TOWN OF ROTTERDAM
ZONING BOARD OF APPEALS
May 15, 2024

Workshop 7:00pm – Public Hearings 7:30pm

Workshop (2nd Floor Conference Room) – 7:00pm

Public Hearings (V. Dalton Bambury Hearing Room 2nd Floor) – 7:30pm

1) **Steven Combs – 1772 Amsterdam Avenue, Rotterdam, NY,** Tax Map #59.10-2-3.1 located in the Single Family Residential (R-1) Zoning District. Petitioner respectfully request that he be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-15 entitled "Accessory uses, buildings, and structures." The applicant wishes to place a 12' x 20' detached shed on the property. **Chapter 270-15 (a)** Location. States that no permitted accessory use or building shall be located in the front yard in a residential district, except parking and landscaping. The applicant is proposing to locate the shed in what is considered a front yard.
2) **JC Discount Wine and Liquor, LLC – 2300 Curry Road, Rotterdam, NY,** Tax Map #59.18-2-1 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 being Chapter 270-61 entitled "Yard Requirements." The applicant wishes to demolish the former Cumberland Farms Convenience Store and construct a ±5,500 square foot retail building with a ±2,250 square foot mezzanine on the property. **Chapter 270-61 (B)(1)** states that the front yard depth shall be a minimum of 30 feet. The applicant is proposing to locate the building within 10 feet of the front property line on Curry Road which would require a variance of 20 feet.
3) **Rishie Rickram – 338 Melrose Street, Rotterdam, NY,** Tax Map #48.15-8-9 located in the Single Family Residential (R-1) Zoning District. Petitioner respectfully requests that he 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 that 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 property is a corner lot.
4) **Patrick and Jene Senè – 2660 Currybush Road, Rotterdam, NY,** Tax Map #46.00-4-5.22 located in the Agriculture (A-1) Zoning District. Petitioners respectfully request that they 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 construct a 20' x 24' attached garage. The variance request(s) are as follows: **Chapter 270-138(c)**: "Lot Coverage" states with respect to private garages, the floor area for each stall for the enclosed parking or storage of private motor vehicles shall not exceed 300 square feet. Calculations computed for square footage shall be based upon exterior foundation dimensions. The proposed attached garage is 480 square feet and the existing attached garage is 980 square feet

making the total garage space 1460 square feet, which is 560 square feet over the allowed size of 900 square feet.

5) **Valerie Talbot – 1338 Paul Avenue, Rotterdam, NY,** Tax Map #58.7-12-45 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 270-143 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 that 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 property is a corner lot.

ZBA Agenda
May 15, 2024

1. **Steven Combs – 1772 Amsterdam Avenue, Rotterdam, NY,** Tax Map #59.10-2-3.1 located in the Single Family Residential (R-1) Zoning District. Petitioner respectfully request that he be granted variances as prescribed in the Town of Rotterdam Zoning Code being Chapter 270-15 entitled "Accessory uses, buildings, and structures." The applicant wishes to place a 12' x 20' detached shed on the property. **Chapter 270-15 (a)** Location. States that no permitted accessory use or building shall be located in the front yard in a residential district, except parking and landscaping. The applicant is proposing to locate the shed in what is considered a front yard

SEQR Requirement: Type 2 Listed Action – 6NYCRR Part 617

County 239-m Requirement: County review is not required.

All requested information shall be provided and must be filled out in ink or typed for photocopying purposes

PART II

VARIANCE APPLICATION
General Information

Legal Owner's Name: STEVEN N COMBS

Mailing Address: 1772 AMSTERDAM AVE
City: SCHENECTADY State: NY Zip: 12303
Daytime Phone: 518-248-6531 Fax: _____

If applicant is not the owner, include the written owner authorization form below designating the contact to serve as representative.

Owner's Designated Contact: _____

Mailing Address: _____
City: _____ State: _____ Zip: _____
Daytime Phone: _____ Fax: _____

Project/Proposal Site Area (Acres or sq. ft.): _____
Assessor Tax Parcel No.(s) of Proposal Site: 59.10-2-3.1

Adjacent Area Owned or Controlled (Acres or sq. ft.): _____
Assessor Tax Parcel No.(s) of Adjacent Land Owned or Controlled: _____

Name and Address of All Adjacent Landowners:

NAME: _____
ADD: 1763 RENSSELAER AVE 12303

NAME: _____
ADD: 1788 RENSSELAER AVE 12303

NAME: _____
ADD: 1792 RENSSELAER AVE 12303

NAME: _____
ADD: 705 DEFOREST

NAME: TOM & SANDY DUNAS
ADD: 1784 AMSTERDAM AVE 12303

NAME: _____
ADD: 1750 AMSTERDAM AVE 12303

NAME: _____
ADD: _____

NAME: _____
ADD: _____

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Street Address of Proposed Site (if any): 1772 AMSTERDAM AVE

Describe Existing Use(s) on Proposed Site (Such as buildings, well, sewer drainfield and others): SHED / LEACHFIELD

Existing Zoning Classification: _____

School District: _____ Fire District: _____

Water Supply _____

Existing/Proposed Use of Property:

( ) **A1** One-family dwelling
( ) **A2** Two-family dwelling
( ) **B1** Multiple Dwelling (permanent occupancy)
( ) **B2** Multiple Dwelling (transient occupancy)
( ) **B3** Multiple Dwelling (senior citizen housing)
( ) **B4** Multiple Dwelling (adult residential care facility)
( ) **C7** Miscellaneous

( ) **C1** Business
( ) **C2** Mercantile
( ) **C3** Industrial
(✓) **C4** Storage
( ) **C5** Assembly
( ) **C6** Institutional

LEGAL INFORMATION

Location of Proposal Site (General description by which direction and how far from roads and intersections and other community features): _____

Name of Public Road (s) providing access: AMSTERDAM AVE / RENSSELEAR AVE

Width of Property Fronting on Public Road: 70'

I have attached a legal description of the proposed site: ◯ yes ◯ no

Section(s) of the zoning ordinance under which a variance is requested: _____

Purpose for the requested variance: 2ND STORAGE SHED

Are there special circumstances such as lot size, slope, topography or necessary size or shape of the building, which prevent compliance with the zoning ordinance? If so, please explain:
ND

PLEASE DISCUSS EACH OF THE FOLLOWING FIVE (5) CRITERIA WHICH FORM THE LEGAL BASIS FOR THE GRANTING OF A VARIANCE

Explain why you believe that your variance request will not create an undesirable change to the character of the neighborhood or be a detriment to nearby properties if it is granted:

Complete REAR Property completly FENCED in solid Vinyl fence Therefore neighbors will have very little Line of site of the newly constructed shed Being NEW construction it will conform to All Building Codes

Can the benefit you seek by this variance request be achieved by some other means? If not, explain why there are no other alternatives:

Given location of Driveway and Existing Dwelling and garage it would be Impractical to place shed in any other location. LOCATION OF Existing Access GATE Allows for Ease of Construction and FIRE prevention

Is your request a substantial variance from the ordinance? Please explain:

NO AS IN 270-15 ITEM B it will not EXCEED 14' IN Height 270-15 ITEM C It will [redacted] be located MORE then 5' from side or REAR yard. YES 270-15 ITEM A The Building will be located in REAR of Existing lot, But may be DEEMED AS Front yard since located on another STREET RENSSELAER which is our BACK YARD

Why do you believe the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood? Please explain:

Structure will be NEW and meet all NYS code Requirements for Building. The storm water from such a Small structure will Remain on SITE and Drain off. There will be no Sewer or WATER connected to this structure. NO Combustible or Hazardous MATERIALS stored in Building

Explain how the difficulty arose and why said difficulty was not self created (purchasing property without first checking the zoning restrictions and/or limitations is an example of a self-created hardship):

WE ARE SEEKING Relief from 270-15 Section A, BECAUSE We Should be Allowed to have a REAR yard. As per most Existing Residential lots. Given the fact our home and Driveway front AMSTERDAM AVE then behind our Building where we want to put the shed Should be considered our BACKYARD & therefore it is not Self created

If you have any additional comments, please attach them on a separate sheet of paper.

It simply Exists with two streets.

PART III
LEGAL OWNER SIGNATURE
(Signature of legal owner(s) or representative(s) as authorized by legal owner)

I, the undersigned, swear or affirm under penalty of perjury that the above responses are made truthfully and to the best of my knowledge.

