

**Town of Rotterdam
Zoning Board of Appeals Meeting
Summary Meeting Minutes
Wednesday, April 16, 2025**

A meeting of the Town of Rotterdam Zoning Board of Appeals was held Wednesday, April 16, 2025 at 7:30 p.m. at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York.

| | | |
|----------|--|----------|
| Present: | Philip Eats, Chairman Angelo Melillo, Vice Chairman Bruce Bonacquist Alex Stramenga Craig Serafini Matt McAuliffe for Stephanie DiLallo-Bitter, ZBA Attorney Peter Comenzo, Sr. Planner Lisa Gallo, Secretary | Excused: |
|----------|--|----------|

The agenda for the evening was discussed. Chairman Eats called the meeting to order. The Pledge of Allegiance to the Flag was recited. Attendance was taken.

- 1) **Adam Kerwin – 933 Vischer Avenue, Rotterdam, NY** - Tax Map #48.20-1-13 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 270-31 entitled “Lot Area,” and Chapter 270-33 entitled “Yard Requirements.” The applicant is requesting variances in order to construct a new single-family residence. **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 construct a new single-family residence on a 6,460 square foot lot that has a lot width of 34 feet. This would require a variance of 8,540 square feet for lot area and 66 feet for lot width. **Chapter 270-33(B)** states that the “side yard width shall be not less than 10 feet.” The applicant is proposing a side yard width of 9 feet on the northern side yard and 5 feet on the southern side yard. This would require variances of one foot on the northern side yard and five feet on the southern side yard.

- a. **Tony Trimarchi of IPL Engineering representing this application.**

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

Mr. Trimarchi explained the lot is undersized and would need variance for the lot size and setbacks. It will be a two-story house without a basement. It complies with the neighborhood. There is a big two-family on the one side and this is just a one-family. There will be off-street parking. They are proposing a garage. The owner purchased a piece of property in the back so the lot would be 190’ deep. Mr. Trimarchi handed out tax maps showing that 90% of the properties in the area are around this size. They are proposing 9’ on the left side and 5’ on the right in case have to go in the backyard. There is a utility pole that was moved from the edge of the property in the last 10 years. The plans are reversed and will be resubmitted for the building permit as the driveway would be obstructed by the relocated pole. There is no other land to obtain. Yes, it is substantial however 90% of the lots in the area are similar in size. This new home will improve the neighborhood. The lot is existing. Chairman Eats described why it is self-created as they are seeking relief from the ordinance.

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

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

Mr. Bonacquist stated it is not an undesirable change to the character of the neighborhood. He said the benefit you seek can not be achieved by other means. The variance requests are within reason to grant. Mr. Trimarchi said he represents the purchaser. We are not looking at this for people to make money or turn a profit. Mr. Bonacquist stated it is substantial but given the lot sizes and widths in the neighborhood it is mitigated. It is also mitigated by the fact that there are sewers in the area. There will not be any negative impacts on the neighborhood. It is self-created but if you evaluate each criteria, he can support the variance requests.

Mr. Melillo agreed with Mr. Bonacquist.

Mr. Stramenga did not have any questions. He stated it is an improvement.

Mr. Serafini said Mr. Bonacquist went through all the criteria. If the lot was maintained by the owner that he would be a stronghold to make it look better. It would look better as a house. It is 100% self-created but it is justified by the neighborhood. Mr. Serafini also asked about the survey and if it was computer generated. They did do with computer before they put too much work and money into it without knowing if the variance would be granted.

Chairman Eats spoke to the owner and contract vendee. He spoke to the neighbors. The neighbors would like to lot cleaned up. The one neighbor would have liked to purchase. Chairman Eats agrees with Mr. Bonacquist.

