

**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, June 15, 2016 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 David Fusco, 4017B State Street, Schenectady, New York, for a variance from Section 220-17(A) of the Zoning Ordinance of the Town of Niskayuna for the construction of a 36,570 square foot apartment building located at **2340 Nott Street East**. The property is located in the R-3: High Density Residential Zoning District. Section 220-17(A) states that “[no] building or structure shall exceed a height of 35 feet above the average finished grade adjoining the building unless otherwise specified in this chapter.” As proposed, the building height will be thirty six point four (36.4) feet in height; therefore, a one point four (1.4) foot height variance is required.

2. The appeal of Michael Idelchik, 4077 Windsor Drive, Niskayuna, New York 12309, for a variance from **Section 220-13 Schedule I-B** of the Zoning Ordinance of the Town of Niskayuna for the application to maintain an 8’ X 16’ (128 s.f.) shed on the property noted above. The property is located in the R-1: Low Density Residential Zoning District. **Accessory Structures:** Section 220-18 B (3) (b) states that “the required side and rear yard dimensions for major accessory structures shall be the same as applies to the principal building”. A major accessory structure is defined as “detached accessory buildings or other structures in excess of 120 square feet”. The shed, at 128 square feet, is a major accessory structure. **Section 220-13 Schedule I-B** establishes the rear setback requirement as 25’. As constructed, the shed is located 14’ from the rear property line. Therefore, an 11’ rear yard setback variance is required.

3. The appeal of Olson Sign Co. Inc., 1750 Vley Road Ext. Scotia, New York, for variances from **Section 220-32.6 (I) (2)** of the Zoning Ordinance of the Town of Niskayuna for the installation of a façade sign for Automated Dynamics located at **2 Commerce Park Drive**. The property is located in the OI/LI: Office Technology/Light Industrial Zoning District. **Section 220-32.6 (I) (2) states:** one wall mounted sign is permitted to be placed near the main entrance of the principal building on a lot. Such sign shall only be attached to the building face, shall not protrude more than one foot from the building face, and shall be a single-faced sign. The maximum area of such sign is 20 square feet. As proposed the façade sign is not located near the main entrance and is 70.83 square feet. Therefore, both, a sign-location variance and a 50.83 square foot variance from this section are required.

4. The appeal of Jasmine Beckingham (agent), 852 Ashmore Avenue, Niskayuna, New York, for variance from **Section 220-22 A (10) (a) [1]** of the Zoning Ordinance of the Town of Niskayuna, for the application for a new monument sign at the property noted above. The property is located in the R-3: High Density Residential Zoning District. **Number of Signs:** **Section 220-22 A (10) (a) [1]** states that a legally permitted nonresidential use is permitted one sign. There is an existing sign for the property. Therefore, a variance from this section is required.