I further swear or affirm that (I)(we) (am)(are) the owner(s) of record of the area proposed for the previously identified land use action, or, if not the owner(s), attached herewith is written permission from the owner(s) authorizing my actions on his or her behalf.

Name: STEVE COMES Date: 4/9/24

Address: 1222 AMSTERDAM AVE SCHENECTADY NY 12303 Phone: 518-248-6531

Zip: 12303

*#1 Signature of Applicant or Representative

4/9/24
Date

Notary
*(For Signature #1 Above)

STATE OF NEW YORK) ss:
COUNTY OF SCHENECTADY)

SUBSCRIBED AND SWORN to me this 9 day of April, 2024.

NOTARY SEAL
DONNA LEVASSEUR
Notary Public, State of New York
Certified Schenectady County
#01LE6388331
Commission Expires: 3-4-2027

Notary Signature

Notary Public in and for the State of New York

My appointment expires: 3-4-2027

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Name: _____ Date: _____

Address: _____ Phone: _____

_____ Zip: _____

_____ _____
*#2 Signature of Applicant or Representative Date

Notary
*(For Signature #2 Above)

STATE OF NEW YORK) ss:
COUNTY OF SCHENECTADY)

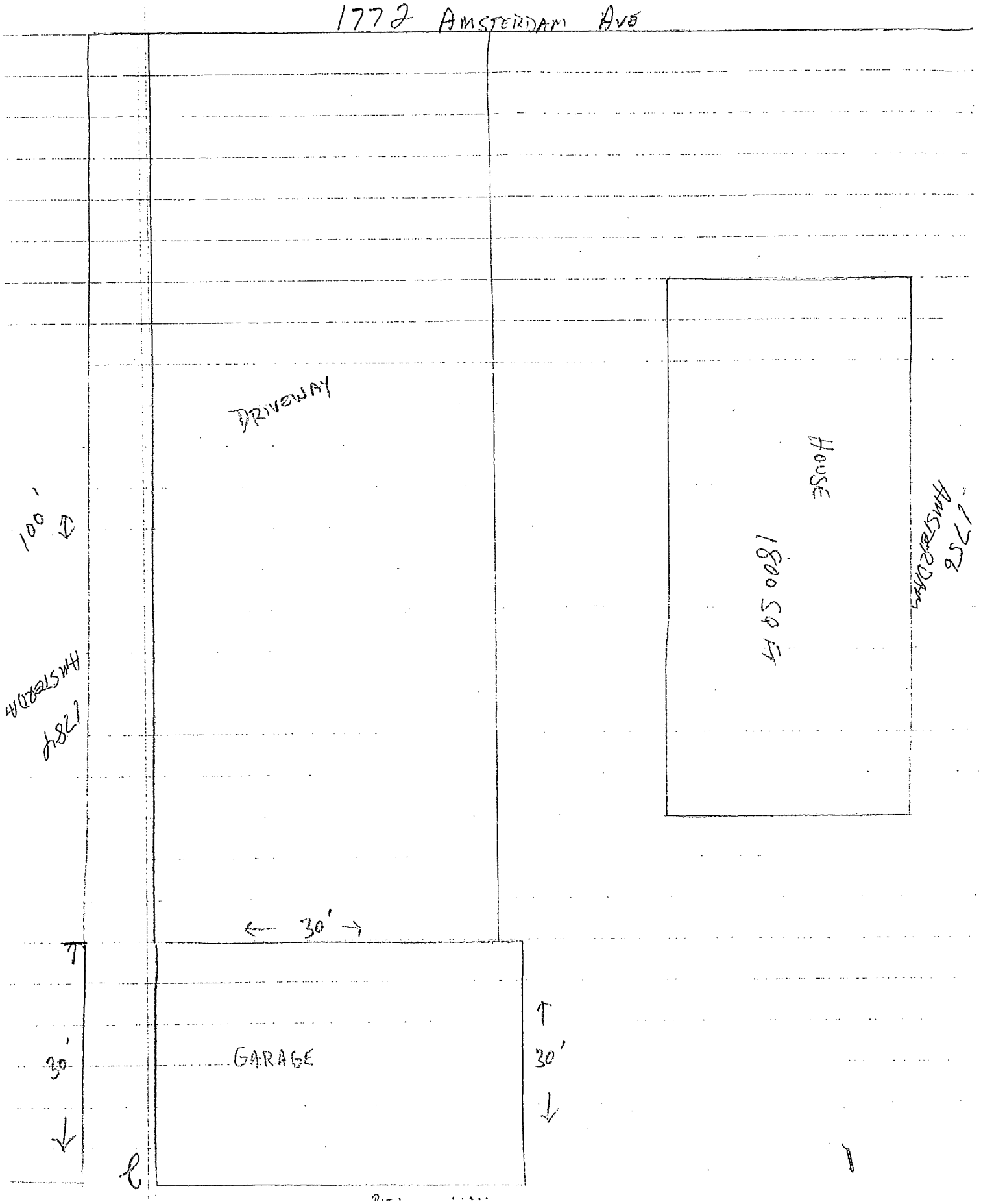
SUBSCRIBED AND SWORN to me this _____ day of _____, 20____.

NOTARY SEAL

_____
Notary Signature

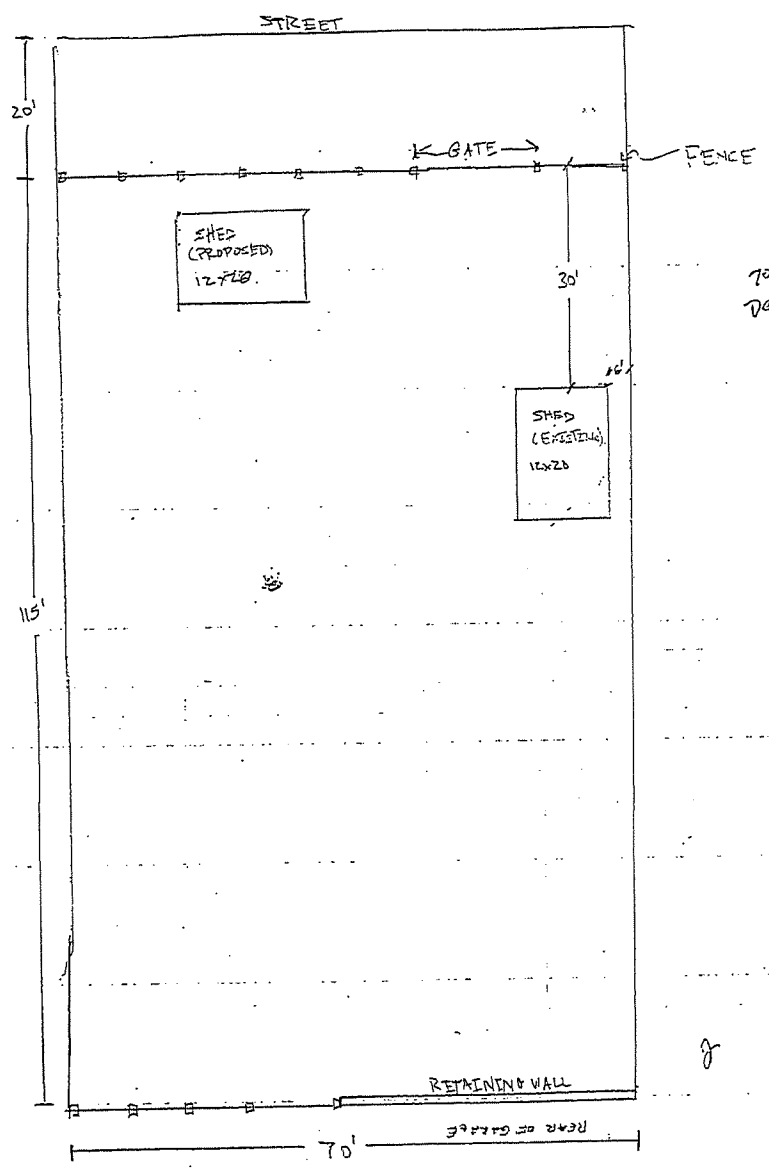
Notary Public in and for the State of New York

