

**Town of Rotterdam  
Zoning Board of Appeals Meeting  
Summary Meeting Minutes  
Wednesday, January 21, 2026**

A meeting of the Town of Rotterdam Zoning Board of Appeals was held Wednesday, January 21, 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  
John Mertz, ZBA Attorney  
Peter Comenzo, Sr. Planner  
Lisa Gallo, Secretary

Excused: Craig Serafini

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.

Chairman Eats requested a motion to appoint a Vice Chairman for 2026.

Motion made by Mr. Bonacquist to appoint Mr. Melillo as Vice Chairman of the Zoning Board of Appeals for the year 2026.

Seconded: Mr. Stramenga

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

Approved unanimously.

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.

a. **Robert Zostautas of 67 Whispering Pines Way representing this application.**

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

Mr. Zostautas explained the limitation of the 1,500 square feet in the Senior Living District. The house is on a slab. There is no basement. They want to finish the attic for storage.

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

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

Mr. Bonacquist stated that several of these have come before this Board. It fits in the neighborhood. There no basement in this particular unit. It is not substantial. It is self-created but sees no reason not to support the variance requests.

Mr. Melillo asked if it was only going to be used for storage and not for living space. Mr. Zostautas stated it is not for living space. He wants to insulate and have a 10 X 12 walk in closet for his wife. There is already electric service in the space.

Chairman Eats stated he visited the other properties. He called on the phone and spoke to applicant. They are all identical variances. This is necessary to get finished and make sure they call for inspections.

**Robert & Theresa Zostautas  
67 Whispering Pines Way**

e. **No Public Hearing Comments.**

f. **SEQR requirement:** Chairman Eats read the following into the record: “(11) construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (13) of this subdivision and the installation, maintenance or upgrade of a drinking water well or a septic system or both, and conveyances of land in connection therewith; Upon reviewing the facts and circumstances surrounding this application we declare this a Type II action and it is therefore exempt from SEQR”

g. **Motion to APPROVE the variance:** Mr. Melillo

h. **Seconded:** Mr. Stramenga

i. **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 ZBA2-2026**  
**Moved by Mr. Bonacquist, Seconded by Mr. Stramenga**  
**Applicant(s): Hungry Hill Ventures, LLC**

**Applicant(s):** Robert & Theresa Zostautas  
**Project Location:** 67 Whispering Pines Way  
**Tax Number or Numbers:** 71.5-3-67  
**Zoning:** Senior Living Zoning District (SLD)  
**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**, 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; 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**, 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**, 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 15, 2026 announcing that a public hearing was to take place Wednesday, January 21, 2026 at 7:30 p.m. to consider the variance requests; and,

**RESOLUTION NUMBER ZBA2-2026**  
**Applicant: Robert & Theresa Zostautas**  
**Page 2**

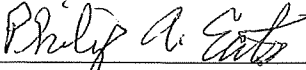
**WHEREAS**, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on January 21, 2026 to consider the above referenced variance request; and,

**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

**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 21, 2026 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. 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**

**ZBA Meeting  
January 21, 2025**

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.

**a. Spencer Lanning, project contractor for 70 Whispering Pines Way representing this application.**

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

Mr. Lanning stated he is going to finish the upstairs space as a craft room with a closet. All building will meet the framing, electrical, and every NYS Building Code. Mr. Lanning went through the five (5) criteria. It is a preexisting framed space and not impact the neighbors. No one will know that the work is being done. The existing code caps the living space at 1,500 square feet. It is not substantial. It is 20 degrees up there in the space. This will alleviate that. It is self-created

**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.

Mr. Stramenga spoke to the owner. It is the same as the rest and feels they can go ahead with what they are doing.

Mr. Bonacquist agrees with Mr. Melillo. It is the same as the others.

