

**Town of Rotterdam
Zoning Board of Appeals Meeting
Summary Meeting Minutes
Wednesday, February 18, 2026**

A meeting of the Town of Rotterdam Zoning Board of Appeals was held Wednesday, February 18, 2026 at 7:30 p.m. at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York.

Present:	Philip Eats, Chairman	Excused: Peter Comenzo
	Angelo Melillo, Vice Chairman	
	Bruce Bonacquist	
	Craig Serafini	
	Alex Stramenga	
	John Mertz, Attorney	
	Donna Levasseur, Secretary	

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
February 18, 2026**

1) **Mary Beth Patrick – 65 Whispering Pines Way, Rotterdam, NY - Tax Map #71.5-3-65** 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 of one bedroom, one bedroom and den, two-bedroom units, and two bedrooms 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. **Lou Lecce who is the owner of Whispering Pines Development, represented the applicant on this variance request.**

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

Mr. Lecce explained Ms. Patrick is requesting the variance to finish off the attic space for home storage, and a heated space. He explained that it will not create an undesirable change to the character of the neighborhood or the detriment of nearby properties, if it is granted. This work is all being done indoors, it does not affect the outside character of the neighborhood or the community. It will all be encompassed within the home, so the home will look the same as it is currently, with or without the attic being finished. It cannot be achieved by any other means because the senior living district limits the square footage of habitable space of 1,500 square feet.

c. **This proposal is exempt from referral to Schenectady County Planning 239-m review**

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

Mr. Melillo had no questions, but commented this is probably the 14th or 15th one of these that has come before the Board.

Mr. Serafini had no questions but made a brief statement. He said he does believe it is self-created. The person buying the home does know what the requirements and rules are. In the past, the Board has unanimously approved them, and he does not see that it will be an issue here.

Chairman Eats said he did meet with the applicant and discussed the criteria. She told me she will be using it for storage. Right now, the temperature in the upstairs area is not conducive to that.

e. **No Public Hearing Comments.**

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

Mr. Serafini

Seconded:

Mr. Bonacquist

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 ZBA6-2026
Moved by Mr. Serafini, Seconded by Mr. Bonacquist
Applicant(s): Mary Beth Patrick**

Applicant(s): Mary Beth Patrick

Project Location: 65 Whispering Pines Way

Tax Number or Numbers: 71.5-3-65

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

WHEREAS, a legal notice was published in the Schenectady Daily Gazette on Thursday, February 12, 2026 announcing that a public hearing was to take place Wednesday, February 18, 2026 at 7:30 p.m. to consider the variance requests; and,

RESOLUTION NUMBER ZBA6-2026

Applicant: Mary Beth Patrick

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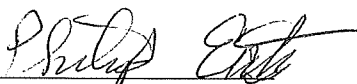
WHEREAS, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on February 18, 2026 to consider the above referenced variance request; and,

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; **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 February 18, 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

**ZBA Meeting
February 18, 2026**

2) Janet E. Thiel – 76 Whispering Pines Way, Rotterdam, NY - Tax Map #71.5-3-76 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 of one bedroom, one bedroom and den, two-bedroom units, and two bedrooms 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. Janet Thiel 76 Whispering Pines Way representing this application.

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

Ms. Theil explained she was here to request permission to have work done on her unfinished attic. The attic needs more insulation. The cold air seeps out from under the door and affects the temperature in her mom’s room located just below the stairway. She also stated she would like to use the extra space for storage of her collectibles and hobbies such as artwork, books, knitting, and family ancestry research. She feels the request will not create an undesirable change to the neighborhood because all the work is done inside. She feels it cannot be achieved any other way. As it is, the attic is too cold in the winter and too hot in the summer to store her antiques and other collectibles.

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

d. Questions/comments from the Board.

Mr. Stramenga said he visited the property today. He went over a few things with her, and he has no problems with this.