My appointment expires: _____


1772 AMSTERDAM AVE
DRIVEWAY
HOUSE
1600 SQ FT
AMSTERDAM
100'
30'
← 30' →
GARAGE
30'

1772 RENNSELLEAR AVE STEVE COMISS 518-248003

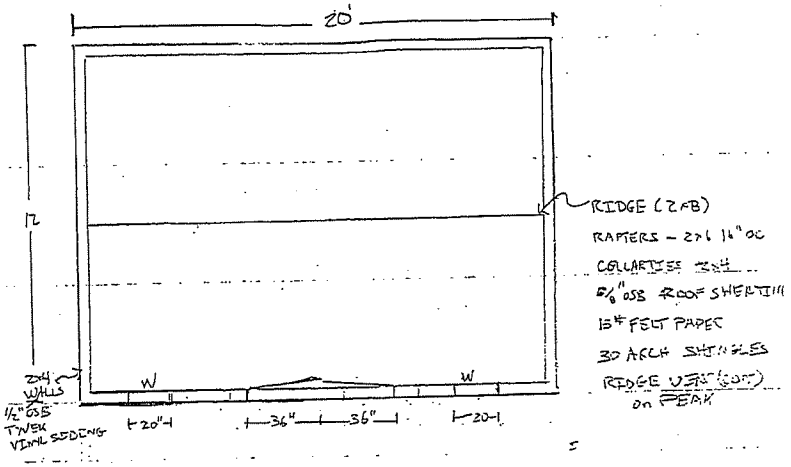
PLOT PLAN



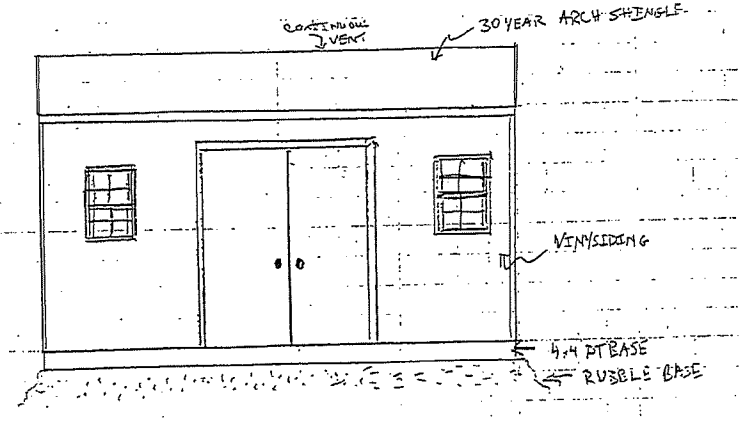
1763 RENNSELLEAR

705 DEFOREST

SHED



FLOOR - 8" RUBBLE BASE
4x4 PT JOIST 24" OC
4x4 PT RIM JOIST
3/4" PT PLYWOOD



2) **JC Discount Wine and Liquor, LLC – 2300 Curry Road, Rotterdam, NY,** Tax Map #59.18-2-1 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 being Chapter 270-61 entitled "Yard Requirements." The applicant wishes to demolish the former Cumberland Farms Convenience Store and construct a ±5,500 square foot retail building with a ±2,250 square foot mezzanine on the property. **Chapter 270-61 (B)(1)** states that the front yard depth shall be a minimum of 30 feet. The applicant is proposing to locate the building within 10 feet of the front property line on Curry Road which would require a variance of 20 feet.

SEQR Requirement: Type 2 Listed Action – 6NYCRR Part 617

County 239-m Requirement: County review is required.

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TOWN OF ROTTERDAM
PUBLIC WORKS

Town of Rotterdam
Zoning Board of Appeals

AREA VARIANCE APPLICATION

PART II

TOWN OF ROTTERDAM
General Information

All requested information shall be provided and must be filled out in ink or typed for photocopying purposes

Legal Owner's Name: Harinder Chahal

Mailing Address: 2315 Curry Road
City: Rotterdam State: NY Zip: 12303
Daytime Phone: _____ E-mail: nhchahal04@gmail.com

If applicant is not the owner, include the written owner authorization form below designating the contact to serve as representative.

Owner's Designated Contact: Bohler Engineering and Architecture NY, PLLC (Caryn Mlodzianowski)

Mailing Address: 17 Computer Drive West
City: Albany State: NY Zip: 12205
Daytime Phone: 518-438-9900 E-mail: cmlodzianowski@bohlereng.com

Project/Proposal Site Area (Acres or sq. ft.): 0.46-acre
Assessor Tax Parcel No.(s) of Proposal Site: 59.18-2-1
Street Address of Proposed Site (if any): 2300 Curry Road

Adjacent Area Owned or Controlled (Acres or sq. ft.): .40-acre
Assessor Tax Parcel No.(s) of Adjacent Land Owned or Controlled: 59.14-9-13
Name and Address of All Adjacent Landowners:

NAME: Harinder Chahal
ADD: 2315 Curry Road

NAME: Didonato Family Irrevocable Trust
ADD: 2334-2336 Curry Road

Kenneth Joseph
2317 Curry Road

NAME: John Burdick & Jacqueline Novak
ADD: 1013-1015 Fort Hunter Road

NAME: Jairam Mangal
ADD: 2323 Curry Road

Cheryl and Jennifer, LLC
2331 Curry Road

NAME: Ashley Drepaul
ADD: 1002 Fort Hunter Road

NAME: Caren Roeder
ADD: 1006 Fort Hunter Road

NAME: Joseph Lima
ADD: 1010 Fort Hunter Road

NAME: David G E. Derosa
ADD: 1014 Fort Hunter Road

Describe Existing Use(s) on Proposed Site (Such as buildings, well, sewer drainfield and others): _____
Former convenience store (vacant)

Existing Zoning Classification: B-2 General Business

LEGAL INFORMATION

Please attach the deed to the proposed site (REQUIRED)

Width of Property Fronting on Public Road: 260 feet

Section(s) of the zoning ordinance under which a variance is requested:
270-61 Yard Requirements (as referenced from Section 270-68 for the B-2 Zone). A 30-foot front yard setback is required.

Purpose for the requested variance: Front yard building setback

Are there special circumstances such as lot size, slope, topography or necessary size or shape of the building, which prevent compliance with the zoning ordinance? If so, please explain:
Triangular shape of the lot. The lot has two front yards and therefore a 30-foot setback is required on multiple sides of the building vs a 10-foot setback.

Does any Town officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? Yes _____ No X _____. If yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

PLEASE DISCUSS EACH OF THE FOLLOWING FIVE (5) CRITERIA WHICH FORM THE LEGAL BASIS FOR THE GRANTING OF A VARIANCE

Explain why you believe that your variance request will not create an undesirable change to the character of the neighborhood or be a detriment to nearby properties if it is granted.

The proposed building will replace the general location of the existing building. The building footprint is being extended closer to the road, however, it will not vary greatly from existing conditions. The redevelopment of the lot will be an improvement upon existing conditions.

Can the benefit you seek by this variance request be achieved by some other means? If not, explain why there are no other alternatives.

If the building width were reduced to meet the setback then the shape of the building would change and encroach into the parking lot area which is limited due to the unique/triangular shape of the lot.

Is your request a substantial variance from the ordinance? Please explain.

A 10.5' +/- front yard setback is proposed where a minimum 30' setback is required. Due to the unique shape of the lot, the building is not parallel to the front property line along Curry Road so the setback ranges from 10.5' to approximately 28' from the property line, where it is closer to compliance/a lesser variance.

Why do you believe the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood? Please explain.

The proposed project mimics the existing site layout for the former Cumberland Farms convenience store and gas station. While the building is proposed to be closer to the road, it should not impact the neighborhood. The proposed use is a less intense use from a traffic, utilities, etc., standpoint than the previous use on the property. This building will help clean up the appearance of the property.

Explain how the difficulty arose and why said difficulty was not self created (purchasing property without first checking the zoning restrictions and/or limitations is an example of a self-created hardship).

The shape of the building could be adjusted to fit within the required setbacks, however, it would be an irregular shaped building that would not be realistic to build.

