

**Town of Rotterdam  
Zoning Board of Appeals Meeting  
Summary Meeting Minutes  
Wednesday, December 17, 2025**

A meeting of the Town of Rotterdam Zoning Board of Appeals was held Wednesday, December 17, 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 Craig Serafini Alex Stramenga Stephanie DiLallo-Bitter, ZBA Attorney Peter Comenzo, Sr. Planner Lisa Gallo, Secretary	Excused: Bruce Bonacquist
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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.

**ZBA Meeting  
December 17, 2025**

1) **National Grid – 341 Putnam Road, Rotterdam, NY Tax Map #38.-1-2.31** located in the Agriculture (A-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. **Allyson Phillips of Young Sommer LLC representing this application.**

Public hearing was conducted on November 19, 2026 and project was tabled to the December 17, 2026.

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

Ms. Phillips explained Mr. Castiglione was before the Borad last month. They have obtained a Waiver of Site Plan from the Planning Commission for the PIG Launcher installation to enhance the ability to monitor any anomalies inside the pipe. They are requesting to remove eight (8) foot fence with one (1) foot barb wire from one section and put in another section. These fence specifications have been in place with National Grid since 2007. The Board asked for information on barb wire fence vs. anti-climbing fence which they were not able to obtain. National Grid needs to be able to see into the site for security. There are not any cost analysis performed on the fencing options. Ms. Phillips provided a history on why they use this type of fence for their operations. They use this standard fencing specification around the state at all their public utility locations.

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 they needed the visual. Ms. Phillips stated they sometimes do just drive by without entering the facility.

Mr. Stramenga explained he has not changed his mind and he is still okay with this type of fencing.

Mr. Serafini asked if there were cameras in use at the facilities. Ms. Phillips said yes but the fence is a physical deterrent which keeps people from entering. Mr. Serafini said they have been using the same type of fence for 19 years and asked if they ever wanted to upgrade. Ms. Phillips stated the standard was developed in 2007 and it has proven to be effective. It is used in over 100 facilities to enclose gas regulator stations. There is no reason to change what is effective. Mr. Serafini wants National Grid to review this 19-year-old standard. Ms. Phillips explained the PIG Launcher is the upgraded but she will convey this request to National Grid. The PIG Launcher is to modernize the facility and these requests have started a discussion at National Grid.

Chairman Eats spoke about visiting the site two (2) times. The first time it was too windy. He feels the barbed wire is effective and there is existing fencing. They are essentially moving a fence for a safer, more secure facility.

Mr. Comenzo explained the Planning Commission has approved the project. The Town of Glenville also approved their proposal of a PIG Launcher.

e. **No Public Hearing Comments.**

f. **Motion to APPROVE the Permit:** Mr. Stramenga

**Seconded:** Mr. Melillo

g. **Approved Unanimously by the Members:**

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



Zoning Board of Appeals

**RESOLUTION NUMBER ZBA42-2025  
Moved by Mr. Stramenga, Seconded by Mr. Melillo  
Applicant(s): National Grid**

**Applicant(s):** National Grid

**Project Location:** 341 Putnam Road

**Tax Number or Numbers:** 38.-1-2.31

**Zoning:** Agricultural (A-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**, 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**, 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; and,

**WHEREAS**, a legal notice was published in the Schenectady Daily Gazette on Thursday, December 11, 2025, announcing that a public hearing was to take place Wednesday, December 17, 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 December 17, 2025 to consider the above referenced variance request; and,

**WHEREAS**, this project was TABLED at the November 19, 2025 Zoning Board of Appeals meeting; 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;

**WHEREAS**, Schenectady County Economic Development and Planning has deferred to local consideration; **NOW**,

**RESOLUTION NUMBER ZBA42-2025**


**Applicant: National Grid**

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**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 December 17, 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 permit.