Chairman Eats visited the property with his coat on because of the weather. This is not like the first owner who started and then had to get a variance.

e. **No Public Hearing Comments.**

f. **SEQR requirement:** Chairman Eats read the following into the record: “(11) construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (13) of this subdivision and the installation, maintenance or upgrade of a drinking water well or a septic system or both, and conveyances of land in connection therewith; Upon reviewing the facts and circumstances surrounding this application we declare this a Type II action and it is therefore exempt from SEQR”

g. **Motion to APPROVE** Mr. Bonacquist

h. **Seconded:** Mr. Melillo

i. **Approved unanimously by Members:**

NAME	AYES	NOES	EXCUSED	RECUSED
<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>	



Zoning Board of Appeals

**RESOLUTION NUMBER ZBA3-2026**  
**Moved by Mr. Bonacquist, Seconded by Mr. Melillo**  
**Applicant(s): Philip & Lisa Wend**

**Applicant(s):** Philip & Lisa Wend  
**Project Location:** 70 Whispering Pines Way  
**Tax Number or Numbers:** 71.5-3-70  
**Zoning:** Senior Living Zoning District (SLD)  
**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**, 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; 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**, 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**, 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 15, 2026 announcing that a public hearing was to take place Wednesday, January 21, 2026 at 7:30 p.m. to consider the variance requests; and,

**RESOLUTION NUMBER ZBA3-2026**

**Applicant: Philip & Lisa Wend**

**Page 2**

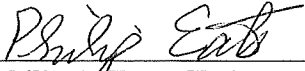
**WHEREAS**, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on January 21, 2026 to consider the above referenced variance request; and,

**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 January 21, 2026 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. 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**

**ZBA Meeting  
January 21, 2025**

**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,” 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.

**a. Chris Longo, of Empire Engineering representing this application.**

Angelo Melillo recused himself from this application due to his current employment at Schenectady County Engineering and the possibility of this application coming before him to review for the issuance of permits.

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

Mr. Longo explained Scott Perillo of Dunnsville Properties, LLC is here. This application went before the Planning Commission in July and they have been diligently working on the two (2) conditions that the Planning Commission had on the project and wanted resolved before this project came back to them. The first one was the Planning Commission declared lead agency so the Zoning Board could not act on the application until the SEQR review was completed. The Planning Commission in November completed SEQR and issued a Negative Declaration on this proposed subdivision. The second condition was the rear stream, the Normanskill, and which the questions of the potential presence of a jurisdictional wetland based upon the newly adopted DEC regulations. The applicant hired a wetland specialist and prepared a report that was reviewed by DEC. The biologist also met on site with DEC. It was determined that there were no jurisdictional wetlands on the site. There is however a 100’ buffer from the stream. There will not be any disturbance of the stream. They do not need any DEC permits. They are proposing two (2) single family dwelling. They are disturbing less than an acre of land so a SWPPP is not required however, the applicant will provide a rear silt fence to protect the stream. There are four (4) variances being requested: Lot size for the first parcel is 0.92 acres and the second parcel is 0.76. These variances are less than 25%. The other two (2) are for the front property line. Both lots are 134.5 feet so they only require 15 or so feet which are less than 10% variances. The Dunnsville Road area is residential. This proposed subdivision is within character of the neighborhood. It cannot be achieved by other means because they cannot acquire other frontage or land. They are not substantial as mentioned above. The lots are comparable to the lots in the area. No environmental impacts. It is self-created.

**c. This proposal is not exempt from referral to Schenectady County Planning**  
Schenectady County Economic Development and Planning responded to the 239-m and deferred to local consideration in July of 2025.

SEQR Unlisted Action – Planning Commission issued a Negative Declaration on this project on November 18, 2025.

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

Mr. Stramenga stated there was enough discussions going on at the first meeting of this project. The issues have been cleared up so he has no problem with this.

Mr. Bonacquist thanked Mr. Longo for being patient through all the hoops he had to jump through. He stated the area is zoned Agricultural and he could just build one (1) house on the lot but this proposal is in character with the neighborhood. The variances are not substantial. The lot sizes proposed are similar with the area. There are sea run eels in the Normans Kill and I am happy to see that you will be protecting them with the proposed silt fencing. It is self-created but most variances are.

**e. No Public Hearing Comments.**

**f. SEQR requirement:** Chairman Eats read the following into the record; “With respect to the application of Dunnsville Properties, LLC for 271 Dunnsville Road, the Zoning Board of Appeals is acting solely on the requested area variances from the frontage requirement in § 270 21(D) and the minimum lot area requirement in § 270 22 of the Town of Rotterdam Zoning Code, and is not re hearing or modifying any subdivision or site plan approvals, which remain within the jurisdiction of the Planning Commission. SEQR UNLISTED ACTION - PLANNING COMMISSION ISSUED A NEGATIVE DECLARATION ON THIS PROJECT ON November 18, 2025.”