Bohler Engineering and Landscape Architecture NY, PLLC

17 Computer Drive West
Albany, NY 12205
Tel: (518) 438-9900 • Fax: (518) 438-0900
PROFESSIONAL ENGINEERING SERVICES

LETTER OF TRANSMITTAL

TO: **Town of Rotterdam Public Works**
1100 Sunrise Boulevard
Rotterdam, NY 12306

DATE: **May 2, 2024**
RE: **Area Variance Request**
2300 Curry Road
JC Discount Wine & Liquor

ATTENTION: **Peter Comenzo**

JOB NO: **NYB230122.00**

We are sending you the following items via: **E-mail & overnight delivery**

☒ Attached ☐ Shop drawings ☐ Prints ☒ Plans ☐ Specifications ☐ Copy of letter ☒

Item #	# of copies	Issue Date	Description
1	10	5/2/24	Area Variance Application
2	10	5/2/24	Short Environmental Assessment Form
3	10	3/13/24	Site Plan C-301
4	10	3/11/24	ALTA/NSPS Land Title Boundary & Topographic Survey of the Lands of Harinder & Nirmal Chahal

These are transmitted: ☒ For approval ☐ For your use ☐ As requested ☐ For review and comment
☐

REMARKS:
The owner's authorization and fee were hand delivered by the owner to Town Hall.

COPY TO:

SIGNED: **Caryn Mlodzianowski**

If enclosures are not as noted, kindly notify us at once.

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information

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PUBLIC WORKS

Name of Action or Project:
Proposed 7,750 +/- square foot Retail Store - Front yard setback variance

Project Location (describe, and attach a location map):
2300 Curry Road

Brief Description of Proposed Action:
A retail store is proposed on the .69-acre parcel with parking, landscaping, utilities and lighting. A front yard building setback of 10.5' is proposed where 30' minimum is required.

Name of Applicant or Sponsor:	Telephone: (518) - 438-9900
J C Discount Wine and Liquor LLC, Harinder Chahal c/o Bohler	E-Mail: cmlodzianowski@bohlereng.com

Address:
17 Computer Drive West

City/PO:	State:	Zip Code:
Albany	NY	12205

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Town Planning Board, Building Department, NYSDOT, Town Water & Sewer, County Highway Dept.	☐	☑

3. a. Total acreage of the site of the proposed action? .69 acres
   b. Total acreage to be physically disturbed? 0.6+/- acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? .69 acres

4. Check all land uses that occur on, are adjoining or near the proposed action:
   ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☑ Commercial ☑ Residential (suburban)
   ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):
   ☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☐	☑
b. Consistent with the adopted comprehensive plan?	☐	☐	☑

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑

	NO	YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		
If Yes, identify: _____	☑	☐

	NO	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☑	☐
b. Are public transportation services available at or near the site of the proposed action?	☐	☑
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☑

	NO	YES
9. Does the proposed action meet or exceed the state energy code requirements?		
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☑

	NO	YES
10. Will the proposed action connect to an existing public/private water supply?		
If No, describe method for providing potable water: _____ _____	☐	☑

	NO	YES
11. Will the proposed action connect to existing wastewater utilities?		
If No, describe method for providing wastewater treatment: _____ _____	☐	☑

	NO	YES
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	☑	☐
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☑	☐

	NO	YES
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☑	☐
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☑	☐
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____		

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional

☐ Wetland ☐ Urban ☑ Suburban

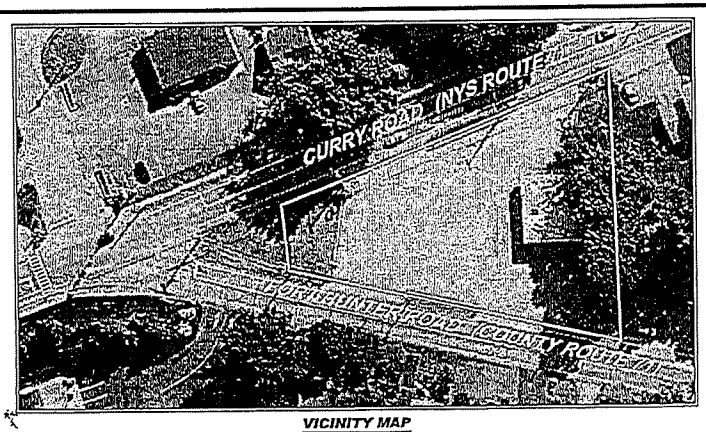
	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	☑	☐
16. Is the project site located in the 100-year flood plan?	☑	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources?	☑	☐
If Yes, a. Will storm water discharges flow to adjacent properties?	☑	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☐	☑
If Yes, briefly describe: Existing storm structures in the right-of-way.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	☑	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	☑	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	☑	☐

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Caryn Mlodzianowski - Bohler Date: 5/2/2024

Signature: _____ Title: Project Manager

PRINT FORM



VICINITY MAP

SITE INFORMATION

1. APPLICANT:
   J C DISCOUNT WINE AND LIQUOR LLC
   2316 CURRY ROAD
   TOWN OF ROTTERDAM, NY 12303
2. OWNER:
   J C DISCOUNT WINE AND LIQUOR LLC
   2316 CURRY ROAD
   TOWN OF ROTTERDAM, NY 12303
3. PARCEL:
   SEC: 59.16 - BLK 2 - PARCEL 1
   2316 CURRY ROAD
   TOWN OF ROTTERDAM
   SCHENECTADY COUNTY, NEW YORK

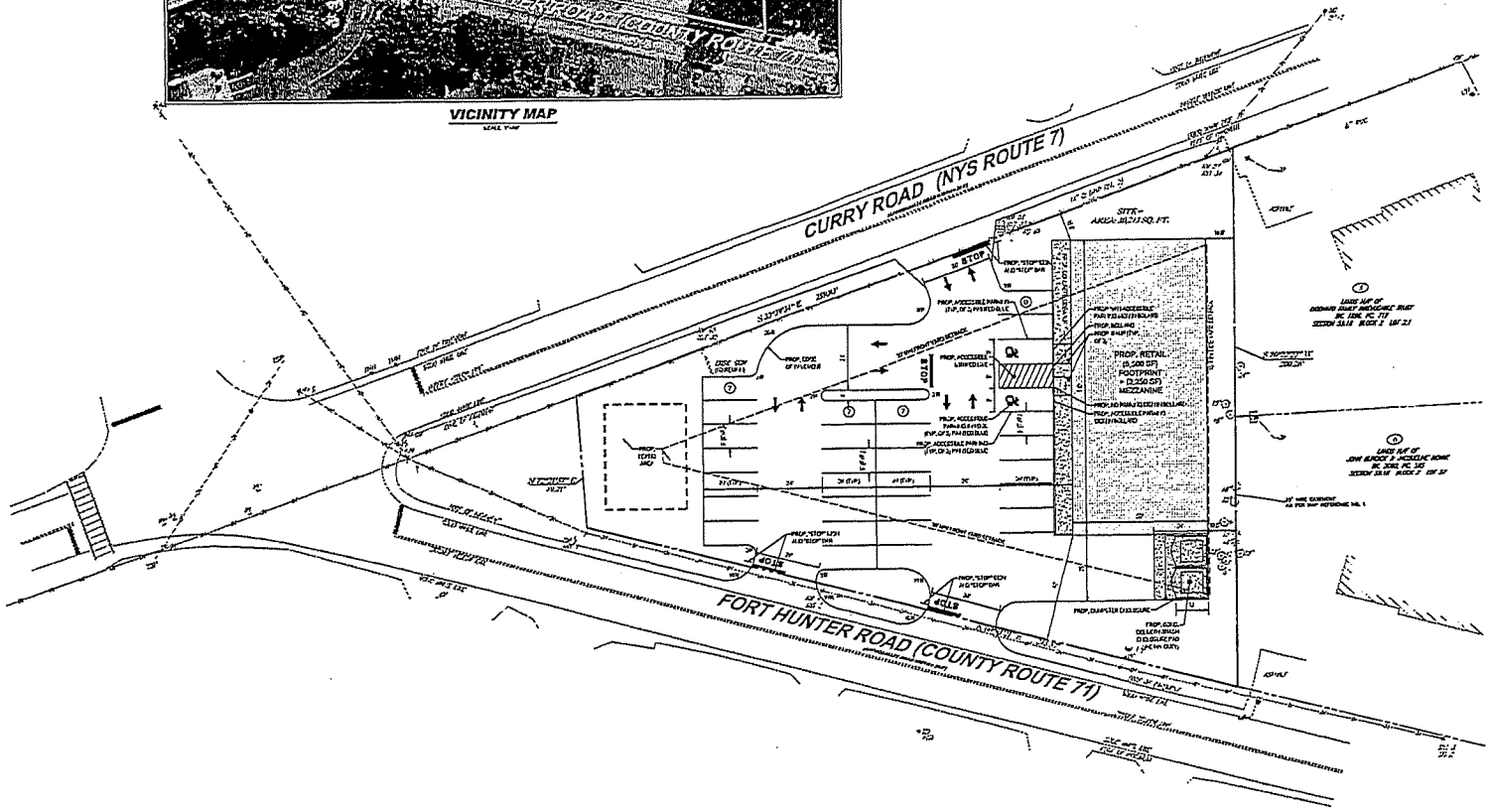
ZONING TABLE

SUC: SUBURBAN COMMERCIAL DISTRICT
USE: RETAIL ESTABLISHMENTS - USE A PERMITTED USE WITH LESS THAN 5K SF/EA
PARCEL: 12.39± AC