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

  
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**Philip A. Eats, Chairman**  
**Zoning Board of Appeals**

**ZBA Meeting  
December 17, 2025**

2) **Kristin Sterling and Lynn Azzaro – 68 Whispering Pines Way, Rotterdam, NY** - Tax Map #71.5-3-68 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.

a. **Kristin Sterling and Lynn Azzaro of 68 Whispering Pines Way representing this application.**

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

They explained they would like to convert the attic space to useable living space for hobbies and on-line activities. It is an inside room and will not affect other properties. It was a Town requirement. The current code doesn't allow for the additional space without a variance. No environmental impacts as it is all inside. They were unaware of the limitations based on the code.

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

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

Mr. Serafini said they are one (1) of several that have come before the Board to ask for this variance. It is probably frustrating for them and the Board is here to help them through this.

Chairman Eats explained that no work has been done and they are going about those right way.

e. **No Public Hearing Comments.**

f. **Motion to APPROVE the variances:** Mr. Melillo

**Seconded:** Mr. Serafini

g. **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. Bonacquist</b>			<b>X</b>	
<b>Mr. Stramenga</b>	<b>X</b>			
<b>Mr. Serafini</b>	<b>X</b>			



Zoning Board of Appeals

**RESOLUTION NUMBER ZBA43-2025**  
**Moved by Mr. Melillo, Seconded by Mr. Serafini**  
**Applicant(s): Kristin Sterling and Lynn Azzaro**

**Applicant(s):** Kristin Sterling and Lynn Azzaro  
**Project Location:** 68 Whispering Pines Way  
**Tax Number or Numbers:** 71.5-3-68  
**Zoning:** Senior Living (SLD) Zoning District  
**Proposed Project:** The applicant is requesting building permits to convert an existing ±470 square foot unconditioned space on the second floor into living space.

**WHEREAS**, petitioner respectfully requests that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-250 entitled "Development Criteria;" and,

**WHEREAS**, the applicant is requesting building permits to convert an existing ±470 square foot unconditioned space on the second floor into living space: and,

**WHEREAS**, 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 bedrooms with den, with or without garages; and,

**WHEREAS**, 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; and,

**WHEREAS**, a legal notice was published in the Schenectady Daily Gazette on Thursday, December 11, 2025, announcing that a public hearing was to take place Wednesday, December 17, 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 December 17, 2025 to consider the above referenced variance request; and,

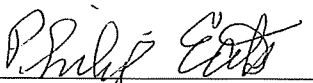
**RESOLUTION NUMBER ZBA43-2025**  
**Applicant: Kristin Sterling and Lynn Azzaro**  
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WHEREAS, pursuant to a Memorandum of Understanding dated April 2011 with the Schenectady County Department of Planning and Economic Development this project is exempt 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 December 17, 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. Bonacquist			X	
Mr. Stramenga	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) Scott Marcazzolo – 71 Whispering Pines Way, Rotterdam, NY - Tax Map #71.5-3-71** in the Senior Living Zoning District. Petitioner respectfully requests that he 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.

**a. Mr. Marcazzolo of 71 Whispering Pines Way representing this application.**

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

Mr. Marcazzolo stated he would like to finish the attic space at 71 Whispering Pines Way. The renovations are all internal. There is no other way to accomplish this. He will utilize the space for something but he does not know what yet. They are limited to 1500 square feet and he is going over by 400 square feet. He would like the relief for the ordinance limiting the amount of space.

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

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

No questions from the Board.

e. **No Public Hearing Comments.**

f. **Motion to APPROVE the variances:** Mr. Serafini

**Seconded:** Mr. Stramenga

g. **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. Bonacquist</b>			<b>X</b>	
<b>Mr. Stramenga</b>	<b>X</b>			
<b>Mr. Serafini</b>	<b>X</b>			



Zoning Board of Appeals

**RESOLUTION NUMBER ZBA44-2025**  
**Moved by Mr. Serafini, Seconded by Mr. Stramenga**  
**Applicant(s): Scott Marcazzolo**

**Applicant(s):** Scott Marcazzolo

**Project Location:** 71 Whispering Pines Way

**Tax Number or Numbers:** 71.5-3-71

**Zoning:** Senior Living (SLD) Zoning District

**Proposed Project:** The applicant is requesting building permits to convert an existing ±470 square foot unconditioned space on the second floor into living space.

