

**Town of Rotterdam  
Zoning Board of Appeals Meeting  
Summary Meeting Minutes  
Wednesday, November 20, 2024**

A meeting of the Town of Rotterdam Zoning Board of Appeals was held Wednesday, November 20, 2024 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:
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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.

1. **Jamie Ayers – Corner of East Gregg Road and Lower Gregg Road, Rotterdam, NY, Tax Map #28.-1-10.121** located in the Agriculture (A-1) Zoning District. Petitioner respectfully requests that she be granted area variances as prescribed in the Town of Rotterdam Zoning Code being **Chapter 270-21 entitled “Yard and Property Line Requirements.”** The applicant is requesting a variance in order to facilitate the construction of a single-family residence. **Chapter 270-21(A)** states that the front yard depth shall be 25 feet. The applicant is requesting that the single-family residence be constructed within 6 feet of the front property line on Lower Gregg Road which would require a variance of 19 feet.

a. **Joe Bianchine of ABD Engineers representing this application.**

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

Mr. Bianchine explained the shape of the property is a triangle formed by an intersection of both roads. The property was surveyed. The well was installed in the higher part of the property. The septic has to be a raised bed due to the poor soils in the area. They are trying not to have to have a pump, so that is why the house is proposed to be located to the back of the property. Lower Gregg drops off quite a bit. Jamie received letters from the neighbors, Andrew Smith at 183 E. Gregg Road, and Paul & Cynthia Chevalier at 162 E. Gregg Road who have no objections to variances. It is not out of character with the neighborhood. It could be achieved by other means but then would require a pump for the sanitary waste which they are trying to avoid. It is self-created. It will not have any adverse effect on the environment

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

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

Chairman Eats reviewed the criteria with Mr. Bianchine.

Mr. Bonacquist stated Mr. Bianchine satisfactorily explained the criteria.

Mr. Stramenga loved the presentation and can support the request.

Mr. Serafini said the presentation spoke for itself and agrees with everyone else.

Chairman Eats stated he visited Lower Gregg Road for the first time ever. There were a lot of parameters involved and the applicants want a front yard.

- e. **Public Hearing Comments.**  
Applicant's mother was in the audience and was there to support the project.
  
- f. **This project is classified as Type 2 Listed Action – 6NYCRR Part 617 under SEQR.**
  
- g. **Motion to APPROVE the variance:** Mr. Serafini
  
- h. **Seconded:** Mr. Melillo
  
- i. **Approved unanimously:**

<b>NAME</b>	<b>AYES</b>	<b>NOES</b>	<b>EXCUSED</b>	<b>RECUSED</b>
<b>Chairman Eats</b>	<b>X</b>			
<b>Mr. Melillo</b>	<b>X</b>			
<b>Mr. Stramenga</b>	<b>X</b>			
<b>Mr. Bonacquist</b>	<b>X</b>			
<b>Mr. Serafini</b>	<b>X</b>			



*Town of Rotterdam  
Zoning Board of Appeals*

Philip Eats, Chairman  
Peter J. Comenzo, Senior Planner

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**RESOLUTION NUMBER ZBA30-2024  
Moved by Mr. Serafini, Seconded by Mr. Melillo  
Applicant(s): Jamie Ayers**

**Applicant(s):** Jamie Ayers

**Project Location:** Corner of E. Gregg Road & Lower Gregg Road  
Rotterdam, NY

**Tax Number or Numbers:** 28.-1-10.121

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

**Proposed Project:** The applicant is requesting a variance in order to facilitate the construction of a single-family residence.

**WHEREAS**, petitioner respectfully requests that she be granted area variances as prescribed in the Town of Rotterdam Zoning Code being **Chapter 270-21 entitled "Yard and Property Line Requirements,"** and,

**WHEREAS**, **Chapter 270-21(A)** states that the front yard depth shall be 25 feet;" and,

**WHEREAS**, the applicant is requesting a variance in order to facilitate the construction of a single-family residence; and,

**WHEREAS**, the applicant is requesting that the single-family residence be constructed within 6 feet of the front property line on Lower Gregg Road which would require a variance of 19 feet; and,

**WHEREAS**, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on Wednesday, November 20, 2024 to consider the above referenced variance request; and,