BULK REQUIREMENTS

ITEM	PERMITTED	EXISTING	PROPOSED
MIN LOT AREA	12,000 SF	34,214 SF / 0.79 ACRES	NO CHANGE
MIN LOT WIDTH	100 FT	214±	214±
MIN LOT DEPTH	150 FT	248 FT	NO CHANGE
MIN YARD SETBACKS			
FRONT YARD (CURRY ROAD)	30 FT	45.3 FT	14.4 FT (1)
FRONT YARD (FORT HUNTER ROAD)	30 FT	44.3 FT	40.6 FT
SIDE YARD	10 FT	28.3 FT	18.3 FT
REAR YARD	25 FT	30±	30±
MAX STRUCTURE HEIGHT	35 FT	21 FT	24 FT ±
MAX LOT COVERAGE	50%	11.56%	19.2%
PARKING SPACES	47 SPACES	48 SPACES ±	39 SPACES (2)
ACCESSIBLE PARKING SPACES	2 SPACES	1 SPACE	2 SPACES
PARKING OPTIONS	• 9 SPACES PER 1,000 SF GROSS FLOOR AREA • 6 SPACES + (1 PER SF / 5 PER SF) = 47 SPACES		

(1) = VARIANCE REQUESTED
(2) = WAIVER REQUESTED



1. SURVEY REFERENCE

ALTA/NSPS LAND TITLE SURVEY PREPARED BY TOWNLEY & UPDYKE, SURVEY OF THE LANDS OF HARTMAN & STERLING CHANNEL, PREPARED BY HARTER, HECHT & NORVET, LAND SURVEYORS, LLP, DATED MARCH 11, 2021.

THIS PLAN TO BE UTILIZED FOR SITE LAYOUT PURPOSES ONLY

SCALE: 1" = 20'

THE EDUCATION LAW OF THE STATE OF NEW YORK PROHIBITS ANY PERSON ALTERING ANY ITEM ON THIS DRAWING UNLESS THE PERSON IS UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, WHERE SUCH ALTERATIONS ARE MADE, THE PROFESSIONAL ENGINEER SHALL SIGN, SEAL, DATE AND DESCRIBE THE FULL EXTENT OF THE ALTERATION ON THE DRAWINGS AND/OR IN THE SPECIFICATIONS, PER EDUCATION LAW SECTION 7209(2)

BOHLER

SITE/CIVIL AND CONSULTING ENGINEERING
LANDSCAPE ARCHITECTURE
PROGRAM MANAGEMENT
PERMITTING SERVICES
TRANSPORTATION SERVICES

REVISIONS

REV	DATE	COMMENT

811 Know what's below. Call before you dig.

FOR CONCEPT PURPOSES ONLY

PROJECT No.: XYB20122.58-SA
DRAWN BY: -NCH / JAS -
CHECKED BY: -DJW-
DATE: 03-13-2024
CAD I.D.: PCM1-PROP

PROJECT:

SITE DEVELOPMENT PLANS

FOR

JC DISCOUNT WINE AND LIQUOR LLC

PROPOSED DEVELOPMENT

SEC: 59.16 | BLK: 2 | PARCEL: 1
2316 CURRY ROAD
TOWN OF ROTTERDAM
SCHENECTADY COUNTY, NEW YORK

BOHLER
17 COMPUTER DRIVE WEST
ALBANY, NY 12205
Phone: (518) 438-3900
Fax: (518) 438-0866
www.BohlerEngineering.com

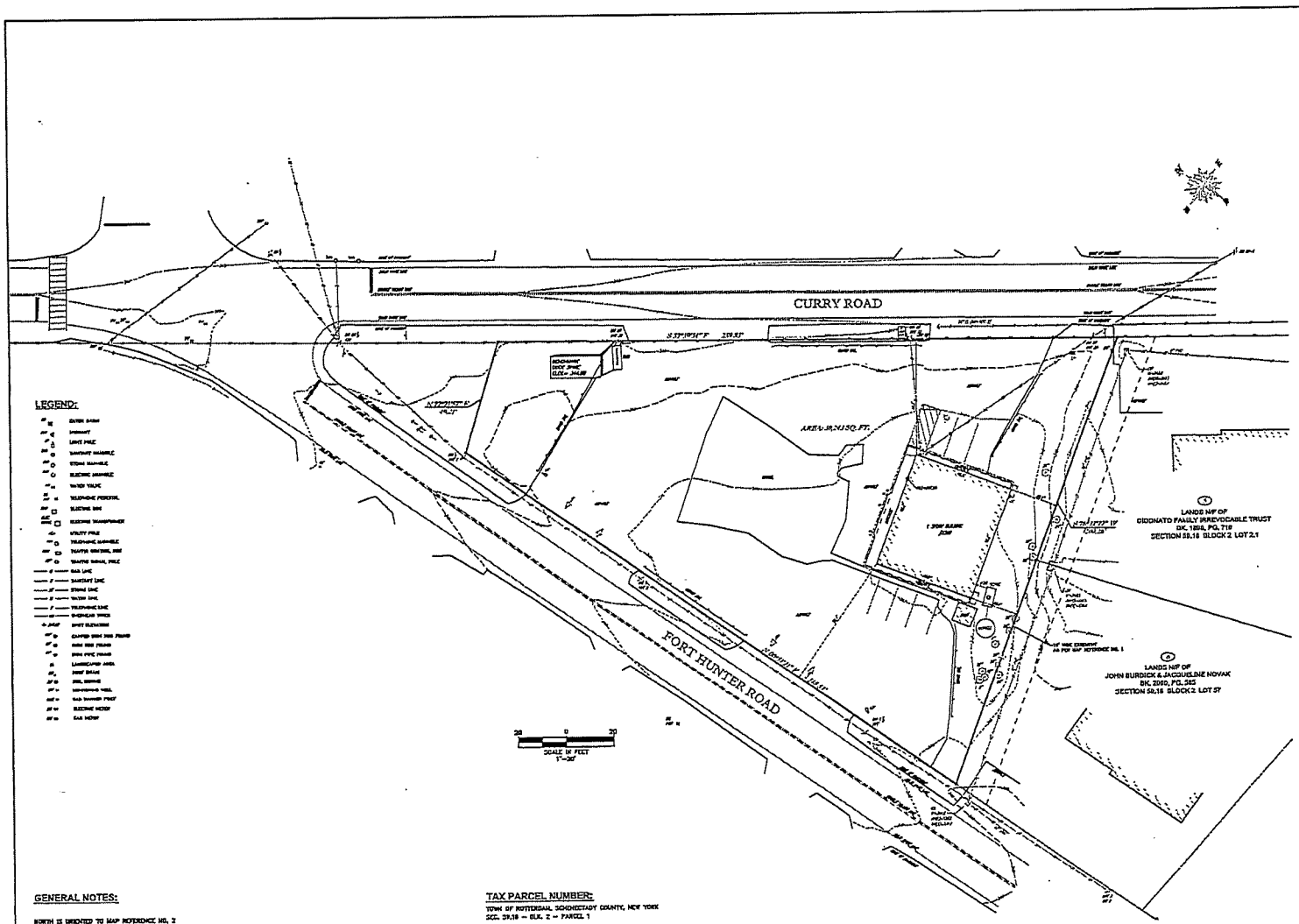
SHEET TITLE:

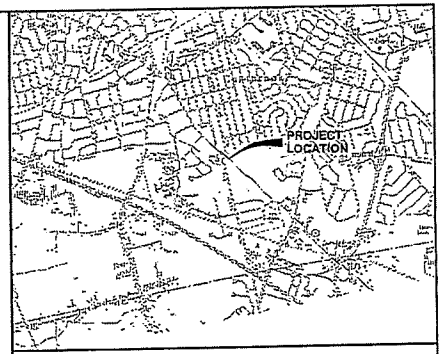
SITE PLAN

SHEET NUMBER:

