleaning up the neighborhood.

e. **No Public Hearing Comments.**

f. **This project is classified as a Unlisted Action under SEQR.**

Stefanie DiLallo Bitter reviewed the SEAF with the Zoning Board members. She read the questions to Part 2 and the members replied no "impact" to all criteria.

Motion to Approve the Negative Declaration: Mr. Bonacquist

Seconded: Mr. Melillo

Approved unanimously by Members:

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

Motion to APPROVE the variance: Mr. Stramenga

Seconded: Mr. Melillo

Approved unanimously by Members:

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

Meeting adjourned: 8:02 PM
Motion to adjourn: Mr. Stramenga
Seconded: Mr. Serafini
Approved unanimously

Next meeting: March 19, 2025

Respectfully Submitted,
Lisa R. Gallo

RESOLUTION NUMBER ZBA5-2025
Moved by Mr. Stramenga, Seconded by Mr. Melillo
Applicant(s): Hungry Hill Ventures, LLC

Applicant(s):	Hungry Hill Venture, LLC
Project Location:	650 Consalus Avenue
Tax Number or Numbers:	58.5-8-9
Zoning:	Light Industrial (I-1) Zoning District
Proposed Project:	The applicant is requesting to construct the building within 5 feet of the rear yard property boundary.

WHEREAS, petitioners respectfully request that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-79 entitled "Yard Requirements;" and,

WHEREAS, the applicants are requesting permission to demolish an existing single-family residence and detached garage and construct a 12,000 square foot warehouse; and,

WHEREAS, Chapter 270-79 states that the setbacks are not less than 25 feet from any property line; and,

WHEREAS, the applicant is requesting to construct the building within 5 feet of the rear yard property boundary, which would require a variance of 20 feet; and,

WHEREAS, this project is classified as an Unlisted Action – 6NYCRR Part 617 under SEQR; and,

WHEREAS, the Rotterdam Zoning Board of Appeals issued Negative Declaration dated February 19, 2025, and,

WHEREAS, a legal notice was published in the Schenectady Daily Gazette on Thursday, February 13, 2025 announcing that a public hearing was to take place Wednesday, February 19, 2025 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 February 19, 2025 to consider the above referenced variance request; and,

WHEREAS, pursuant to a Memorandum of Understanding dated April 2011 with the Schenectady County Department of Planning and Economic Development this project is not exempt from review, **NOW,**

WHEREAS, Schenectady County Economic Development and Planning 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 19, 2025 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	EXCUSED	RECUSED
Chairman Eats	**X**			
Mr. Melillo	**X**			
Mr. Stramenga	**X**			
Mr. Bonacquist	**X**			
Mr. Serafini	**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

Philip A. Eats, Chairman
Zoning Board of Appeals