

**Town of Rotterdam
Zoning Board of Appeals Meeting
Summary Meeting Minutes
Wednesday, January 15, 2025**

A meeting of the Town of Rotterdam Zoning Board of Appeals was held Wednesday, January 15, 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
Peter Comenzo, Sr. Planner
Lisa Gallo, Secretary

Excused:

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.

Caucus:

Chairman Eats requested a motion to appoint a Vice Chairman for 2025.

Motion made by Mr. Bonacquist to appoint Mr. Melillo as Vice Chairman of the Zoning Board of Appeals for the year 2024.

Seconded: Mr. Stramenga

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

Approved unanimously.



Zoning Board of Appeals

RESOLUTION NUMBER ZBA1-2025

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, January 15, 2025.

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

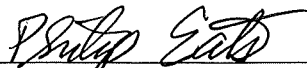
WHEREAS, Mr. Bonacquist made a motion to appoint Mr. Melillo as Vice Chairman for the Rotterdam Zoning Board of Appeals for a one (1) year term retroactively from January 1, 2025 to December 31, 2025; and,

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, 2025 to December 31, 2025.

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


Philip A. Eats, Chairman
Zoning Board of Appeals

**ZBA Meeting
January 15, 2025**

1) **Hungry Hill Ventures, LLC – 1002 Wedgewood Heights, Rotterdam, NY** Tax Map #59.5-8-8.13 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 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 10.5 feet of the rear yard property boundary, which would require a variance of 14.5 feet.

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

*Applicant Michael Floccuzio of Floccuzio Construction was also present.

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

Mr. Hitchcock explained the applicant would like to construct a flex warehouse at the edge of Wedgewood Avenue. It is zoned Light Industrial. We only need relief from the 25’ rear setback. They would like to place the building ten feet (10’) from the rear property line which brings the building closer to the road. There are all commercial properties in the area and a ravine to the west. It will not be an undesirable change to the neighborhood as it is similar to what is there. The setback is from the CSX rail ROW line and the actual tracks are located a substantial distance away from the proposed building. It is a tough lot. It cannot be achieved by other means as they would have to shrink the building which would not be desirable to the applicant. It is not substantial and will not have any adverse effects on the environment. It is self-created. The applicant built the same building on Consalus Avenue. People approached the applicant and asked when he would be building this type of building.

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 asked if the Bark Eater trucks were owned by the applicants. Mr. Floccuzio stated they are not his but they are on his property. Mr. Bonacquist stated based on what is up there, there will not be any impact on the neighborhood. It is 100’ tot eh railroad tracks. Therefore, he can support the variance request.

Mr. Melillo agrees with Mr. Bonacquist.

Mr. Stramenga said he visited the property today. He spoke to the young lady at the adjoining business and she was happy with the improvements to the area.

Mr. Serafini asked if there were going to be bathrooms. The applicant there will be bathrooms.

Chairman Eats stated he visited the property. He covered the criteria with the applicant. He stopped at Capital District Mechanical also and they are happy with the improvements to the area. He also agrees with Mr. Bonacquist. It is possible that this might be an incentive for other property owners in the area.

Mr. Comenzo mentioned that Mr. Floccuzio is giving the Town an easement for the Highway to plow and that a meeting needs to be set up to discuss the extent of the easement prior to the Planning Commission meeting.

e. **No Public Hearing Comments.**

f. **This project is classified as 6 NYCRR 617 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

g. **Approved unanimously:**

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

h. **Motion to APPROVE the variance:** Mr. Bonacquist

i. **Seconded:** Mr. Stramenga

j. **Approved unanimously:**

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



Zoning Board of Appeals

RESOLUTION NUMBER ZBA2-2025
Moved by Mr. Bonacquist, Seconded by Mr. Stramenga
Applicant(s): Hungry Hill Ventures, LLC

Applicant(s): Hungry Hill Ventures, LLC
Project Location: 1002 Wedgewood Heights
Tax Number or Numbers: 59.5-8-8.13
Zoning: Light Industrial (I-1) Zoning District
Proposed Project: The applicants are requesting permission to construct a 12,000 square foot warehouse.