C-301

ORIG. DATE = 03-13-2024





SITE LOCATION PLAN: 1"=2000'

LEGEND:

LEGAL DESCRIPTION - SCHEDULE A:

ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND TOGETHER WITH BUILDINGS AND IMPROVEMENTS THEREON SITUATE, LYING AND BEING IN THE TOWN OF ROTTERDAM, COUNTY OF SCHENECTADY, STATE OF NEW YORK, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED ALONG THE WESTERLY LINE OF CURRY ROAD, SAID POINT BEING THE INTERSECTION FORMED BY SAID WESTERLY LINE OF CURRY ROAD WITH THE DIVISION LINE BETWEEN THE LANDS NOW OR FORMERLY DIGONATO FAMILY IRREVOCABLE TRUST (BOOK 1858, PAGE 719) ON THE SOUTH AND THE LANDS NOW OR FORMERLY OF HARINDER & NIRMAL CHAHAL (BOOK 2109, PAGE 828) ON THE NORTH, SAID POINT BEING THE NORTHERLY CORNER OF LOT 5 AS SHOWN ON A MAP ENTITLED "", AND FILED IN THE SCHENECTADY COUNTY CLERK'S OFFICE IN PLAT CABINET H, MAP 141; THENCE ALONG SAID DIVISION LINE AND CONTINUING ALONG THE LANDS NOW OR FORMERLY OF JOHN BURDICK & JACQUELINE NOVAK (BOOK 2060, PAGE362), SOUTH 78°32'56" WEST, 200.28 FEET TO A POINT; THENCE ALONG FORT HUNTER ROAD, NORTH 09°51'21" EAST, 244.57 FEET TO A POINT; THENCE NORTH 75°21'37" EAST, 46.21 FEET TO A POINT; THENCE ALONG THE APPROXIMATE SOUTHERLY LINE OF CURRY ROAD, SOUTH 33°38'34" EAST, 228.83 FEET TO THE POINT OR PLACE OF BEGINNING.

CONTAINING IN ALL, 30,245 SQUARE FEET OF LAND BEING MORE OR LESS.

NOTES CORRESPONDING TO TITLE COMMITMENT:

NO TITLE REPORT RECEIVED TO DATE

FLOOD ZONE NOTE:

PROPERTY SHOWN HEREON DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA ("SFHA") AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THE PROPERTY LIES WITHIN FLOOD INSURANCE RATE MAP IDENTIFIED AS COMMUNITY PANEL NO. 36093C0316G, PANEL NOT PRINTED, OF THE TOWN OF ROTTERDAM, SCHENECTADY COUNTY N.Y. CONTAINING NO EFFECTIVE DATE.

CERTIFICATION:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS" JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS. THE FIELD WORK WAS COMPLETED IN MARCH 2024.

SIGNED: _____ DATE: MARCH 11, 2024

N.Y.S. REGISTRATION NO. 049387

GENERAL NOTES:

NORTH IS ORIENTED TO MAP REFERENCE NO. 2

VERTICAL DATUM IS NAVD88, ESTABLISHED FROM GPS OBSERVATIONS AT THE TIME OF SURVEY

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S INKED SEAL OR HIS EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

SURVEYED FROM RECORD DESCRIPTION AND AS IN POSSESSION.

PROPERTY BOUNDARY AS PER MAP REFERENCE NO. 1 AND 2.

SUBJECT TO COVENANTS, EASEMENTS, RESTRICTIONS, CONDITIONS AND AGREEMENTS OF RECORD.

SURVEY SUBJECT TO ANY RIGHT, TITLE OR INTEREST THE PUBLIC MAY HAVE FOR HIGHWAY USE.

SURVEY SHOWN IS SUBJECT TO ANY SUBSURFACE CONDITIONS THAT MAY EXIST, IF ANY.

UNDERGROUND FACILITIES AND STRUCTURES SHOWN HEREON WERE TAKEN FROM DATA OBTAINED FROM PREVIOUS MAPS AND RECORD DRAWINGS. ALL ABOVE GROUND STRUCTURES AND SURFACE FEATURES SHOWN HEREON ARE THE RESULT OF A FIELD SURVEY UNLESS OTHERWISE NOTED. THERE MAY BE OTHER UNDERGROUND UTILITIES, THE EXISTENCE OF WHICH ARE NOT KNOWN OR CERTIFIED BY THE UNDERSIGNED. THE SIZE AND LOCATION OF ALL UNDERGROUND UTILITIES AND STRUCTURES MUST BE VERIFIED BY THE APPROPRIATE AUTHORITIES. THE UNDERGROUND FACILITIES PROTECTIVE ORGANIZATION MUST BE NOTIFIED

TAX PARCEL NUMBER:

TOWN OF ROTTERDAM, SCHENECTADY COUNTY, NEW YORK
SCH. 59.18 – BLK. 2 – PARCEL 1

MAP REFERENCES:

1. "MAP LAND BELONGING TO WELLINGTON KUGLER," PREPARED BY JOHN J. WIDMAN, ENGINEER & LAND SURVEYOR, DATED JUNE 8, 1936 AND FILED IN THE SCHENECTADY COUNTY CLERKS OFFICE, JUNE 16 1936 IN PLAT CABINET E AS MAP 31.

2. "MAP OF PMC POINT OF THE LANDS OF FRANK C. AMSLER & STEPHEN GADUS ," PREPARED BY GERALD W. BLADESTINE P.L.S., DATED MARCH 20, 1997, AND FILED IN THE SCHENECTADY COUNTY CLERKS OFFICE SEPTEMBER 13, 1997 IN PLAT CABINET H AS MAP 141.

DEED REFERENCES:

1. CUSHIONLAND FARMS, INC. TO HARINDER & NIRMAL CHAHAL, DATED JUNE 14, 2023 AND RECORDED IN THE SCHENECTADY COUNTY CLERKS OFFICE IN DEED BOOK 2109 AT PAGE 828.

2370 CURRY ROAD

ALTA/NSPS LAND TITLE BOUNDARY & TOPOGRAPHIC SURVEY OF THE LANDS OF HARINDER & NIRMAL CHAHAL

TOWN OF ROTTERDAM	SCHENECTADY COUNTY, N.Y.
SCALE: 1"=20'	MARCH 11, 2024
DRAWN BY: JJH	PROJECT NO: 24-2618

DATE	REVISION

Ausfeld & Waldruff Land Surveyors LLP
323 CLINTON STREET, SCHENECTADY NY
Phone: (518) 346-1593 Fax: 518-370-1693
VINCENT P. AUSFELD P.L.S.
info@awlls.com
www.awlls.com

3. **Rishie Rickram – 338 Melrose Street, Rotterdam, NY,** Tax Map #48.15-8-9 located in the Single Family Residential (R-1) Zoning District. Petitioner respectfully requests that he 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 that 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 property is a corner lot.

SEQR Requirement: Type 2 Listed Action – 6NYCRR Part 617

County 239-m Requirement: County review is not required.

Town of Rotterdam
Zoning Board of Appeals

RECEIVED
APR 11 2024
TOWN OF ROTTERDAM
PUBLIC WORKS

AREA VARIANCE APPLICATION

PART II

TOWN OF ROTTERDAM
General Information

All requested information shall be provided and must be filled out in ink or typed for photocopying purposes

Legal Owner's Name: Rishie Rickram

Mailing Address: 338 Melrose St
City: Schenectady State: NY Zip: 12306
Daytime Phone: 929-231-4888 E-mail: Rishierickram@gmail.com

If applicant is not the owner, include the written owner authorization form below designating the contact to serve as representative.