**WHEREAS**, a legal notice was published in the Schenectady Daily Gazette on Thursday, November 14, 2024, announcing that a public hearing was to take place Wednesday, November 20, 2024 at 7:30 p.m. to consider the variance requests; and,

**RESOLUTION NUMBER ZBA30-2024**  
**Applicant(s): Jamie Ayers**  
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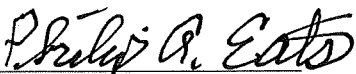
**WHEREAS**, this project is classified as a Type II Action under SEQR pursuant to 6NYCRR Part 617.5(c)(17) this is a granting of an area variance for a single-family home and as a result is therefore exempt from SEQR; and,

**WHEREAS**, 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 Wednesday, November 20, 2024 hearings. 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. Patrick and Tanya Buono – 1089 Gordon Road, Rotterdam, NY, Tax Map #37.-5-10** 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 30’ x 56’ detached garage with a height of 19 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. The proposed detached garage is 1680 square feet and the existing attached garage is 672 square feet making the total garage space 2352 square feet, which is 1452 square feet over the allowed size of 900 square feet. **Chapter 270-138(c):** “Lot Coverage” states that no accessory garages shall exceed a maximum height of 15 feet in all existing zoning districts. The proposed detached garage height is 19 feet and is 4 feet over the allowed height of 15 feet.

**a. Patrick Bruno of 1089 Gordon Road representing this application.**

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

Mr. Bruno has lived in Rotterdam all of his life. This is the third home he has purchased in Rotterdam. He has 818’ of road frontage. He would like to install a 30’ X 56’ detached garage on his property. He has five (5) vehicles, two (2) tractor and snowmobiles that he would like to get out of the weather. Most of the neighbors will not see the structure. He submitted an affidavit from the one (1) neighbor that would be affected with his application. Several homes in the area have these structures.

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

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

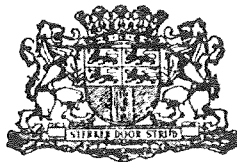
Mr. Serafini said he did not have any questions. There is a lot of land and a lot of trees to buffer the structure.

Mr. Bonacquist visited the site and saw the pad site. There will not be any negative effects on the environment. It is a substantial variance but it’s mitigated by the land size. Mr. Bonacquist asked if there would be any plumbing. Mr. Bruno answered no. Mr. Bonacquist stated that he can support this request.

Chairman Eats stated he met with the applicant. The applicant answered the criteria to his satisfaction.

- 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. Melillo
- h. **Seconded:** Mr. Stramenga
- i. **Approved unanimously by Members:**

<b>NAME</b>	<b>AYES</b>	<b>NOES</b>	<b>EXCUSED</b>	<b>RECUSED</b>
<b>Chairman Eats</b>	<b>X</b>			
<b>Mr. Melillo</b>	<b>X</b>			
<b>Mr. Stramenga</b>	<b>X</b>			
<b>Mr. Bonacquist</b>	<b>X</b>			
<b>Mr. Serafini</b>	<b>X</b>			



*Town of Rotterdam*  
*Zoning Board of Appeals*

Philip Eats, Chairman  
Peter J. Comenzo, Senior Planner

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**RESOLUTION NUMBER ZBA31-2024**  
**Moved by Mr. Melillo, Seconded by Mr. Stramenga**  
**Applicant(s): Patrick & Tanya Bruno**

**Applicant(s):** Patrick & Tanya Bruno

**Project Location:** 1089 Gordon Road  
Rotterdam, NY

**Tax Number or Numbers:** 37.-5-10

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

**Proposed Project:** The applicant wishes to construct a 30' x 56' detached garage with a height of 19 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; and,

**WHEREAS**, the applicant wishes to construct a 30' x 56' detached garage that is 19 feet in height; and,

**WHEREAS**, the proposed detached garage is 1680 square feet and the existing attached garage is 672 square feet making the total garage space 2352 square feet, which is 1452 square feet over the allowed size of 900 square feet.; and,

**WHEREAS**, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on Wednesday, November 20, 2024 to consider the above referenced variance request; and,

**WHEREAS**, Chapter 270-138(c): "Lot Coverage" states that no accessory garages shall exceed a maximum height of 15 feet in all existing zoning districts; and,

**WHEREAS**, the proposed detached garage height is 19 feet and is 4 feet over the allowed height of 15 feet; and,



**RESOLUTION NUMBER ZBA31-2024**  
**Applicant(s): Patrick & Tanya Bruno**  
**Page 2**

**WHEREAS**, a legal notice was published in the Schenectady Daily Gazette on Thursday, November 14, 2024, announcing that a public hearing was to take place Wednesday, November 20, 2024 at 7:30 p.m. to consider the variance requests; and,


**WHEREAS**, this project is classified as a Type II Action under SEQR 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**, 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 Wednesday, November 20, 2024 hearings. 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 variances.