**g. Motion to APPROVE** Mr. Bonacquist

**h. Seconded:** Mr. Stramenga

**i. Approved unanimously by Members:**

NAME	AYES	NOES	EXCUSED	RECUSED
<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>	



Zoning Board of Appeals

**RESOLUTION NUMBER ZBA4-2026**

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

**Applicant(s): Dunnsville Properties, LLC**

**Applicant(s):** Dunnsville Properties, LLC  
**Project Location:** 271 Dunnsville Road  
**Tax Number or Numbers:** 57.00-6-2  
**Zoning:** Agricultural (A-1) Zoning District  
**Proposed Project:** The applicants are requesting variances to subdivide an existing 1.68-acre lot into two lots

**WHEREAS**, 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," Chapter 270-22 entitled "Lot Area;" and,

**WHEREAS, Chapter 270-21(D)** states that the front property line shall be a minimum of 150 feet; and,

**WHEREAS**, the applicants are requesting front property lines of 134.5 for each proposed lot which would require a variance of 15.5 feet; and,

**WHEREAS**, the applicants are requesting variances to subdivide an existing 1.68-acre lot into two lots; and,

**WHEREAS, Chapter 270-22** requires a lot area of one acre for each principal use; and

**WHEREAS**, 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; and,

**WHEREAS**, this project is classified as an Unlisted Action under SEQR, the Planning Commission conducted a coordinated review and issued a Negative Declaration on November 18, 2025; and,

**WHEREAS**, a legal notice was published in the Schenectady Daily Gazette on Thursday, July 10, 2025 announcing that a public hearing was to take place Wednesday, July 16, 2025 at 7:30 p.m. to consider the variance requests; and,

**RESOLUTION NUMBER ZBA4-2026**  
**Applicant: Dunnsville Properties, LLC**  
**Page 2**

**WHEREAS**, a legal notice was published in the Schenectady Daily Gazette on Thursday, January 9, 2026 announcing that a public hearing was to take place Wednesday, January 21, 2026 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 January 21, 2026 to consider the above referenced variance request; and,

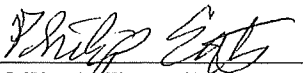
**WHEREAS**, pursuant to a Memorandum of Understanding dated April 2011 with the Schenectady County Department of Planning and Economic Development this project is not exempt from review, and

**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 21, 2026 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. 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) 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.

**a. Luigi Palleschi of ABD Engineers and Surveyors representing this application.**

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

Mr. Palleschi explained this project was presented to the Planning Commission. It is the existing Philomenia apartments which are not Fort Hunter Preserve. It is located on Fort Hunter and Carman Road. Mr. Nichols bought this and there was an agreement to bring the sewer down Carman Road and they had to connect. They have decommissioned the septic this fall and the at effort is complete. They went through the NYSDEC process and it was reviewed and inspected by the Town. All the buildings have been connected to the municipal sewer. Mr. Nichols also had to install new water meters on the buildings per the agreement to expand the project. They presented to the Planning Commission with five (5) buildings. The Planning Commission wanted to see more amenities, so they decreased the proposed building to four (4). The proposed buildings are eight (8) units each. There are 182 existing bedrooms. The zoning only allows for 154. They are asking for 64 more bedrooms. This project will benefit the Town. It is already multi-family in this area, the project is essentially infill, and now on municipal sewer. There will not be any detriment to the neighborhood. They cannot obtain any more land. It is substantial but the connection to sewer in District #7 benefit the existing users and community. They were required to make the connection to the sewer in a certain time period.

**c. This proposal is not exempt from referral to Schenectady County Planning** Schenectady County Economic Development and Planning deferred to local consideration in November of 2025.

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

Mr. Bonacquist stated it is in keeping with the neighborhood. It is an interesting setting as you don't know it is there unless you drive through it. It is substantial but is mitigated by the sewer. It works well with the infill. It is self-created but does not see any reason not to support.

Mr. Melillo stated he did a great job answering the questions and he agrees with Mr. Bonacquist.

Mr. Stramenga said he was glad they decommissioned the septic and tied into the sewer.

Chairman Eats said it is not affecting the neighbors. He is glad they honored the request of the Planning Commission by eliminating one (1) building. He said Mr. Palleschi answered all the questions to his satisfaction.

- e. **No Public Hearing Comments.**
- f. **SEQR Requirement:** Chairman Eats read the following into the record “Upon reviewing the facts and circumstances surrounding this application we declare this an Unlisted Action and it therefore requires SEQR. Applicant has completed an Environmental Assessment Form. The Zoning Board will conduct an uncoordinated SEQR review and make a separate determination addressing the area variance only.

