

TOWN OF ROTTERDAM
ZONING BOARD OF APPEALS
June 21, 2017

- 1. Cumberland Farms – 3088 Carman Road, Rotterdam, NY, Tax Map #71.6-3-23.3** located in the General Business (B-2) Zoning District. Petitioners respectfully request that they be granted variances as prescribed in the Town of Rotterdam Zoning Code from Chapter 270-151 entitled “Signs.” **Chapter 270-151(E)(3)** 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 approximately 99,656 square feet which would allow a 99.6 square foot sign. The applicants seeking permission to erect a ground mounted sign that will be a total of 116.51 square feet which will require a variance of 16.91 square feet. **Chapter 270-151(c)(5)** states the following: “Flashing signs. Except for public schools and public firehouses, no sign shall be illuminated by or contain a flashing, intermittent, rotating, or moving light or lights.” The applicant is requesting a variance to install LED pump price toppers with “smart pay” alternating intermittent price signs that will change price every eight (8) seconds. Additionally, the applicant is seeking permission to allow the electronic message center reader-board sign to change up to 4 different messages within a 24-hour period.
- 2. Darren and Rebecca Carusone – 113 Fasula Boulevard – Tax Map #59.18-4-59** located in the Single Family Residential (R-1) Zoning District. Petitioners respectfully request that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-216 entitled: “Yard and property line requirements,” and Chapter 270-143 entitled “Fences.” **Chapter 270-216(A)(2)** states that in-ground pools: shall be not less than 10 feet from side and rear property lines. The applicant would like to install a 15’ x 32’ in ground pool within five (5) feet of the side property line which would require a variance of (5) feet. **Chapter 270-216(B)** states that pools shall be situated at least 10 feet from the principal structure on the lot. The applicant would like to install the pool within five (5) feet of their residence, which would require a variance of (5) feet. **Chapter 270-216(C)(2)** states that pools shall be situated a minimum of 10 feet from the leach field and/or dry well. The applicant would like to install the pool within five (5) feet of their leach field, which would require a variance of (5) feet. **Chapter 270-143(A)(1)** sets a front yard height limit at four (4) feet. The applicant would like install a six (6) foot high fence a portion of which will be in the front yard, 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 applicants would like to install a six (6) foot high fence that is one hundred percent (100%) solid. The subject property is a corner lot.

3. **Corrina Navarette – 2708 VanDyke Avenue, Rotterdam, NY**, Tax Map #58.8-2-22 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 270-216 entitled “Yard and Property Line Requirements” and Chapter 270-143 entitled “Fences.” **Chapter 270-216(D)** “Corner lots” states that “the placement of a swimming pool on a corner lot shall be permitted; a swimming pool is allowed to encroach 10 feet into the front yard but must maintain all other required setbacks.” Due to the location of the existing residence, the applicant wishes to place an above ground pool beyond the 10-foot encroachment limit. **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. The subject property is a corner lot.

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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 mailed to Schenectady County Department of Economic Development and Planning on May 2, 2017. Schenectady County Economic Development and Planning has deferred to local consideration.

2. **Darren and Rebecca Carusone – 113 Fasula Boulevard** – Tax Map #59.18-4-59 located in the Single Family Residential (R-1) Zoning District. Petitioners respectfully request that they be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-216 entitled: “Yard and property line requirements,” and Chapter 270-143 entitled “Fences.” **Chapter 270-216(A)(2)** states that in-ground pools: shall be not less than 10 feet from side and rear property lines. The applicant would like to install a 15’ x 32’ in ground pool within five (5) feet of the side property line which would require a variance of (5) feet. **Chapter 270-216(B)** states that pools shall be situated at least 10 feet from the principal structure on the lot. The applicant would like to install the pool within five (5) feet of their residence, which would require a variance of (5) feet. **Chapter 270-216(C)(2)** states that pools shall be situated a minimum of 10 feet from the leach field and/or dry well. The applicant would like to install the pool within five (5) feet of their leach field, which would require a variance of (5) feet. **Chapter 270-143(A)(1)** sets a front yard height limit at four (4) feet. The applicant would like install a six (6) foot high fence a portion of which will be in the front yard, which would require a variance of two (2) feet. **Chapter 270-143(A)(4)** states that front yard fences should be less that fifty percent (50%) solid or opaque. The applicants would like to install a six (6) foot high fence that is one hundred percent (100%) solid. The subject property is a corner lot.

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