

**TOWN OF NISKAYUNA
ZONING BOARD OF APPEALS
One Niskayuna Circle
Niskayuna, New York 12309-4381**

The Zoning Board of Appeals of the Town of Niskayuna will conduct a regular meeting on WEDNESDAY, January 18, 2017 at 7:00 P.M. in the Town Board Meeting Room, Town Hall, One Niskayuna Circle, Niskayuna, New York to consider the following:

- 1. The appeal of Ray Sign (agent), 28 Colonial Avenue, Schenectady, New York,** for variances from **Section 220-22 A. (8) and Section 220-22 A (11)** of the Zoning Ordinance of the Town of Niskayuna for the placement of one (1) free-standing ‘lease’ sign at 402 Balltown Rd (60.15-1-1.121) and one (1) free-standing ‘lease’ sign at 442 Balltown Rd (60.15-1-1.3). The property is located in the C-S: Shopping Center Commercial Zoning District and is more commonly known as Mohawk Commons. **Section 220-22 A. (8)** allows for one temporary nonilluminated sign advertising the sale, lease or construction of or on the premises for a period not to exceed twelve (12) months. As proposed, the request is for a period of twenty four (24) months for both signs. Therefore, a variance for twelve (12) additional months is required. **Section 220-22 A (11)** states, "...signs, other than an official traffic signs, shall not be erected within the right-of-way lines of any street or between the street line and building line." As proposed the signs will be located between the street and building lines. Therefore a variance for the sign locations is required.
- 2. The appeal of Ballston Mourningkill Associates (Agent), 464 Maple Avenue, Saratoga Springs, New York,** for a variance from **Section 220-22 (A) (10) (a) [2]** of the Zoning Ordinance of the Town of Niskayuna for the installation of one (1) subdivision sign at **1453 Hillside Avenue (Iroquois Village Apartments)**. The property is located in the R-3: High Density Residential Zoning District. **Section 220-22 (A) (10) (a) [2]** states: A sign for a nonresidential use shall not exceed twenty square feet in area or eight feet in height above the average grade at its location. As proposed, the subdivision sign is 36 square feet. Therefore, a 16 square foot variance from this section is required for the sign.
- 3. The appeal of Ballston Mourningkill Associates (agent),464 Maple Lane, Saratoga Springs, New York 12866,** for a variance from **Section 220-18 A. (2)** of the Zoning Ordinance of the Town of Niskayuna for the construction of two (2) 7.5’X7.5’ gazebos on the property located at **1453 Hillside Avenue (Iroquois Village Apartments)**. The property is located in the R-3 High Density Residential Zoning District. **Section 220-18 A. (2)** states “Except as otherwise specified in this chapter, accessory structures are not permitted in the front yard of any lot.” As proposed, the gazebos will be in a front yard; therefore, variances for both gazebos are required.
- 4. The appeal of James Messmore, American Fence, 2399 Rte. 20, Carlisle, New York,** for a variance from **Section 220-25 B (1)(a)** of the Zoning Ordinance of the Town of Niskayuna for the application to maintain a six (6) foot fence on the property noted located at **716 John Paul Court**. The property is located in the R-2: Medium Density Residential Zoning District. **Section 220-25 B (1) (a)** permits the maximum height for fences located in the front and side yards, to be four (4) feet. As constructed, a six foot high fence is located on both side yards; therefore, a two (2) foot fence height variance is required.