

**Town of Rotterdam
Zoning Board of Appeals Meeting
Summary Meeting Minutes
Wednesday, July 15, 2026**

A meeting of the Town of Rotterdam Zoning Board of Appeals was held Wednesday, July 15, 2026 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 Craig Serafini John Mertz, Attorney Peter Comenzo, Sr. Town Planner Lisa Gallo, Secretary	Excused: Alex Stramenga
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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.

Chairman Eats requested a motion to approve the summary minutes from the June 17, 2026 meeting.

Motion made by Mr. Bonacquist to approve the summary minutes from June 17, 2026 meeting of the Zoning Board of Appeals.

Seconded: Mr. Melillo

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

Approved unanimously by members present with one (1) abstention for not being present at the prior meeting.

- 1) **Kenneth and Mary DeWitt – 88 Whispering Pines Way, Rotterdam, NY - Tax Map #71.5-3-88** 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. **Mr. DeWitt of 88 Whispering Pines Way represented this variance request.**
- b. **The representative addressed five (5) criteria to the Board.**
Mr. DeWitt explained he would like to turn the attic into habitable space. In the summer too hot and the winter it is too cold. Many neighbors have already received variance. The work to be completed is all indoors. All the homes are identical. The space is already constructed as non-habitable storage space. On the outside the home will look the same. It is self-created but by completing it will make the home more habitable.
- c. **This proposal is exempt from referral to Schenectady County Planning 239-m review.**
- d. **Questions/comments from the Board.**
Mr. Bonacquist said that this is one (1) of many requests and based on what we already know and the design there is no reason that he would not support the request.

Mr. Melillo and Mr. Serafini agreed with Mr. Bonacquist.

Chairman Eats explained that he visited the property and discussed the process that needs to be followed after receiving the variance. He explained that this is to protect the applicant and the Town by obtaining a variance and getting it inspected by the Building Department.

e. No Public Hearing Comments.

f. Motion to APPROVE:

Mr. Serafini

Seconded:

Mr. Melillo

g. Approved Unanimously by the Members present:

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 ZBA35-2026
Moved by Mr. Serafini, Seconded by Mr. Melillo
Applicant(s): Kenneth and Mary DeWitt

Applicant(s): Kenneth & Mary DeWitt

Project Location: 88 Whispering Pines Way

Tax Number or Numbers: 71.5-3-88

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, 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, July 9, 2026 announcing that a public hearing was to take place Wednesday, July 15, 2026 at 7:30 p.m. to consider the variance requests; and,

RESOLUTION NUMBER ZBA35-2026

Applicant: Kenneth and Mary DeWitt

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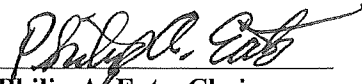
WHEREAS, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on July 15, 2026 to consider the above referenced variance request; and,

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 July 15, 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

- 2) **Matthew D'Arcangelis – 32 Continental Road, Rotterdam, NY, Tax Map #58.12-8-59** 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 270-15.4 entitled "Raising chicken hens as an accessory use." **Chapter 270-15.4(K)** states that "No chicken enclosure or chicken run shall be located closer than 25 feet from any property line." The applicant would like to install a chicken enclosure/run that is located 20 feet from the northern property line and 12 feet from eastern property line.

a. **Matt D'Arcangelis of 32 Continental Road representing this variance request.**

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

Mr. D'Arcangelis explained it is self-created to a degree as he got so involved in building the chicken enclosure/run he wasn't paying attention to the distance. He submitted a document stating the neighbors are okay with where it is now and if it became a problem in the future he would move it without any questions. He also submitted a second document which indicates the drainage and the slope of the property. It is screened as much as possible from the neighbors. The placement was the most ideal because if he built directly behind the house he would have had to bring in a lot of fill. He doesn't feel that they are huge variances. He feels it improves his property and it keeps the chickens on his property. It is his fault for not paying attention. He called the Building Department to see what he had to do.

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

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

Mr. Melillo stated his question about why he did not stay 25' from the property lines was explained in the presentation and therefore he had no further questions.

Mr. Serafini agreed with Mr. Melillo. He also stated that the limit is six (6) chickens and no roosters.

Mr. Bonacquist explained that he lives in the neighborhood and walks by the property five (5) to six (6) times a week. He said you don't even know they are there unless there are kids interacting with them. He said it could be moved and centered on the property but as the applicant explained there is the slope. The one (1) variance may be substantial but with the slope any run off will stay in the applicant's yard. The yard is very clean.

Chairman Eats discussed the criteria with the applicant. He also spoke to the neighbor to the right. The kids really enjoy watching the chickens.

Mr. D'Arcangelis stated the feedback and advice from the member was helpful and he thanked them. He stated in four (4) months he will have eggs.