Owner's Designated Contact: 9293089251

Mailing Address: _____
City: _____ State: _____ Zip: _____
Daytime Phone: _____ E-mail: _____

Project/Proposal Site Area (Acres or sq. ft.): 338 Melrose St
Assessor Tax Parcel No.(s) of Proposal Site: 48.15-8-9
Street Address of Proposed Site (if any): _____

Adjacent Area Owned or Controlled (Acres or sq. ft.): _____
Assessor Tax Parcel No.(s) of Adjacent Land Owned or Controlled: _____
Name and Address of All Adjacent Landowners:

NAME: _____
ADD: 340 Melrose

NAME: _____
ADD: 2939 Wellington

NAME: _____
ADD: 2932 Wellington

NAME: _____
ADD: _____

NAME: _____
ADD: _____

NAME: _____
ADD: _____

NAME: _____
ADD: _____

NAME: _____
ADD: _____

NAME: _____
ADD: _____

NAME: _____
ADD: _____

Describe Existing Use(s) on Proposed Site (Such as buildings, well, sewer drainfield and others): _____

Existing Zoning Classification: _____

LEGAL INFORMATION

Please attach the deed to the proposed site (REQUIRED)

Width of Property Fronting on Public Road: _____

Section(s) of the zoning ordinance under which a variance is requested:

Purpose for the requested variance: Install Fence on corne Lot

Are there special circumstances such as lot size, slope, topography or necessary size or shape of the building, which prevent compliance with the zoning ordinance? If so, please explain:

Does any Town officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? Yes _____ No ✓. If yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

Black Line show 6'

Pink Line show 4'

if I can have Pink Line at 6' Pleas let Me kn

PLEASE DISCUSS EACH OF THE FOLLOWING FIVE (5) CRITERIA WHICH FORM THE LEGAL BASIS FOR THE GRANTING OF A VARIANCE

Explain why you believe that your variance request will not create an undesirable change to the character of the neighborhood or be a detriment to nearby properties if it is granted.

I believe that my variance request will not create an desirable change to the character of the neighbourhood or be a detriment to nearby properties. It's a reasonable and necessary modification that will improve the functionality and aesthetics of my property, while also maintaining the natural beauty of the area. I kindly request that you grant my variance request.

Can the benefit you seek by this variance request be achieved by some other means? If not, explain why there are no other alternatives.

No: because this can only be granted by the town.

Is your request a substantial variance from the ordinance? Please explain.

Why do you believe the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood? Please explain.

The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighbourhood. It will not result in any significant change to the density, aesthetics or environmental conditions of the area and it will not pose any safety risk.

Explain how the difficulty arose and why said difficulty was not self created (purchasing property without first checking the zoning restrictions and/or limitations is an example of a self-created hardship).

I did not create the difficulty. They were misled by seller's failure to disclose important information about property's zoning restrictions.

If you have any additional comments, please attach them on a separate sheet of paper.

PART III
LEGAL OWNER SIGNATURE
(Signature of legal owner(s))

I, the undersigned, swear or affirm under penalty of perjury that the above responses are made truthfully and to the best of my knowledge.

I further swear or affirm that (I)(we) (am)(are) the owner(s) of record of the area proposed for the previously identified land use action, or, if not the owner(s), attached herewith is written permission from the owner(s) authorizing my actions on his or her behalf.

Name: Rishie Rickram
Address: 338 Melrose St
Schenectady NY 12306

Date: 04/11/2024
Phone: 929 231-4888
Zip: 12306

*#1 Signature of Owner #1

04-11-2024
Date

Notary
*(For Signature #1 Above)

SABITREE BALDAT
Commissioner of Deeds
Qualified In Schenectady County
Commission Expires 11-2-2025

STATE OF NEW YORK) ss:
COUNTY OF SCHENECTADY)

SUBSCRIBED AND SWORN to me this 11 day of April, 2024.

NOTARY SEAL

Notary Signature

Notary Public in and for the State of New York

My appointment expires: 11/2/2025

XXXX

TOWN OF ROTTERDAM

John F. Kirvin Government Center • 1100 Sunrise Boulevard • Rotterdam, NY 12306
Telephone: 518-355-7575 • Fax: 518-355-7976 • Website: www.rotterdamny.org

LETTER FROM PROPERTY OWNER GRANTING AUTHORIZATION TO ACT

A COPY OF THIS LETTER MUST BE SUBMITTED FOR EACH PROPERTY OWNER INVOLVED

I, Rishie Rickram, being duly sworn declare that I am the

(PROPERTY OWNER)

owner of the property involved in a proposed Variance application request before the Town of Rotterdam for property known as parcel number (s):

Tax Parcel Number(s): 48.15-8-9

I hereby grant _____ and/or their agent(s) to act on my behalf.

I further declare that all statements, answers, and information herein submitted is in all respects true and correct to the best of my knowledge and belief.

Signature (Authorized Representative): _____

Date: 4-11-24

NOTARY

STATE OF NEW YORK) ss:
COUNTY OF Schenectady)

SUBSCRIBED AND SWORN to before me this 11 day of April, 2024

NOTARY SEAL

_____
Notary Signature

SABITREE BALDAT
Commissioner of Deeds
Qualified in Schenectady County
Commission Expires 11-2-2025

Notary Public in and for the State of New York

Residing at: 1406 Curry Rd Rotterdam NY 12306

My appointment expires: 11/2/2025

RECEIVED

APR 11 2024

TOWN OF ROTTERDAM
PUBLIC WORKS

4. **Patrick and Jene Senè – 2660 Currybush Road, Rotterdam, NY,** Tax Map #46.00-4-5.22 located in the Agriculture (A-1) Zoning District. Petitioners respectfully request that they 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 construct a 20' x 24' attached garage. The variance request(s) are as follows: **Chapter 270-138(c)**: "Lot Coverage" states with respect to private garages, the floor area for each stall for the enclosed parking or storage of private motor vehicles shall not exceed 300 square feet. Calculations computed for square footage shall be based upon exterior foundation dimensions. The proposed attached garage is 480 square feet and the existing attached garage is 980 square feet making the total garage space 1460 square feet, which is 560 square feet over the allowed size of 900 square feet.

SEQR Requirement: Type 2 Listed Action – 6NYCRR Part 617

County 239-m Requirement: County review is not required.

All requested information shall be provided and must be filled out in ink or typed for photocopying purposes

---

PART II

VARIANCE APPLICATION
General Information

Legal Owner's Name: Patrick and Jené Sena

Mailing Address: 2660 Currybush RD.
City: Rotterdam State: NY Zip: 12306
Daytime Phone: 914-843-4608 Fax:
518-858-2497

If applicant is not the owner, include the written owner authorization form below designating the contact to serve as representative.

Owner's Designated Contact: _____

Mailing Address: Same as above
City: _____ State: _____ Zip: _____
Daytime Phone: _____ Fax: _____

Project/Proposal Site Area (Acres or sq. ft.): 2660 Currybush Rd
Assessor Tax Parcel No.(s) of Proposal Site: _____

Adjacent Area Owned or Controlled (Acres or sq. ft.): _____
Assessor Tax Parcel No.(s) of Adjacent Land Owned or Controlled: _____

Name and Address of All Adjacent Landowners:

NAME: Martin Mulvey
ADD: 2676 Currybush RD.

NAME: N/A (House just sold! -pending sale)
ADD: 2680 Currybush RD.

NAME: _____
ADD: _____

NAME: _____
ADD: _____

NAME: _____
ADD: _____

NAME: _____
ADD: _____

NAME: _____
ADD: _____

NAME: _____
ADD: _____

RECEIVED
APR 24 2024
TOWN OF ROTTERDAM
PUBLIC WORKS

Street Address of Proposed Site (if any): _____

Describe Existing Use(s) on Proposed Site (Such as buildings, well, sewer drainfield and others): None - Part of our yard

Existing Zoning Classification: A-1

School District: Schalmont Fire District: South Schenectady

Water Supply Well

Existing/Proposed Use of Property:

(X)	A1 One-family dwelling	( )	C1 Business
( )	A2 Two-family dwelling	( )	C2 Mercantile
( )	B1 Multiple Dwelling (permanent occupancy)	( )	C3 Industrial
( )	B2 Multiple Dwelling (transient occupancy)	( )	C4 Storage
( )	B3 Multiple Dwelling (senior citizen housing)	( )	C5 Assembly
( )	B4 Multiple Dwelling (adult residential care facility)	( )	C6 Institutional
( )	C7 Miscellaneous		

LEGAL INFORMATION

Location of Proposal Site (General description by which direction and how far from roads and intersections and other community features): TOP of The Driveway, furthest from The road.

Name of Public Road (s) providing access: Currybush RD

Width of Property Fronting on Public Road: _____

I have attached a legal description of the proposed site: ◯ yes ◯ no

Section(s) of the zoning ordinance under which a variance is requested:

Purpose for the requested variance: additional garage space For ~~48x24, 1152 sq. ft.~~ Cars + Storage. + 480 sq ft.