- 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 the variances:** Mr. Bonacquist

Seconded: Mr. Stramenga

- h. **Approved unanimously:**

| 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 ZBA10-2025
Moved by Mr. Bonacquist, Seconded by Mr. Stramenga
Applicant(s): Adam Kerwin

Applicant(s): Adam Kerwin
Project Location: 933 Vischer Avenue
Tax Number or Numbers: 48.20-1-13
Zoning: Single Family Residential (R-1) Zoning District
Proposed Project: The applicant is requesting variances in order to construct a new single-family residence

WHEREAS, petitioner respectfully requests that he 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, 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 construct a new single-family residence on a 6,460 square foot lot that has a lot width of 34 feet; and,

WHEREAS, this would require a variance of 8,540 square feet for lot area and 66 feet for lot width; and,

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

WHEREAS, the applicant is proposing a side yard width of 9 feet on the northern side yard and 5 feet on the southern side yard; and

WHEREAS, this would require variances of one foot on the northern side yard and five feet on the southern side yard; and

WHEREAS, this project is classified as a Type 2 Listed Action – 6NYCRR Part 617 under SEQR; and,

RESOLUTION NUMBER ZBA10-2025

Applicant: Adam Kerwin

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WHEREAS, a legal notice was published in the Schenectady Daily Gazette on Friday, April 11, 2025 announcing that a public hearing was to take place Wednesday, April 16, 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 April 16, 2025 to consider the above referenced variance request; and,


WHEREAS, pursuant to a Memorandum of Understanding dated April 2011 with the Schenectady County Department of Planning and Economic Development this project is exempt from review, NOW,

IT IS HEREBY RESOLVED, that the Rotterdam Zoning Board of Appeals has considered the foregoing five (5) criteria as evidenced by the application materials of the April 16, 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 with the following condition:

- 1) Proposed building plans that were presented at the April 16, 2025 Public Hearing shall be the same structure but the floor plan reversed to allow for driveway access and avoidance of the relocated utility pole.

| NAME | AYES | NOES | EXCUSED | ABSTAIN |
|----------------|------|------|---------|---------|
| 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

ZBA Meeting
April 16, 2025

2) **Michael Fiano – 2475 Putnam Road, Rotterdam, NY**, Tax Map #37.00-2-8.2 located in the Agriculture (A-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 768 square foot detached garage with a height of 17.7 feet in the front yard. The variance request(s) are as follows: **Chapter 270-138(b)(2)** “Yards” states that no detached accessory structure shall be located in the front yard of any lot. The applicant is seeking to construct the garage in what is considered the front yard. **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 768 square feet, and the existing garage is 576 square feet which would make the total garage space 1,344 square feet, which is 444 square feet over the allowed size of 900 square feet. The proposed garage height is 17.7 feet and is 2.7 feet over the allowed height of 15 feet.

a. **Michael Fiano of 2475 Putnam Road representing this application.**

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

Mr. Fiano want to construct a 24’ X 32’ detached garage. His property is zoned Agricultural. It is a six (6) acre heavily wooded lot. The home is 275’ from the road. There will not be an undesirable change to the character of the neighborhood. The neighbors will not see the garage as it will be 275’ from the road. The attached garage stores his vehicles. He needs the square footage for tractor, riding lawn mower, snow plow and other items needed to take care of the property. It is only 440 square feet over the 900’ allowed. It is in character with other homes in the area. It is self-created.

There was a discussion about how many variances he was requesting. There were three (3) advertised and that is what he needs.

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 stated it is a six (6) acre wooded parcel and even though the garage will be located in the front yard with the size of the lot it is mitigated.

Mr. Serafini agrees with Mr. Melillo.

Mr. Bonacquist asked if there would be water running to the garage and Mr. Fiano said no. It is a large variance but mitigated by the amount of space.

Chairman Eats visited the property. He stated the County deferred to local consideration. It is one flat part of the land.

- e. **Public Hearing Comments.**
- f. **This variance request is classified as a Type 2 Listed Action – 6NYCRR Part 617 under SEQR.**
- g. **Motion to Approve:** Mr. Melillo
Seconded: Mr. Serafini
- h. **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 ZBA11-2025
Moved by Mr. Melillo, Seconded by Mr. Serafini
Applicant(s): Michael Fiano

Applicant(s): Michael Fiano
Project Location: 2475 Putnam Road
Tax Number or Numbers: 37.00-2-8.2
Zoning: Agricultural (A-1) Zoning District
Proposed Project: The applicant wishes to construct a 768 square foot detached garage with a height of 17.7 feet in the front yard.

