

**TOWN OF ROTTERDAM  
ZONING BOARD OF APPEALS  
May 18, 2022**

**PLEASE TAKE NOTICE**, that a public hearing will be held by the Rotterdam Zoning Board of Appeals on Wednesday, May 18, 2022 at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York in the V. Dalton Bambury Hearing Room. The Board will hold a workshop of these applications starting at 7:00pm and the Public Hearings of the following application(s) will commence at 7:30 p.m.:

- 1) **1426 Altamont Avenue Prop, LLC – 1426 Altamont Avenue**, Rotterdam, NY, Tax Map #59.6-6-4.1 located in the General Business (B-2) Zoning District. Petitioners respectfully request that they be granted variance(s) as prescribed in the Town of Rotterdam Zoning Code Chapter 270-151 entitled “Signs.” **Chapter 270-151(E)(3)(a)(1 & 2)** states: “One ground-mounted sign may be erected and maintained not less than five feet from the property line. Such sign may contain a total sign area of 15 square feet or not more than one square foot for each 1,000 square feet of the lot or parcel area containing such sign, whichever is greater, up to a maximum sign area of 200 square feet.” The lot size is ±39,640 square feet which would allow a 39 square foot sign. The applicants are seeking permission to erect a ground mounted sign that will be a total of 245 square feet which will require a variance of 206 square feet. Section 270-151(E)(4) states: “Signs in the business and industrial district shall contain no information beyond the name, nature or principal use, symbol and other information necessary for the business or use. Such sign shall contain no information or advertising for any product or service not sold or performed on the premises.” The existing Hannaford Plaza sign is located off-premises and the proposed sign will replace the existing sign at the same location and will contain information on the tenants of the shopping plaza. The property at 1426 Altamont Avenue already has an existing ground mounted sign and the proposed replacement sign will constitute a second sign on the same parcel.

**SEQR Requirement:** Type II Listed Action – 6NYCRR Part 617.5. No further review is required.

**County 239-m Requirement:** County review is required. The 239m was sent to Schenectady County Department of Economic Development and Planning on April 6, 2022. Schenectady County Economic Development and Planning has deferred to local consideration (April 19, 2022).

- 2) **George A. Aubrey – 1074 Beverly Street, Rotterdam, NY**, Tax Map #38.14-2-6 located in the Single Family Residential (R-1) 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 convert an existing 400 square foot garage into an accessory structure and construct a new 24’ x 24’ garage the front yard of the property. The variance request(s) are as follows: **Chapter 270-138(a)** “Yards” states that no detached accessory structure shall be located in the front yard of any lot. The applicant wishes to construct the detached 24’ x 24’ garage in the front yard. **Chapter 270-138(c)**: “Lot Coverage” states with respect to accessory structures 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 in the A, RA, R-1, R-2 and R-3 Districts.” The habitable floor area is 1,181 square feet which would allow an accessory structure of 177 square feet. The proposed converted accessory structure is 400 square feet which would require a variance of 223 square feet.

**SEQR Requirement:** Type II Listed Action – 6NYCRR Part 617.5. No further review is required.

**County 239-m Requirement:** County review is not required and is exempt pursuant to the 2011 MOU between Schenectady County Economic Development and Planning and the Town of Rotterdam.

- 3) **Janet DeMarco Living Trust – 1567 Helderberg Avenue**, Rotterdam, NY – Tax Map #58.08-7-16 located in the Retail Business (B-1) Zoning District. Petitioners request variance(s) as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-59 entitled “Lot Area,” which states that the minimum lot area required for each principal use is 15,000 square feet, with a minimum lot width of 100 feet. The applicant would like to subdivide ±6,053 square feet of property to facilitate a Boundary Line Adjustment with an adjoining lot of the Lands N/F of DeMarco Stone Funeral Home to allow for the continued use of an existing commercial garage. The variances are as follows:

**1567 Helderberg Avenue**

	<i>Required</i>	<i>Existing</i>	<i>Proposed</i>	<i>Variance</i>
Lot Area	15,000 s.f.	13,274 s.f.	7,221 s.f.	7,779 s.f.
Lot Width	100 feet	50 feet	50 feet	50 feet

**SEQR Requirement:** Type II Listed Action – 6NYCRR Part 617.5. No further review is required.

**County 239-m Requirement:** County review is required. The 239m was sent to Schenectady County Department of Economic Development and Planning on May 5, 2022.

- 4) **William and Meredith Lane – 927 Shardon Court, Rotterdam, NY, Tax Map #57.20-1-17.3** located in the Agriculture (A-1) Zoning District. Petitioner respectfully requests that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-143 entitled “Fences.” **Chapter 270-143(A)(1)** sets a front yard height limit at four (4) feet. The applicant would like to install a six (6) foot high fence, which would require a variance of two (2) feet. **Chapter 270-143(A)(4)** states that front yard fences should be less than fifty percent (50%) solid or opaque. The applicant would like to install a six (6) foot high fence that is one hundred percent (100%) solid.

**SEQR Requirement:** Type II Listed Action – 6NYCRR Part 617.5. No further review is required.

**County 239-m Requirement:** County review is not required and is exempt pursuant to the 2011 MOU between Schenectady County Economic Development and Planning and the Town of Rotterdam.