Mr. Comenzo recited all the Part 2 of the Short EAF questions to the Board. The Board answered all question with no impact or small impact. The Zoning Board concluded that the variance will not have an adverse impact on the environment and issued the Negative Declaration.

Before the motion Chairman Eats read the following into the record. “With respect to the application of Fort Hunter Philomenia Holdings, LLC for 1175 Fort Hunter Road, the Zoning Board of Appeals is acting solely on the requested area variance from the lot-area-per-bedroom requirement in § 270-49 of the Town of Rotterdam Zoning Code, and is not re-hearing or modifying any site plan or other land use approvals for the apartment complex, which remain within the jurisdiction of the Planning Commission.”

- g. **Motion to APPROVE** Mr. Melillo
- h. **Seconded:** Mr. Bonacquist
- i. **Approved unanimously by Members:**

NAME	AYES	NOES	EXCUSED	RECUSED
<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>	

Meeting adjourned: 8:20 PM  
 Motion to adjourn: Mr. Stramenga  
 Seconded: Mr. Melillo  
 Approved unanimously

**Next meeting: February 18, 2026**

Respectfully Submitted,  
 Lisa R. Gallo

# Short Environmental Assessment Form

## Part 1 - Project Information

11/05/11

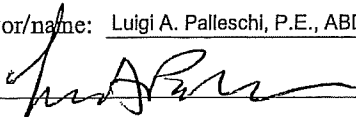
### Instructions for Completing

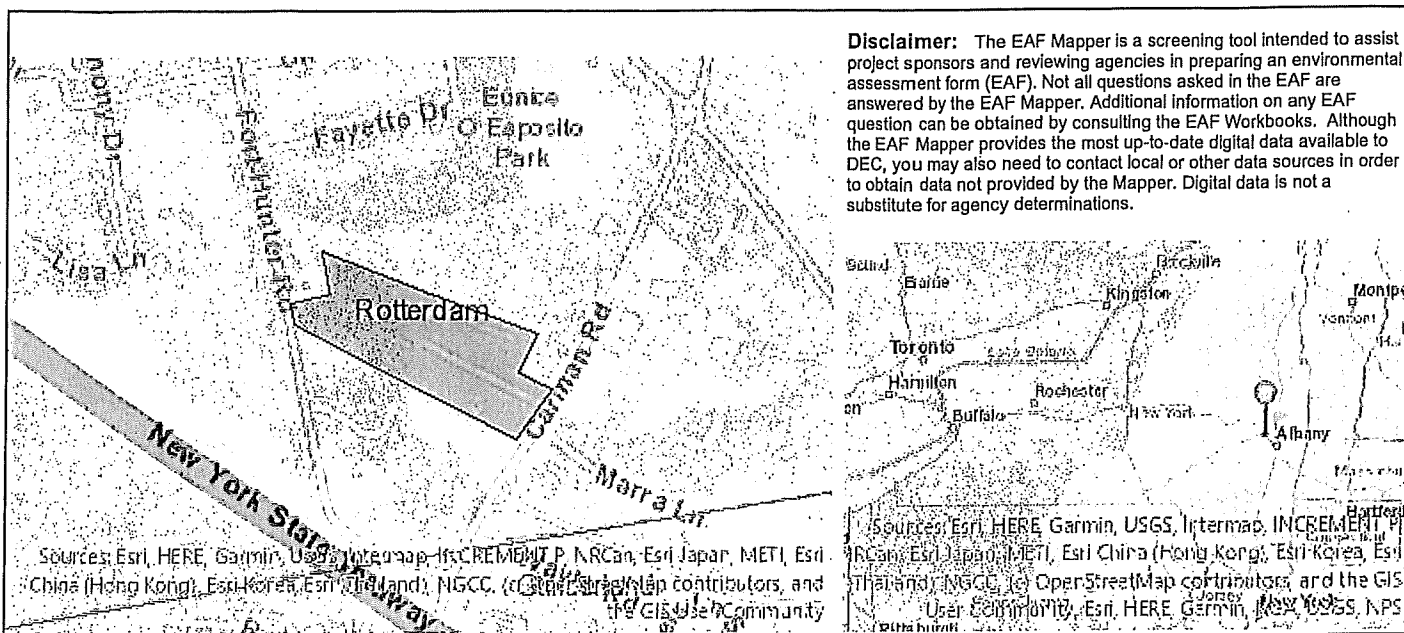
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Residence at Fort Hunter Expansion			
Project Location (describe, and attach a location map): 1175 Fort Hunter Road, Schenectady, NY 12303			
Brief Description of Proposed Action: Applicant is proposing to construct 4 new buildings with 32 apartment units with landscaping, parking areas, and stormwater utilities. Complex already has 108 units, totaling 140 as proposed. Project will connect to municipal sewer and water. On site infiltration basin will also be proposed.			
Name of Applicant or Sponsor: Fort Hunter Philomena Holdings, LLC		Telephone: 518-640-4080 E-Mail: pnichols@paragonprimefunding.com	
Address: PO Box 990			
City/PO: Latham		State: NY	Zip Code: 12110
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Planning Commission, Zoning Board of Appeals		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		10.85 acres	
b. Total acreage to be physically disturbed?		2.42 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		10.85 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Karner Blue	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,  a. Will storm water discharges flow to adjacent properties?  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ Dry wells, infiltration basins and rain gardens will be constructed to infiltrate storm water.	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: <u>Luigi A. Palleschi, P.E., ABD Engineers &amp; Surveyors, LLP</u> Date: <u>Revised January 2, 2026</u>  Signature: <u></u> Title: <u>Professional Engineer</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Karner Blue
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