**WHEREAS**, petitioner respectfully requests that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-250 entitled "Development Criteria;" and,

**WHEREAS**, the applicant is requesting building permits to convert an existing ±470 square foot unconditioned space on the second floor into living space: and,

**WHEREAS**, 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 bedrooms with den, with or without garages; and,

**WHEREAS**, 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; and,

**WHEREAS**, a legal notice was published in the Schenectady Daily Gazette on Thursday, December 11, 2025, announcing that a public hearing was to take place Wednesday, December 17, 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 December 17, 2025 to consider the above referenced variance request; and,

**RESOLUTION NUMBER ZBA44-2025**

**Applicant: Scott Marcazzolo**

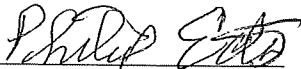
**Page 2**

**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 December 17, 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.

<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. Bonacquist</b>			<b>X</b>	
<b>Mr. Stramenga</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) Ridgeback Hospitality, LLC (Contract Vendee) – 1821 Altamont Avenue, Rotterdam, NY, Tax Map #59.9-2-20.1, 21.1, & 22.1 located in the General Business (B-2) Zoning District.** Petitioners respectfully request that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-68 entitled “Yard Requirements.” The applicant is requesting permission to construct a one-story quick serve restaurant and coffee shop on a consolidated 1.11-acre parcel. **Chapter 270-68** requires a minimum front yard of 30 feet. The applicant is proposing to construct the quick serve restaurant on the consolidated parcel within 15.3 feet of the front yard located on Elizabeth Street, which would require a variance of 14.7 feet.

**a. Caryn Mlodzianowski of Bohler Engineering representing this application.**

Daniel Scaring of Ridgeback Hospitality is also in attendance.

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

Ms. Mlodzianowski explained this project will encompass a block on Altamont Avenue with streets on all sides. It is 1.1 acre in size and all four (4) structures will come down for a Chipotle and a 7 Brew. They have already met with the Planning Commission. They need an area variance. The layout is cohesive with Chipotle having parking and 7 Brew not having a lot of parking but exclusively a drive thru business. Administratively, the definition of a front yard vs. a back yard as the property has four (4) street frontages. Ms. Mlodzianowski explained her front yard and back yard definitions. Town staff determined that they are front yards. There is a 15.3’ setback to the overhang for pick up window. The building is at 17’. It is not out of character with the neighborhood. There is low traffic on Elizabeth Street. If they shift it than the other tenant will have less. It is not substantial. Low traffic on three (3) streets. There will not be any environmental impacts. It will match the area with surrounding businesses. It can be considered self-created.

**c. This proposal is not exempt from referral to Schenectady County Planning**

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

There was a discussion on if the project was advertised correctly with the 15.3’ instead of 17’. It was determined it was advertised correctly as the setback is measured from the foundation location..

Mr. Melillo stated it will be an improvement to the area but hates to see Johnny C’s go.

Mr. Stramenga asked about the traffic flow. Ms. Mlodzianowski explained it was submitted to NYSDOT. The businesses are staggered as 7 Brew is a morning business and Chipotle is a lunch and dinner facility.

Mr. Serafini wanted to know what would happen if you flipped the places so you do not need variances. Ms. Mlodzianowski explained it would not be safe and the layout was reviewed extensively during development of the site plan.

Chairman Eats stated there are currently two (2) exits onto Altamont Avenue with Johnny C's and the redemption facility. There will only be one (1) exit onto Altamont Avenue with this proposal. It is an improvement.

Mr. Comenzo stated that the layout was reviewed by the Planning Commission and that a TDE was on-board to assist with the discussions on the proposed drive-thru locations and any potential vehicle stacking concerns. This is an interesting and unique situation with four (4) front yards.