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, Chapter 270-138(b)(2) "Yards" states that no detached accessory structure shall be located in the front yard of any lot; and,

WHEREAS, the applicant is seeking to construct the garage in what is considered the front yard; 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 768 square feet, and the existing garage is 576 square feet which would make the total garage space 1,344 square feet, which is 444 square feet over the allowed size of 900 square feet; and

WHEREAS, the proposed garage height is 17.7 feet and is 2.7 feet over the allowed height of 15 feet; and

WHEREAS, this project is classified as a Type 2 Listed Action – 6NYCRR Part 617 under SEQR; and,

RESOLUTION NUMBER ZBA11-2025

Applicant: Michael Fiano

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WHEREAS, a legal notice was published in the Schenectady Daily Gazette on Friday, April 11, 2025 announcing that a public hearing was to take place Wednesday, April 16, 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 April 16, 2025 to consider the above referenced variance request; and,

WHEREAS, pursuant to a Memorandum of Understanding dated April 2011 with the Schenectady County Department of Planning and Economic Development this project is exempt from review, **NOW**,

IT IS HEREBY RESOLVED, that the Rotterdam Zoning Board of Appeals has considered the foregoing five (5) criteria as evidenced by the application materials of the April 16, 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**

**ZBA Meeting
April 16, 2025
TABLED**

3) **Courtney Mafrici – 1041 O’Brien Avenue, Rotterdam, NY** - Tax Map #59.14-4-18 in the Single Family Residential (R-1) Zoning District. Petitioner respectfully requests that she be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-33 entitled “Yard Requirements.” The applicant is requesting to construct a 12’ by 26’ addition onto an existing single-family residence within 15 feet of the front property line. **Chapter 270-33(A)** states that the “front yard depth shall be 25 feet.” The applicant is requesting a setback of 15 feet which would require a variance of 10 feet. Property is a corner lot.

a. **Courtney Mafrici of 1041 O’Brien Avenue representing this application.**

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

Ms. Mafrici submitted a smaller map of the survey. She lives on a corner lot on a dead-end. She would like to extend the house with a bedroom and car port. She needs to move her mom in as she is having health issues. It will go out 21’ from the house. No solidified plans yet as she wants to make sure she can get the variance before spending the money. There is not a house on that side just road. There is a septic tank in the back. It is not a large variance. There is no adverse effect. Several people in the are have additions. She spoke to the neighbors and they do not have any issues with the addition.

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

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

Mr. Melillo said the County does not have any distance requirements from an intersection but does not know if the Town does. It was suggested to contact the Town Highway Superintendent. Mr. Melillo did not have any concerns about the variance.

Mr. Bonacquist suggested tabling the project because in reviewing the large map the addition is 21’ x 26’ and not a 12’ x 26’ and this will need to be readvertised. He did visit the property. He can support the readvertised 6’ variance.

Mr. Serafini suggested switching the carport and the bedroom. Ms. Mafrici said the meter is on that side and she would have to move the air conditioner.

There is minimal traffic on the corner.

Mr. Comenzo said he could assist with the curb cut.

Everyone apologized for the mistake. Ms. Mafrici said she understood as the 21’ did look like a 12’.

Chairman Eats met with the applicant. He also spoke to the neighbor that is a long distance away and he had no objections.

- e. No Public Hearing Comments.
- f. This variance request is classified as a Type 2 Listed Action – 6NYCRR Part 617 under SEQR.
- g. Motion to **TABLE** to the May 21, 2025 meeting: Mr. Bonacquist
Seconded: Mr. Stramenga
- h. Approved unanimously to **TABLE**:

| 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 ZBA12-2025
Moved by Mr. Bonacquist, Seconded by Mr. Stramenga
Applicant(s): Courtney Mafri
TABLED

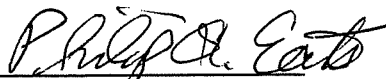
Applicant(s): Courtney Mafri
Project Location: 1041 O'Brien Avenue
Tax Number or Numbers: 59.14-4-18
Zoning: Single Family Residential (R-1) Zoning District
Proposed Project: The applicant is requesting to construct a 21' by 26' addition onto an existing single-family residence.

