

**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, November 16, 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 John Moriani, 848 Warner Road, Niskayuna, New York,** for a variance from **Section 220-15 B (1)(a)** of the Zoning Ordinance of the Town of Niskayuna for the construction of a six (6) foot high fence on the property noted above. The property is located in the R-1: Low Density Residential Zoning District. **Section 220-15 B (1) (a)** states that for fences located in the front yard and side yard, the maximum height is four feet. The Zoning Ordinance defines side yard as a yard situated between the main building and the side line of the lot and extending the length of the building most nearly parallel to the side lot line. As proposed, the six (6) foot fence would be located in the side yard; therefore, a two (2) foot height variance is required.

**2. The appeal of Octavio Gutierrez, 2146 Primrose Lane, Niskayuna, New York,** for a variance from Section 220-25B (1)(a) of the Zoning Ordinance of the Town of Niskayuna for the construction of a six (6) foot high fence on the property noted. The property is a corner lot and is located in the R-1: Low Density Residential District. Section 220-25 B (1) (a) states that for fences located in the front yard and side yard, the maximum height is four feet. The Zoning Ordinance defines “front lot lines” on a corner lot to be each street line and “front yard” as a yard situated between the main building and the front line of the lot and extending the length of the building most nearly parallel to the front lot line. As proposed, the six (6) foot fence would be located in the front yard; therefore, a two (2) foot height variance is required.

**3. 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 three (3) free-standing “lease” signs at the address located at **402-442 Balltown Road (Mohawk Commons)**. The property is located in the C-S: Shopping Center Commercial Zoning District. **Section 220-22 A. (8)** allows for one (1) sign advertising the sale, lease or construction of or on the premises. As proposed, there will be three (3) signs. Therefore, a variance for two (2) additional signs is required. **Section 220-22 A (11)** states, "...signs, other than an official traffic sign, 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 signs being located between the street and building lines is required.