Stephanie DiLallo-Bitter explained that the Planning Commission Declared Lead Agency and was not sure if it's an Unlisted Action but looking at the project from the ZBA standpoint and this being under 4,000 square feet with both buildings from NYS 617.5 Listed Type II, #16 individual setbacks it's a Type II Action for the purposes of the setback. The Planning Commission is doing a full SEQR review.

e. **No Public Hearing Comments.**

f. **Motion to APPROVE the variances:** Mr. Stramenga

**Seconded:** Mr. Melillo

g. **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. Bonacquist</b>			<b>X</b>	
<b>Mr. Stramenga</b>	<b>X</b>			
<b>Mr. Serafini</b>	<b>X</b>			



Zoning Board of Appeals

**RESOLUTION NUMBER ZBA45-2025**

**Moved by Mr. Stramenga, Seconded by Mr. Melillo**

**Applicant(s): Ridgeback Hospitality, LLC (Contract Vendee)**

**Applicant(s):** Ridgeback Hospitality, LLC (Contract Vendee)

**Project Location:** 1821 Altamont Avenue

**Tax Number or Numbers:** 59.9-2-20.1, 59.9-2-21.1, & 59.9-2-22.1

**Zoning:** General Business (B-2) Zoning District

**Proposed Project:** The applicant is proposing to construct the quick serve restaurant on the consolidated parcel within 15.3 feet of the front yard located on Elizabeth Street.

**WHEREAS**, petitioners respectfully request that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-68 entitled "Yard Requirements;" and,

**WHEREAS**, the applicant is requesting permission to construct a one-story quick serve restaurant and coffee shop on a consolidated 1.11-acre parcel: and,

**WHEREAS**, Chapter 270-68 requires a minimum front yard of 30 feet. The applicant is proposing to construct the quick serve restaurant on the consolidated parcel within 15.3 feet of the front yard located on Elizabeth Street, which would require a variance of 14.7 feet; and,

**WHEREAS**, a legal notice was published in the Schenectady Daily Gazette on Thursday, December 11, 2025, announcing that a public hearing was to take place Wednesday, December 17, 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 December 17, 2025 to consider the above referenced variance request; and,

**RESOLUTION NUMBER ZBA45-2025**

**Applicant: Ridgeback Hospitality, LLC (Contract Vendee)**

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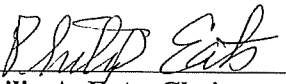
**WHEREAS**, pursuant to a Memorandum of Understanding dated April 2011 with the Schenectady County Department of Planning and Economic Development this project is not exempt from review; and,

**WHEREAS**, Schenectady County Department of Planning and Economic Development deferred to local consideration; 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 December 17, 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.

<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. Bonacquist</b>			<b>X</b>	
<b>Mr. Stramenga</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

**5) Govin Sarju – 2175 Tower Avenue, Rotterdam, NY, Tax Map #59.7-10-1.2** 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 270-138 entitled “Accessory Structures and Uses.” The applicant wishes to construct an 880 square foot detached garage with a 800 square foot carport addition. 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. No accessory garages shall exceed a maximum height of 15 feet in all existing zoning districts. The proposed detached garage is 880 square feet in size, the proposed carport is 800 square feet, making the total garage/carport area 1680 square feet, which is 780 square feet over the allowed size of 900 square feet. The proposed garage height is 18 feet which would require a variance of 3 feet.

a. **Dan Morelli of Morelli Design & Construction representing this application.**

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

Mr. Morelli explained his client needs two (2) area variances for a private garage in the Single-Family Residential District. It's not proposed as the building is partially constructed. Mr. Sarju was going to come but he is out of the country. He did not make last month's agenda. The application does not match the agenda. It's a mixed-use area. There are the railroad and a boat shop across the road. The Planning Commission approved a garage for the business next door.. The height at the peak is 18' and 880 square feet. The garage that was damaged stored tools and equipment for his business. A tree fell on it. Mr. Sarju built a garage around the existing garage and then took the original garage down. There was a shed damaged too which has been removed. The carport is not built yet. It is not an undesirable change to the neighborhood as it's a mixed-use area although this is zoned residential. There is a lot of property so does not affect character of the neighborhood. If a permit was received prior to construction then there might be a way to construct without variances but now the only way would be to demolish the building. It is self-created as it was built without a permit.