WHEREAS, the applicant is requesting to construct a 21' by 26' addition onto an existing single-family residence; and,

WHEREAS, a legal notice was published in the Schenectady Daily Gazette on Friday, April 11, 2025 announcing that a public hearing was to take place Wednesday, April 16, 2025 at 7:30 p.m. to consider the variance requests which was improperly noticed; NOW,

IT IS HEREBY RESOLVED, that the Rotterdam Zoning Board of Appeals hereby **TABLED** said application to May 21, 2025 public meeting to be properly noticed with the correct variance information.

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


Philip A. Eats, Chairman
Zoning Board of Appeals

**ZBA Meeting
April 16, 2025**

4) **Keegan Easton – 330 Stoodley Place, Rotterdam, NY, Tax Map #59.19-6-7** located in the Single Family Residential (R-1) Zoning District. Petitioner respectfully requests that she 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 place a 10’ x 20’ detached shed on the property. The variance request(s) are as follows:
Chapter 270-138(b)(2) states that every detached accessory structure shall be located no less than five feet from a side or rear property line. The applicant would like to locate the shed within 3 feet of the side property line which would require a variance of 2 feet.

a. **Keegan Easton of 330 Stoodley Place representing this application.**

Mr. Easton submitted a note from the neighbors at 334 Stoodley Place stating they do not have any issues with the shed being three (3) feet from the property line.

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

Mr. Easton said he needs a two (2) foot variance for a shed in his backyard. It is away from his fence line so he can maintain that area. He placed it farther away than the existing shed. It can not be achieved by other means because of the slope and the septic tank in the yard. He does not believe it is substantial. If he put it five (5) feet in the yard it would be more noticeable. It is self- created. The existing shed is in disrepair. Originally wanted one and a half (1 ½) foot but became aware of the three (3) foot and fire rating so placed it farther away.

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

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

Mr. Serafini said it is tough to be last. There are no negative impacts and he is happy to support the variance.

Mr. Bonacquist thanked the applicant for his patients and agreed with Mr. Serafini.

Mr. Melillo agrees also.

Mr. Stramenga stated he visited the property. He saw the dogs in the window. He does not have a problem with this.

Chairman Eats talked to the neighbor. The backyard has a slope of four (4) to five (5) feet and it also contains the septic tank. The applicant worked with the Board and lessened the original variance request.

- 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 the variance:** Mr. Serafini
Seconded: Mr. Melillo
- h. **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: 8:45 PM
Motion to adjourn: Mr. Stramenga
Seconded: Mr. Bonacquist
Approved unanimously

Next meeting: May 21, 2025

Respectfully Submitted,
Lisa R. Gallo



Zoning Board of Appeals

**RESOLUTION NUMBER ZBA13-2025
Moved by Mr. Serafini, Seconded by Mr. Melillo
Applicant(s): Keegan Easton**

Applicant(s): Keegan Easton

Project Location: 330 Stoodley Place

Tax Number or Numbers: 59.19-6-7

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

Proposed Project: The applicant wishes to place a 10' x 20' detached shed on the property.

WHEREAS, petitioner respectfully requests that she 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 place a 10' x 20' detached shed on the property; and,

WHEREAS, Chapter 270-138(b)(2) states that every detached accessory structure shall be located no less than five feet from a side or rear property line; and,

WHEREAS, the applicant would like to locate the shed within 3 feet of the side property line which would require a variance of 2 feet; and,

WHEREAS, this project is classified as a Type 2 Listed Action – 6NYCRR Part 617 under SEQR; and,

WHEREAS, a legal notice was published in the Schenectady Daily Gazette on Friday, April 11, 2025 announcing that a public hearing was to take place Wednesday, April 16, 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 April 16, 2025 to consider the above referenced variance request; and,

WHEREAS, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on April 16, 2025 to consider the above referenced variance request; and,

RESOLUTION NUMBER ZBA13-2025

Applicant: Keegan Easton

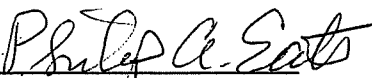
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WHEREAS, pursuant to a Memorandum of Understanding dated April 2011 with the Schenectady County Department of Planning and Economic Development this project is exempt from review, **NOW**,

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 April 16, 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