Chairman Eats said he did meet the applicant. They did look at the room. She understands the contractor or herself will need to get a permit for work.

f. Motion to Approve

Mr. Melillo

Seconded:

Mr. Stramenga

e. 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 ZBA7-2026

Moved by Mr. Melillo, Seconded by Mr. Stramenga

Applicant(s): Janet E Thiel

Applicant(s): Janet E Thiel
Project Location: 76 Whispering Pines Way
Tax Number or Numbers: 71.5-3-76
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 Type II Action under SEQR because pursuant to 6NYCRR Part 617.5(c)(17) this is a granting of an area variance for a single-family home and as a result is therefore exempt from SEQR; and,

WHEREAS, a legal notice was published in the Schenectady Daily Gazette on Thursday, February 12, 2026 announcing that a public hearing was to take place Wednesday, February 18, 2026 at 7:30 p.m. to consider the variance requests; and,

RESOLUTION NUMBER ZBA7-2026

Applicant: Janet E Thiel

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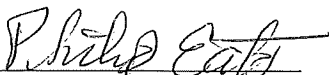
WHEREAS, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on February 18, 2026 to consider the above referenced variance request; and,

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; **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 February 18, 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

3) 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 3.1 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 seven (7) foot side yard setback on June 21, 2023.

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

Mr. DiCocco stated that Luigi Palleschi, from ABD Engineering, is not here tonight but spoke with Mr. Eats last week. He said at this point it is between the two lawyers. Mr. DiCocco’s attorney Paul Schiochetti is also not here. Attorney Mertz said he has reached out to the attorney. Mr. DiCocco confirmed that Mr. Sciocchetti is his attorney. Mr. Sciocchetti has not gotten back to Mr. Mertz. Mr. DiCocco stated that he will agree with whatever Ms. Brutsman wants. He just wants to get this done and move on. Mr. Mertz stated that it needs to be written down on paper. Mr. Mertz suggested to Mr. DiCocco contact his attorney and have him get in touch with him. Mr. DiCocco asked where we were at. Chairman Eats explained they had expected his attorney to be here tonight to hear what you and the neighbor have worked out. Ms. Brutsman was in attendance and had several comments. Her property adjoins 210 Chism to the north.

Applicant addressed five (5) criteria to the Board.

Mr. DiCocco was in attendance.

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

c. Questions/comments from the Board.

There was some discussion about the dimensions on the map. Mr. DiCocco asked if the stop work order could be lifted. Mr. Mertz said it could not till this issue got resolved.

d. Public Hearing Comments.

Allecia Brutsman of 202 Chism Street has some comments. She questioned the applications. In December, he was asking for 2.7-foot variance, and in this application, he’s asking for 3.1. She wanted to know if there was an explanation for the discrepancy. A discussion went back and forth about the discrepancy. She feels Mr. DiCocco and his engineer are responsible for this. She feels she should not bear any financial responsibility for any remedy, including a retaining wall. She has no interest in selling Mr. DiCocco any of her land or granting an easement.

e. **Motion to TABLED the variances:** Mr. Serafini

Seconded: Mr. Stramenga

f. **Motion to Table action on the variances was approved with four members in favor and one recusal:**

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

Meeting adjourned: 8:25 PM
Motion to adjourn: Mr. Stramenga
Seconded: Mr. Serafini
Approved unanimously

Next meeting: March 18, 2026

Respectfully Submitted,
Donna Levasseur



Zoning Board of Appeals

RESOLUTION NUMBER ZBA8-2026
Moved by Mr. Serafini, Seconded by Mr. Stramenga
Applicant(s): Gary DiCocco

Applicant(s): Gary DiCocco
Project Location: 210 Chism Street
Tax Number or Numbers: 49.19-7-6
Zoning: Single-Family Residential
Proposed Project: The applicant would like to construct a single-family residence within 3.1 feet of the side property line on west side of the proposed residence.

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

WHEREAS, the applicants are requesting the building to be located within 3.1 feet of the side property line on the 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, February 12, 2026, announcing that a public hearing was to take place Wednesday, February 18, 2026 at 7:30 p.m. to consider the variance request; and,

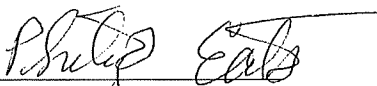
WHEREAS, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on February 18, 2026 to consider the above referenced variance request: and,

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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 February 18, 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 **TABLED** 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