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

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

Mr. Melillo stated Mr. Sarju took it upon himself to build over the existing garage. Mr. Morelli explained that Mr. Sarju took the proper procedure on the commercial property but thought it was okay for the residential.

Mr. Serafini asked if there were any fines received from the Town. Mr. Morelli said yes that he was fined. The department took the money but if he gets the variance the fine will be returned. Mr. Serafini gives Mr. Morelli credit for being here. He has never heard of someone building a building over another building. He asked if there has been a structural inspection. Mr. Melillo asked about the Alaskan Slab.

Mr. Morelli stated yes and the framing is good. The proposed carport is toward the commercial land.

Stephanie DiLallo-Bitter asked where the land splits from Residential to Commercial. Mr. Morelli highlighted Lot 3 as Commercial and Lot 2 as Residential.

Chairman Eats spoke to the applicant and discussed the fines.

Mr. Serafini commended Mr. Morelli for his presentation on behalf of the applicant and the engineering of the project.

e. **No Public Hearing Comments.**

f. **Motion to APPROVE the variances:** Mr. Stramenga

**Seconded:** Mr. Serafini

g. **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. Bonacquist</b>			<b>X</b>	
<b>Mr. Stramenga</b>	<b>X</b>			
<b>Mr. Serafini</b>	<b>X</b>			



Zoning Board of Appeals

**RESOLUTION NUMBER ZBA46-2025**  
**Moved by Mr. Stramenga, Seconded by Mr. Serafini**  
**Applicant(s): Govin Sarju – 2175 Tower Avenue**

**Applicant(s):** Govin Sarju  
**Project Location:** 2175 Tower Avenue  
**Tax Number or Numbers:** 59.7-10-1.2  
**Zoning:** Single Family Residential (R-1) Zoning District  
**Proposed Project:** The applicant wishes to construct an 880 square foot detached garage with an 800 square foot carport addition.

**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 an 880 square foot detached garage with an 800 square foot carport addition; 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. No accessory garages shall exceed a maximum height of 15 feet in all existing zoning districts; and,

**WHEREAS**, the proposed detached garage is 880 square feet in size, the proposed carport is 800 square feet, making the total garage/carport area 1680 square feet, which is 780 square feet over the allowed size of 900 square feet; and,

**WHEREAS**, the proposed garage height is 18 feet which would require a variance of 3 feet; and,

**WHEREAS**, a legal notice was published in the Schenectady Daily Gazette on Thursday, December 11, 2025, announcing that a public hearing was to take place Wednesday, December 17, 2025 at 7:30 p.m. to consider the variance requests; and,

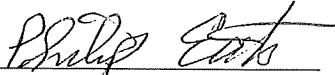
**WHEREAS**, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on December 17, 2025 to consider the above referenced variance request; and,

**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; 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 December 17, 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.

<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. Bonacquist</b>			<b>X</b>	
<b>Mr. Stramenga</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**

**ZBA Meeting  
December 17, 2025**

6) **Gary DiCocco – 210 Chism Street, Rotterdam, NY**, Tax Map #49.19-7-6 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 270-33 entitled “Lot Area, Lot Coverage, Yard Requirements.” The applicant is requesting permission to construct a new single-family dwelling. **Chapter 270-33(B)** states that the side yard width shall be not less than 10 feet. The applicant would like to construct the residence within 2.7 feet of the side property line on west side of the proposed residence. Variances were previously granted to build a single-family residence on this parcel with a five (5) foot side yard setback on June 21, 2023.

a. **Gary DiCocco of 210 Chism Street representing this application.**

A representative for this application was not present during the beginning of the proceedings. Allecia Brutsman of 202 Chism Street was present for the public hearing and the hearing was opened and she was allowed to speak. Ms. Brutsman submitted testimony as well as pictures and a timeline of what had occurred. Her property adjoins 210 Chism to the north. Mr. DiCocco showed up during the public hearing portion of this application while she was speaking and was permitted to speak on his behalf.