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

WHEREAS, the applicants are requesting permission to construct a 12,000 square foot warehouse; and,

WHEREAS the applicant is requesting to construct the building within 10.5 feet of the rear yard property boundary, which would require a variance of 14.5 feet; and,

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

WHEREAS, a legal notice was published in the Schenectady Daily Gazette on Thursday, January 9, 2025 announcing that a public hearing was to take place Wednesday, January 15, 2025 at 7:30 p.m. to consider the variance requests; and,

RESOLUTION NUMBER ZBA2-2025
Applicant: Hungry Hill Ventures, LLC
Page 2

WHEREAS, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on January 15, 2025 to consider the above referenced variance request; and,

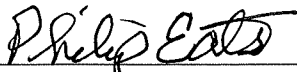
WHEREAS, pursuant to a Memorandum of Understanding dated April 2011 with the Schenectady County Department of Planning and Economic Development this project is not exempt from review, and

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 January 15, 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, Chairman
Zoning Board of Appeals

2) Brett VanEtten – 2058 Upper Gregg Road – Rotterdam, NY, Tax Map #28.-2-11.2 located in the Agricultural (A-1) Zoning District. Petitioner respectfully requests that he be granted variances as prescribed in the Town of Rotterdam Zoning Code Chapter 270-15 entitled “Accessory uses, buildings and structures.” Chapter 270-15(c) states that no accessory structure or building shall exceed fourteen (14) feet in height. The proposed accessory structure is sixteen (16) feet in height, which requires a variance of two (2) feet.

a. Brett VanEtten of 2058 Upper Gregg Road representing this application.

Mr. VanEtten submitted an elevation map depicting the slopes in the area of the proposed building.

b. Applicant(s) addressed five (5) criteria to the Board.

Mr. VanEtten explained he needs a variance for a shed that he would like on his property. There are 15 acres of property which is zoned Agricultural. They are at the top of a ridge and the rest of the property slopes down to the Mohawk River. He only needs a variance for the height. The structure will match the home. It is a small change but the slope will help with snow removal. His parents live across the street and they are the only people that will see it. It will blend into the area. It is more beautiful design with the short walls and will be useful. Has a two-car garage, needs space for snow and lawn equipment. No adverse effect as there will not be any drainage issues. It is all downhill. It is self-created as he needs relief from the ordinance.

c. This proposal is exempt from referral to Schenectady County Planning

d. Questions/comments from the Board.

Mr. Melillo has no issues with this application. There is plenty of property and the only area without a slope.

Mr. Serafini said the presentation was very good. There is more than enough land and there will not be any effect on any neighbors.

Mr. Bonacquist agrees with Mr. Serafini.

Chairman Eats visited the property and spoke to Mr. VanEtten. The nearest neighbors are his parents. It is located at a dead ended street.

- e. **No Public Hearing Comments.**
- f. **This project is classified as a Type 2 Listed Action – 6NYCRR Part 617 under SEQR.**
- g. **Motion to APPROVE** Mr. Serafini
- h. **Seconded:** Mr. Stramenga
- i. **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: 7:50 PM
Motion to adjourn: Mr. Bonacquist
Seconded: Mr. Stramenga
Approved unanimously

Next meeting: February 19, 2025

Respectfully Submitted,
Lisa R. Gallo



Zoning Board of Appeals

RESOLUTION NUMBER ZBA3-2025
Moved by Mr. Serafini, Seconded by Mr. Stramenga
Applicant(s): Hungry Hill Ventures, LLC

Applicant(s): Brett VanEtten
Project Location: 2058 Upper Gregg Road
Tax Number or Numbers: 28.-2-11.2
Zoning: Agricultural (A-1) Zoning District
Proposed Project: The applicant proposes to construct an accessory structure which is sixteen (16) feet in height.

WHEREAS, petitioner respectfully requests that he be granted variances as prescribed in the Town of Rotterdam Zoning Code Chapter 270-15 entitled "Accessory uses, buildings and structures;" and,

WHEREAS, **Chapter 270-15(c)** states that no accessory structure or building shall exceed fourteen (14) feet in height; and,

WHEREAS, the proposed accessory structure is sixteen (16) feet in height, which requires a variance of two (2) feet; and,

WHEREAS, the applicant proposes to construct an accessory structure which is sixteen (16) feet in height; and,

WHEREAS, this project is classified as a Type II Action under SEQR because pursuant to 6NYCRR Part 617.5(c)(17) this is a granting of an area variance for a single-family home and as a result is therefore exempt from SEQR; and,

WHEREAS, a legal notice was published in the Schenectady Daily Gazette on Thursday, January 9, 2025 announcing that a public hearing was to take place Wednesday, January 15, 2025 at 7:30 p.m. to consider the variance requests; and,

RESOLUTION NUMBER ZBA3-2025

Applicant: Brett VanEtten

Page 2

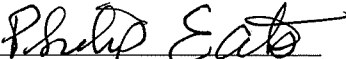
WHEREAS, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on January 15, 2025 to consider the above referenced variance request; and,

WHEREAS, pursuant to a Memorandum of Understanding dated April 2011 with the Schenectady County Department of Planning and Economic Development this project is 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 January 15, 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, Chairman
Zoning Board of Appeals