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**

**3. Starlight Development, LLC – 1563 Helderberg Avenue, Rotterdam, NY,** Tax Map #58.08-7-15 located in the Single Family Residential (R-1) and Retail Business (B-1) Zoning Districts. Petitioner respectfully requests that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-31 entitled “Lot Area.” The applicant would like to Boundary Line Adjust 6,824 square feet of property to 1605 Helderberg Avenue (Tax Map #58.8-7-17.1). **Chapter 270-31(A)** states that “the required minimum lot area shall be not less than 15,000 square feet, with a lot width of not less than 100 feet. The applicant is requesting to reduce the square footage of 1563 Helderberg Ave. from 18,032 square feet to 11,208 square feet which will require a variance of 3,792 square feet.

a. **Mark Blackstone of Blackstone Land Surveyors representing the application.**

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

Mr. Blackstone said they are reducing the lot size of the property in question. There were a lot of sales of property with DeMarco Stone and several properties in the area. This piece was overlooked. The snow storage for the funeral home was overlooked and this property is where they deposit snow. They need to keep all the parking spaces for funerals. The transfers and price details held up this part. They are basically cutting the back unused portion, 100’ of the rear yard, and going to use it for snow storage. It will be used for the same thing it was before. It cannot be achieved by other means because they need the parking spaces. It is not substantial but does drop the minimum lot size below the required 15,000 square feet minimum. There are sandy soils. There will not be any impacts on the environmental conditions in the neighborhood. It is self-created as it was an oversight with the sale of the property. Property is serviced by municipal sewers.

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

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

Mr. Bonacquist asked if the property was on sewer. Mr. Blackstone stated yes. Mr. Bonacquist said the variance is mitigated by that.

Chairman Eats agrees with the presentation

- e. No Public Hearing Comments.
- f. This project is classified as a Listed Type 2 Action under SEQR.
- g. Motion to APPROVE: Mr. Stramenga
- h. Seconded: Mr. Serafini
- i. Approved unanimously:

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

*"A Nice Place to Live"*



*"A Nice Place to Do Business"*

*Town of Rotterdam*  
*Zoning Board of Appeals*

Philip Eats, Chairman  
Peter J. Comenzo, Senior Planner

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**RESOLUTION NUMBER ZBA32-2024**  
**Moved by Mr. Stramenga, Seconded by Mr. Serafini**  
**Applicant(s): Starlight Development, LLC**

**Applicant(s):** Starlight Development, LLC

**Project Location:** 1563 Helderberg Avenue  
Rotterdam, NY

**Tax Number or Numbers:** 58.08-7-15

**Zoning:** Single Family Residential (R-1) & Retail Business (B-1) Zoning Districts

**Proposed Project:** The applicant would like to Boundary Line Adjust 6,824 square feet of property to 1605 Helderberg Avenue.

**WHEREAS**, petitioner respectfully requests that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-31 entitled "Lot Area; and,

**WHEREAS**, the applicant would like to Boundary Line Adjust 6,824 square feet of property to 1605 Helderberg Avenue (Tax Map #58.8-7-17.1); and,

**WHEREAS**, Chapter 270-31(A) states that "the required minimum lot area shall be not less than 15,000 square feet, with a lot width of not less than 100 feet; and,

**WHEREAS**, the applicant is requesting to reduce the square footage of 1563 Helderberg Avenue from 18,032 square feet to 11,208 square feet which will require a variance of 3,792 square feet; and,

**WHEREAS**, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on Wednesday, November 20, 2024 to consider the above referenced variance request; and,

**WHEREAS**, a legal notice was published in the Schenectady Daily Gazette on Thursday, November 14, 2024, announcing that a public hearing was to take place Wednesday, November 20, 2024 at 7:30 p.m. to consider the variance requests; and,


**WHEREAS**, this project is classified as a Type II Action under SEQR 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**, 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, and,