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

Mr. DiCocco stated the engineer placed the string where the house was to be built and the excavators dug. They made a mistake. He has never received a stop work order. He is looking for two (2) variances. The house is framed. When the gutters are put on the house that will take care of the runoff. He was given permission to take down three (3) trees which he did at this own expense. It was not his fault. There was not a foundation location. He did not do it on purpose. He has complied with the building department.

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

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

Mr. Stramenga asked about a retaining wall. He also stated that putting up gutters would help the water drain away from her property. Either of them could put up a retaining wall. The two (2) of them need to work something out. There appears to be a lot of interaction and animosity between the two (2) neighbors.

Mr. Serafini suggested Mr. DiCocco and Ms. Brutsman talk and come to some kind of agreement on these matters. He suggested this application to be tabled.

Stephanie DiLallo-Bitter suggested hearing from Mr. DiCocco and to not give suggestions but to come to an agreement. It appears there is a comedy of errors that got us to this point: drainage issue, fencing and retaining wall.

Mr. DiCocco said he has not received a stop work order. He has not stopped working.

e. **Public Hearing Comments.**

Allecia Brutsman of 202 Chism Street had prepared some testimony that was read into the record. She also submitted photographs with dates documenting the work that occurred and some of the alleged trespass onto her property during site preparation and construction.

f. **Motion to TABLED the variances:** Mr. Melillo

**Seconded:** Mr. Serafini

g. **Approved unanimously by Members:**

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



Zoning Board of Appeals

**RESOLUTION NUMBER ZBA47-2025**  
**Moved by Mr. Melillo, Seconded by Mr. Serafini**  
**Applicant(s): Gary DiCocco – 210 Chism Street**  
**TABLED**

**Applicant(s):** Gary DiCocco

**Project Location:** 210 Chism Street

**Tax Number or Numbers:** 49.19-7-6

**Zoning:** Single Family Residential (R-1) Zoning District

**Proposed Project:** The applicant would like to construct the residence within 3.1 feet of the side property line on west side of the proposed residence.

**WHEREAS**, petitioner respectfully requests that he be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-33 entitled "Lot Area, Lot Coverage, Yard Requirements;" and,

**WHEREAS**, the applicant is requesting permission to construct a new single-family dwelling; and,

**WHEREAS**, Chapter 270-33(B) states that the side yard width shall be not less than 10 feet; and,

**WHEREAS**, the applicant would like to construct the residence within 3.1 feet of the side property line on west side of the proposed residence; and,

**WHEREAS**, variances were previously granted to build a single-family residence on this parcel with a seven (7) foot side yard setback on the west side of the property on June 21, 2023; and,

**WHEREAS**, a legal notice was published in the Schenectady Daily Gazette on Thursday, December 11, 2025, announcing that a public hearing was to take place Wednesday, December 17, 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 December 17, 2025 to consider the above referenced variance request; and,

**RESOLUTION NUMBER ZBA47-2025**  
**Applicant: Gary DiCocco – 210 Chism Street**  
**Page 2**

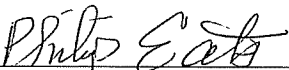
**TABLED**

**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 December 17, 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 **TABLED** said application to the January 21, 2026 meeting.

<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. Bonacquist</b>			<b>X</b>	
<b>Mr. Stramenga</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**

- 7) **170 Caldicott Road, LLC– 2403 First Avenue, Rotterdam, NY**, Tax Map #59.11-7-16 located in the Single Family Residential (R-1) Zoning District. 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 Chapter 270-33 entitled “Yard Requirements”. The applicants are requesting variances in order to allow for the creation of a building lot for the proposed construction of a single-family residence. The variance requests are as follows:

**Lot #1 – Proposed Single Family Residence on First Avenue.** Lot area =±8,906 square feet, Required = 15,000 square feet, Variance = ±6,094 square feet. Frontage = 80 feet, Required =100 feet. Variance = 20 feet.