Matthew D'Arcangelis
32 Continental Road
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e. **No Public Hearing Comments.**

f. **Motion to APPROVE:**

Mr. Melillo

Seconded:

Mr. Serafini

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

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 ZBA36-2026
Moved by Mr. Melillo, Seconded by Mr. Serafini
Applicant(s): Matthew D'Arcangelis

Applicant(s): Matthew D'Arcangelis

Project Location: 32 Continental Road

Tax Number or Numbers: 58.12-8-59

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

Proposed Project: The applicant would like to install a chicken enclosure/run that is located 20 feet from the northern property line and 12 feet from eastern property line.

WHEREAS, petitioner respectfully requests that he be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-15.4 entitled "Raising chicken hens as an accessory use;" and,

WHEREAS, Chapter 270-15.4(K) states that "No chicken enclosure or chicken run shall be located closer than 25 feet from any property line; and,

WHEREAS, the applicant would like to install a chicken enclosure/run that is located 20 feet from the northern property line and 12 feet from eastern property line; and,

WHEREAS, the applicant is requesting a five (5) foot variance on the northern side of the property and a 13' variance on the eastern side of the property; 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, July 9, 2026 announcing that a public hearing was to take place Wednesday, July 15, 2026 at 7:30 p.m. to consider the variance requests; and,

RESOLUTION NUMBER ZBA36-2026

Applicant: Matthew D'Arcangelis

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WHEREAS, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on July 15, 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 July 15, 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) **Alicia Constance – 2036 Cardiff Road, Rotterdam, NY**, Tax Map #59.11-1-13 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 12’ x 20’ detached shed on the property. **Chapter 270-138(c)** “Lot Coverage” states that the floor area of any accessory structure shall not exceed 15% of the total habitable floor area of an existing or proposed principal structure. The existing residential structure is 1,330 square feet which would allow an accessory structure of 199.5 square feet. The proposed accessory structure is 240 square feet, which will require a variance of 40.5 square feet.

a. **Alicia Constance of 2036 Cardiff Road represented this variance request.**

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

Ms. Constance explained that she has a 10 X 12 metal shed that needs updating. She has kayaks and lawn equipment and patio furniture that has accumulated over time. There are trees to hide it. It won’t change the scenery. It is not a garage because it is for storage. It is only 40 square feet which she does not feel is substantial. The yard is very large. It is self-created but has accumulated items over the last four (4) years.

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

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

Mr. Serafini stated she is replacing what is there. This is a minor request compared to others. He can support this request with her clear and concise presentation.

Mr. Bonacquist said he met with the applicant. There is no undesirable change. The shed will be an improvement. The other one is run down. There is no other way to achieve this. It is not substantial. It is only 3%. There are no environmental issues and it is not near the leach field so he can support.

Mr. Melillo agreed with Mr. Bonacquist and Mr. Serafini.

Chairman Eats spoke to the applicant. He stated it will be a big improvement and hopes that this is big enough and, in the future, she doesn’t have to come back for a variance for a bigger shed.

Alicia Constance
2036 Cardiff Road
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e. **No Public Hearing Comments.**

f. **Motion to APPROVE:**

Mr. Bonacquist

Seconded:

Mr. Serafini

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

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

Meeting adjourned: 8:06 PM
Motion to adjourn: Mr. Melillo
Seconded: Mr. Serafini
Approved unanimously

Next meeting: August 19, 2026

Respectfully Submitted,
Lisa Gallo



Zoning Board of Appeals

RESOLUTION NUMBER ZBA37-2026
Moved by Mr. Bonacquist, Seconded by Mr. Serafini
Applicant(s): 2036 Cardiff Road

Applicant(s): Alicia Constance

Project Location: 2036 Cardiff Road

Tax Number or Numbers: 59.11-1-13

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

Proposed Project: The applicant wishes to place a 12' 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, Chapter 270-138(c) "Lot Coverage" states that the floor area of any accessory structure shall not exceed 15% of the total habitable floor area of an existing or proposed principal structure; and,

WHEREAS, the applicant wishes to place a 12' x 20' detached shed on the property; and,

WHEREAS, the existing residential structure is 1,330 square feet which would allow an accessory structure of 199.5 square feet; and,

WHEREAS, the proposed accessory structure is 240 square feet, which will require a variance of 40.5 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, July 9, 2026 announcing that a public hearing was to take place Wednesday, July 15, 2026 at 7:30 p.m. to consider the variance requests; and,

RESOLUTION NUMBER ZBA37-2026

Applicant: Alicia Constance

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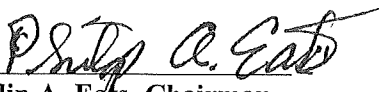
WHEREAS, a public hearing was conducted by the Town of Rotterdam Zoning Board of Appeals on July 15, 2026 to consider the above referenced variance request; and,

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 July 15, 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