**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 Wednesday, November 20, 2024 hearings. 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>RECUSED</b>
<b>Chairman Eats</b>	<b>X</b>			
<b>Mr. Melillo</b>	<b>X</b>			
<b>Mr. Stramenga</b>	<b>X</b>			
<b>Mr. Bonacquist</b>	<b>X</b>			
<b>Mr. Serafini</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

**4. John Halsdorf – 1264 Main Street, Rotterdam Junction, NY, Tax Map #20.5-3-27** located in the Retail Business (B-1) Zoning District. Petitioner respectfully requests that he 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 24’ x 30’ detached garage that is 18.5 feet in height. The variance request(s) are as follows: **Chapter 270-138(c)**: “Lot Coverage” states that no accessory garages shall exceed a maximum height of 15 feet in all existing zoning districts. The proposed detached garage height is 18.5 feet and is 3.5 feet over the allowed height of 15 feet.

a. **John Halsdorf of 1264 Main Street representing the application.**

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

Mr. Halsdorf stated he is looking for a height variance for his garage that was burnt down this summer. It is three and a half feet (3 ½’) over what is allowed. He is not making any changes. He is using the existing foundation. It cannot be achieved by other means. It is a pre-fab building. He does not feel that three and a half feet (3 ½’) is substantial. It is self-created but there was a fire.

b. **This proposal is exempt from referral to Schenectady County Planning**

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

Mr. Serafini asked what the previous height of the garage was. Mr. Halsdorf did not know. Mr. Serafini was getting at the height was probably the same since the garage is being built on the same footprint.

Mr. Bonacquist stated the variance is not substantial. He can support as this is a replacement of a garage that burnt down.

Chairman Eats visited the property. They spent some time discussing the present garage which was destroyed. It is not a substantial variance.

Mr. Halsdorf stated they are tearing the garage down tomorrow.

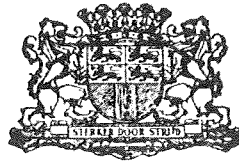
- d. **No Public Hearing Comments.**
- e. **This project is classified as a Listed Type 2 Action under SEQR.**
- f. **Motion to APPROVE the variance(s):** Mr. Serafini
- g. **Seconded:** Mr. Stramenga
- h. **Approved unanimously by Members Present:**

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

Meeting adjourned: 8:07 PM  
Motion to adjourn: Mr. Stramenga  
Seconded: Mr. Melillo  
Approved unanimously

**Next meeting: December 18, 2024**

Respectfully Submitted,  
Lisa R. Gallo



*Town of Rotterdam  
Zoning Board of Appeals*

Philip Eats, Chairman  
Peter J. Comenzo, Senior Planner

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**RESOLUTION NUMBER ZBA33-2024  
Moved by Mr. Serafini, Seconded by Mr. Stramenga  
Applicant(s): John Halsdorf**

**Applicant(s):** John Halsdorf

**Project Location:** 1264 Main Street  
Rotterdam, NY

**Tax Number or Numbers:** 20.5-3-27

**Zoning:** Retail Business (B-1) Zoning District

**Proposed Project:** The applicant wishes to construct a 24' x 30' detached garage that is 18.5 feet in height.

**WHEREAS**, petitioner respectfully requests that he be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-138 entitled "Accessory structures and uses; and,

**WHEREAS**, the applicant wishes to construct a 24' x 30' detached garage that is 18.5 feet in height; and,

**WHEREAS**, Chapter 270-138(c): "Lot Coverage" states that no accessory garages shall exceed a maximum height of 15 feet in all existing zoning districts; and,

**WHEREAS**, the proposed detached garage height is 18.5 feet and is 3.5 feet over the allowed height of 15 feet; and,

**WHEREAS**, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on Wednesday, November 20, 2024 to consider the above referenced variance request; and,

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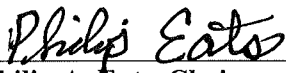
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<b>NAME</b>	<b>AYES</b>	<b>NOES</b>	<b>EXCUSED</b>	<b>RECUSED</b>
<b>Chairman Eats</b>	<b>X</b>			
<b>Mr. Melillo</b>	<b>X</b>			
<b>Mr. Stramenga</b>	<b>X</b>			
<b>Mr. Bonacquist</b>	<b>X</b>			
<b>Mr. Serafini</b>	<b>X</b>			

**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