**Lot #2 – Existing Single-Family Residence at 2403 First Avenue with frontage on Third Street.** Lot area =±6,053 square feet, Required = 15,000 square feet, Variance = ±8,947 square feet. Frontage = 22.78 feet, Required =100 feet, Variance = 77.22 feet.

a. **Sarah Sherwin of 170 Caldicott Road LLC representing this application.**

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

Mrs. Sherwin uses LLC as it is already existing. Property is right next to Carman Park. 2403 First Street looks like a vacant lot. There is a house on it but it is 170 Caldicott Road. It would be better to have a house on the property and it will be consistent with the neighborhood. The new construction will not meet the setback rules. If it is subdivided with 15,000 square feet and 9,000 square feet setbacks it would be fine. It will be an improvement with a cute house on a big lot. It is self-created. It is an odd lot, L shaped. The backyard is a Town Park. The current house is a one (1) bedroom, one (1) bathroom. They just changed the septic. If you order food for 2403 First Avenue; it looks like an empty lot. Mrs. Sherwin submitted a new map utilizing SIMS lite and looked up the square footage of the surrounding lots to show there are other properties in the neighborhood with similar square footage.

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

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

Mr. Serafini clarified the residence fronting on Third Street has 60’ of frontage and the one on First Avenue has 80’ of frontage.

Mr. Comenzo went over the advertisement as described above re; Lot 1 and Lot 2.

Chairman Eats discussed the 6,000 square feet versus 8,000 square feet and being on a septic system. They are flexible with the new lot. The new house will have a bigger year and will need the extra room for the bigger family.

Mr. Melillo stated the granting of a 6,000 square foot lot on septic the Board has denied in the past. The State minimum is 8,000 square feet.

Mr. Serafini used a seatbelt analogy for rules changing. The septic requirements give leeway because the other lot is smaller with a smaller house.

e. **No Public Hearing Comments.**

f. **Motion to APPROVE the variances:** Mr. Serafini

**Seconded:** Mr. Stramenga

g. **Approved unanimously by Members:**

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

Meeting adjourned: 9:55 PM  
Motion to adjourn: Mr. Stramenga  
Seconded: Mr. Serafini  
Approved unanimously

**Next meeting: January 21, 2026**

Respectfully Submitted,  
Lisa R. Gallo



Zoning Board of Appeals

**RESOLUTION NUMBER ZBA48-2025  
Moved by Mr. Serafini, Seconded by Mr. Stramenga  
Applicant(s): 170 Caldicott Road, LLC**

**Applicant(s):** 170 Caldicott Road, LLC

**Project Location:** 2403 First Avenue

**Tax Number or Numbers:** 59.11-7-16

**Zoning:** Single Family Residential (R-1) Zoning District

**Proposed Project:** The applicants are requesting variances to allow for the creation of a building lot for the proposed construction of a single-family residence.

**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 Chapter 270-33 entitled "Yard Requirements;" and,

**WHEREAS,** the applicants are requesting variances in order to allow for the creation of a building lot for the proposed construction of a single-family residence; and,

**WHEREAS,** the variance requests are as follows:

**Lot #1 – Proposed Single Family Residence on First Avenue.**

Lot area =±8,906 square feet	Required = 15,000 square feet	Variance = ±6,094 square feet
Frontage = 80 feet	Required =100 feet.	Variance = 20 feet.

**Lot #2 – Existing Single-Family Residence at 2403 First Avenue with frontage on Third Street.**

Lot area =±6,053 square feet	Required = 15,000 square feet	Variance = ±8,947 square feet
Frontage = 22.78 feet	Required =100 feet	Variance = 77.22 feet; and,

**WHEREAS,** a legal notice was published in the Schenectady Daily Gazette on Thursday, December 11, 2025, announcing that a public hearing was to take place Wednesday, December 17, 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 December 17, 2025 to consider the above referenced variance request; and,

**RESOLUTION NUMBER ZBA48-2025**

**Applicant: 170 Caldicott Road, LLC**

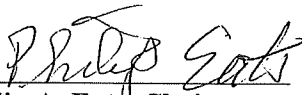
**Page 2**

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 December 17, 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. Bonacquist			X	
Mr. Stramenga	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