

**TOWN OF ROTTERDAM
ZONING BOARD OF APPEALS
January 21, 2026**

- 1) **Robert & Theresa Zostautas – 67 Whispering Pines Way, Rotterdam, NY** - Tax Map #71.5-3-67 in the Senior Living Zoning District. Petitioner respectfully requests that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-250 entitled “Development Criteria.” The applicant is requesting building permits to convert an existing ± 470 square foot unconditioned space on the second floor into living space. **Chapter 270-250(C)(3)(B)(1)** states that single family detached units shall be 1,000 to 1,500 square feet in size and may contain a mixture one bedroom, one bedroom and den, two-bedroom units, and two bedroom with den, with or without garages. The existing dwelling unit is 1,500 square feet and the proposed additional living space would increase the size of the unit to 1,970 square feet.
- 2) **Philip & Lisa Wend – 70 Whispering Pines Way, Rotterdam, NY** - Tax Map #71.5-3-70 in the Senior Living Zoning District. Petitioner respectfully requests that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-250 entitled “Development Criteria.” The applicant is requesting building permits to convert an existing ± 470 square foot unconditioned space on the second floor into living space. **Chapter 270-250(C)(3)(B)(1)** states that single family detached units shall be 1,000 to 1,500 square feet in size and may contain a mixture one bedroom, one bedroom and den, two-bedroom units, and two bedroom with den, with or without garages. The existing dwelling unit is 1,500 square feet and the proposed additional living space would increase the size of the unit to 1,970 square feet.
- 3) **Dunnsville Properties, LLC – 271 Dunnsville Road, Rotterdam, NY** - Tax Map #57.00-6-2 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 270-21 entitled “Yard and Property Line Requirements,” and Chapter 270-22 entitled “Lot Area.” The applicants are requesting variances to subdivide an existing 1.68-acre lot into two lots. **Chapter 270-21(D)** states that the front property line shall be a minimum of 150 feet. The applicants are requesting front property lines of 134.5 for each proposed lot which would require a variance of 15.5 feet. **Chapter 270-22** requires a lot area of one acre for each principal use. Proposed Lot #1 is 0.92 acres and proposed Lot #2 is 0.76 acres. Lot #1 would require a variance of 0.08 acres Lot #2 would require a variance of 0.24 acres.
- 4) **Fort Hunter Philomenia Holdings, LLC, 1175 Fort Hunter Road, Rotterdam, NY**, Tax Map #71.6-4-20.21 located in the Multiple Family Residential (R-3) Zoning District. Petitioners respectfully request that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-49 entitled “Lot area.” **Chapter 270-49** states that the minimum total lot area shall be 20,000 square feet, except that buildings or structures with more than four bedrooms shall increase the total lot area by a minimum of 3,000 square feet for each additional bedroom over four. The applicant is proposing to construct 32 apartment units containing 64 bedrooms. The apartment complex currently contains 6 buildings with a total of 182 bedrooms. The parcel size totals 10.85 acres of property or 472,832 square feet. Based upon town code, the applicant would be permitted to have up to 154 bedrooms. The applicant is seeking to construct 64 new bedrooms for a total of 246 bedrooms.

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SEQR Requirement: Type 2 Listed Action – 6NYCRR Part 617

County 239-m Requirement: County review is not required.

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SEQR Requirement: Unlisted Action – 6NYCRR Part 617

County 239-m Requirement: County review is required.