Project: Philomena Apts. 1175 Ft. Hunter  
 Date: January 21, 2026

**Short Environmental Assessment Form**  
**Part 2 - Impact Assessment**

**Part 2 is to be completed by the Lead Agency.**

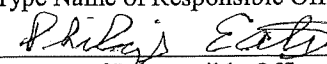
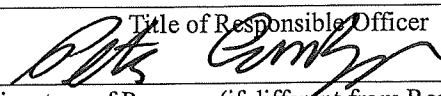
Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### *Short Environmental Assessment Form Part 3 Determination of Significance*

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Rotterdam Zoning Board of Appeals	January 21, 2026
Name of Lead Agency	Date
Philip Eats	Zoning Board of Appeals Chairman
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)



Zoning Board of Appeals

**RESOLUTION NUMBER ZBA5-2026**  
**Moved by Mr. Melillo, Seconded by Mr. Bonacquist**  
**Applicant(s): Fort Hunter Philomenia Holdings, LLC**

**Applicant(s):** Fort Hunter Philomenia Holdings, LLC  
**Project Location:** 1175 Fort Hunter Road  
**Tax Number or Numbers:** 71.6-4-20.21  
**Zoning:** Multiple Family (R-3) Zoning District  
**Proposed Project:** The applicant is proposing to construct 32 apartment units containing 64 bedrooms.

**WHEREAS**, petitioners respectfully request that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-49 entitled "Lot area;" and,

**WHEREAS**, **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; and,

**WHEREAS**, the apartment complex currently contains 6 buildings with a total of 182 bedrooms; and,

**WHEREAS**, the applicant is proposing to construct 32 apartment units containing 64 bedrooms; and,

**WHEREAS**, the parcel size totals 10.85 acres of property or 472,832 square feet and based upon Town Code, the applicant would be permitted to have up to 154 bedrooms; and,

**WHEREAS**, the applicant is seeking to construct 64 new bedrooms for a total of 246 bedrooms which would require a variance of 92 bedrooms; and,

**WHEREAS**, the applicant has completed an Environmental Assessment Form and the Zoning Board of Appeals conducted an uncoordinated SEQR review for the area variance only; and,

**RESOLUTION NUMBER ZBA5-2026**

**Applicant: Fort Hunter Philomenia Holdings, LLC**

**Page 2**

**WHEREAS**, a legal notice was published in the Schenectady Daily Gazette on Thursday, January 9, 2026 announcing that a public hearing was to take place Wednesday, January 21, 2026 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 January 21, 2026 to consider the above referenced variance request; and,

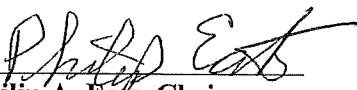
**WHEREAS**, pursuant to a Memorandum of Understanding dated April 2011 with the Schenectady County Department of Planning and Economic Development this project is not exempt from review, and

**WHEREAS**, Schenectady County Economic Development and Planning responded to the 239-m notification and 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 21, 2026 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