Are there special circumstances such as lot size, slope, topography or necessary size or shape of the building, which prevent compliance with the zoning ordinance? If so, please explain:

NO

PLEASE DISCUSS EACH OF THE FOLLOWING FIVE (5) CRITERIA WHICH FORM THE LEGAL BASIS FOR THE GRANTING OF A VARIANCE

Explain why you believe that your variance request will not create an undesirable change to the character of the neighborhood or be a detriment to nearby properties if it is granted:

Our Property is 2 acres + This is directly connect to our home. It will not impose The neighbors or any nearby Properties in any way.

Can the benefit you seek by this variance request be achieved by some other means? If not, explain why there are no other alternatives:

NO. We seek additional garage space + our current cannot be expanded.

Is your request a substantial variance from the ordinance? Please explain: NO.

Why do you believe the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood? Please explain:

We live on a large Plot of land + neighbors aren't super close.

Explain how the difficulty arose and why said difficulty was not self created (purchasing property without first checking the zoning restrictions and/or limitations is an example of a self-created hardship):

I Spoke with a woman at the zoning office who is no longer There + she did not mention a garage restriction.

If you have any additional comments, please attach them on a separate sheet of paper.

PART III
LEGAL OWNER SIGNATURE
(Signature of legal owner(s) or representative(s) as authorized by legal owner)

I, the undersigned, swear or affirm under penalty of perjury that the above responses are made truthfully and to the best of my knowledge.

I further swear or affirm that (I)(we) (am)(are) the owner(s) of record of the area proposed for the previously identified land use action, or, if not the owner(s), attached herewith is written permission from the owner(s) authorizing my actions on his or her behalf.

Name: Patrick Sears — Date: _____

Address: 2660 Curryhouse RD — Phone: 518 858-2497

Rotterdam NY 12306 — Zip: _____

*#1 Signature of Applicant or Representative — Date

Notary
*(For Signature #1 Above)

STATE OF NEW YORK) ss:
COUNTY OF SCHENECTADY)

SUBSCRIBED AND SWORN to me this 24 day of April, 2024

NOTARY SEAL
DONNA LEVASSEUR
Notary Public, State of New York
Certified Schenectady County
#01LE6388331
Commission Expires: 3-4-2027

Notary Signature

Notary Public in and for the State of New York

My appointment expires: 3-4-2027

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Name: _____ — Date: _____

Address: _____ — Phone: _____

_____ — Zip: _____

*#2 Signature of Applicant or Representative — Date

Notary
*(For Signature #2 Above)

STATE OF NEW YORK) ss:
COUNTY OF SCHENECTADY)

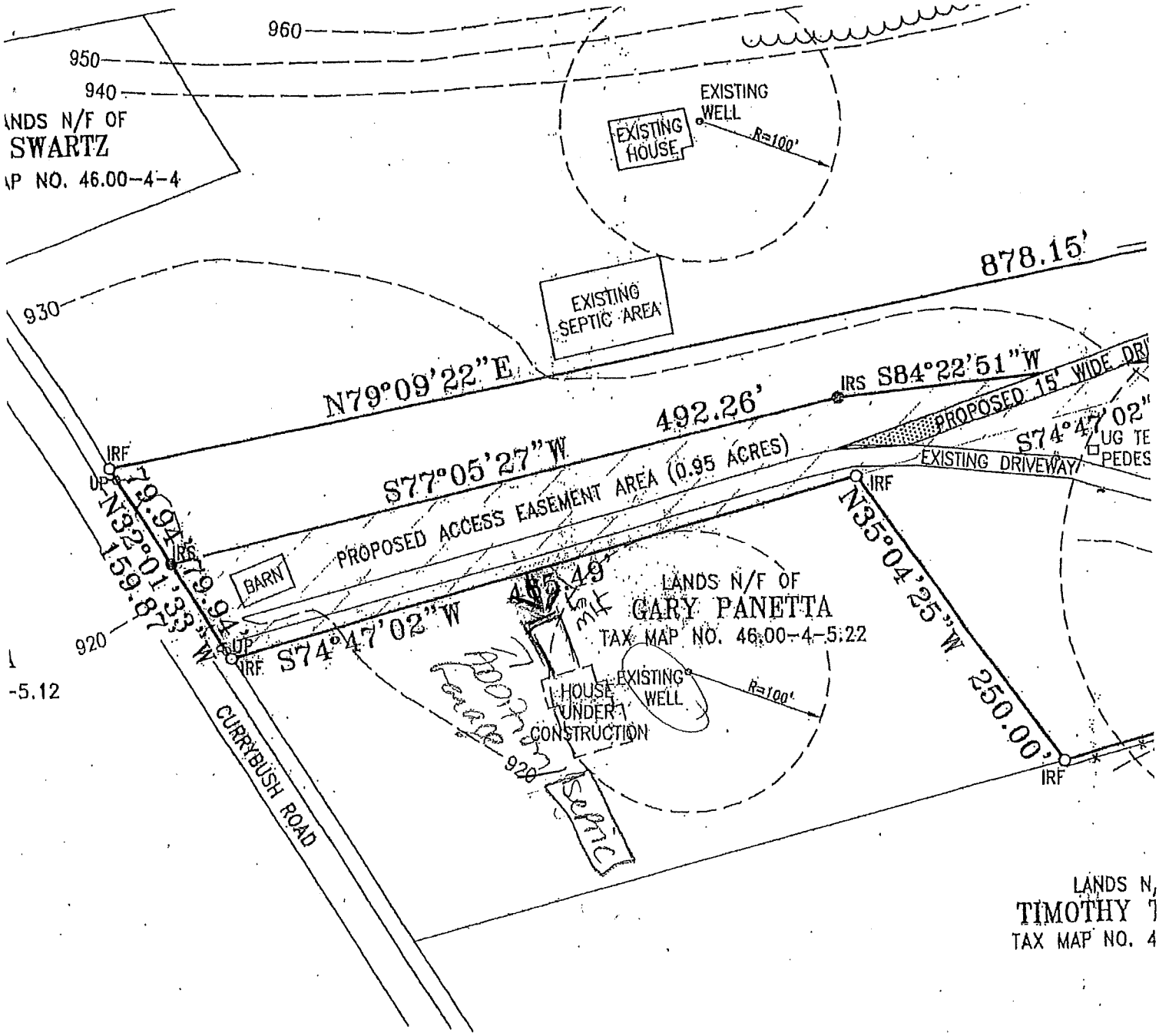
SUBSCRIBED AND SWORN to me this _____ day of _____, 20___.

NOTARY SEAL

Notary Signature

Notary Public in and for the State of New York

My appointment expires: _____



ISSUE	REV.	LOCATION	DATE	AP'D	REMARKS
A			8/21/01		FOR TOWN OF ROTTERDAM PLANNING BOARD APPROVAL

SCALE	1" = 100'
DRAWN	ALS
DATE	8/21/01
DESIGNED	ALS
CHECKED	MCB

NOTES:

INTERIOR DOOR ROUGH OPENINGS SHALL BE 2" WIDER THAN DOOR WIDTH SHOWN BY 6'-11" HIGH.

ALL EXTERIOR WINDOW & DOOR HEADERS SHALL BE (2) 2"x10" UNLESS OTHERWISE NOTED ON PLANS.

HEADERS 5'-0" OR LONGER SHALL HAVE A MINIMUM OF (2) 2"x8" JACK STUDS ON EACH END.

PROVIDE SOLID BLOCKING BETWEEN JOISTS BELOW ALL COLUMN LOCATIONS.

PROVIDE FIREBLOCKING IN THE FOLLOWING LOCATIONS:

IN CONCEALED SPACES OF STUD WALLS AND PARTITIONS, INCLUDING FURRED SPACES, AT THE CEILING AND FLOOR LEVELS.

AT ALL INTERCONNECTIONS BETWEEN CONCEALED VERTICAL AND HORIZONTAL SPACES SUCH AS OCCUR AT SOFFITS, DROP CEILINGS AND COVE CEILINGS.

IN CONCEALED SPACES BETWEEN STAIR STRINGERS AT THE TOP AND BOTTOM OF THE RUN. ENCLOSED ACCES UNDER STAIRS SHALL COMPLY WITH SECTION R314.8 OF THE CODE.

AT OPENINGS AROUND VENTS, PIPES AND DUCTS AT CEILING AND FLOOR LEVEL.

BRACED WALL PANEL NOTES:

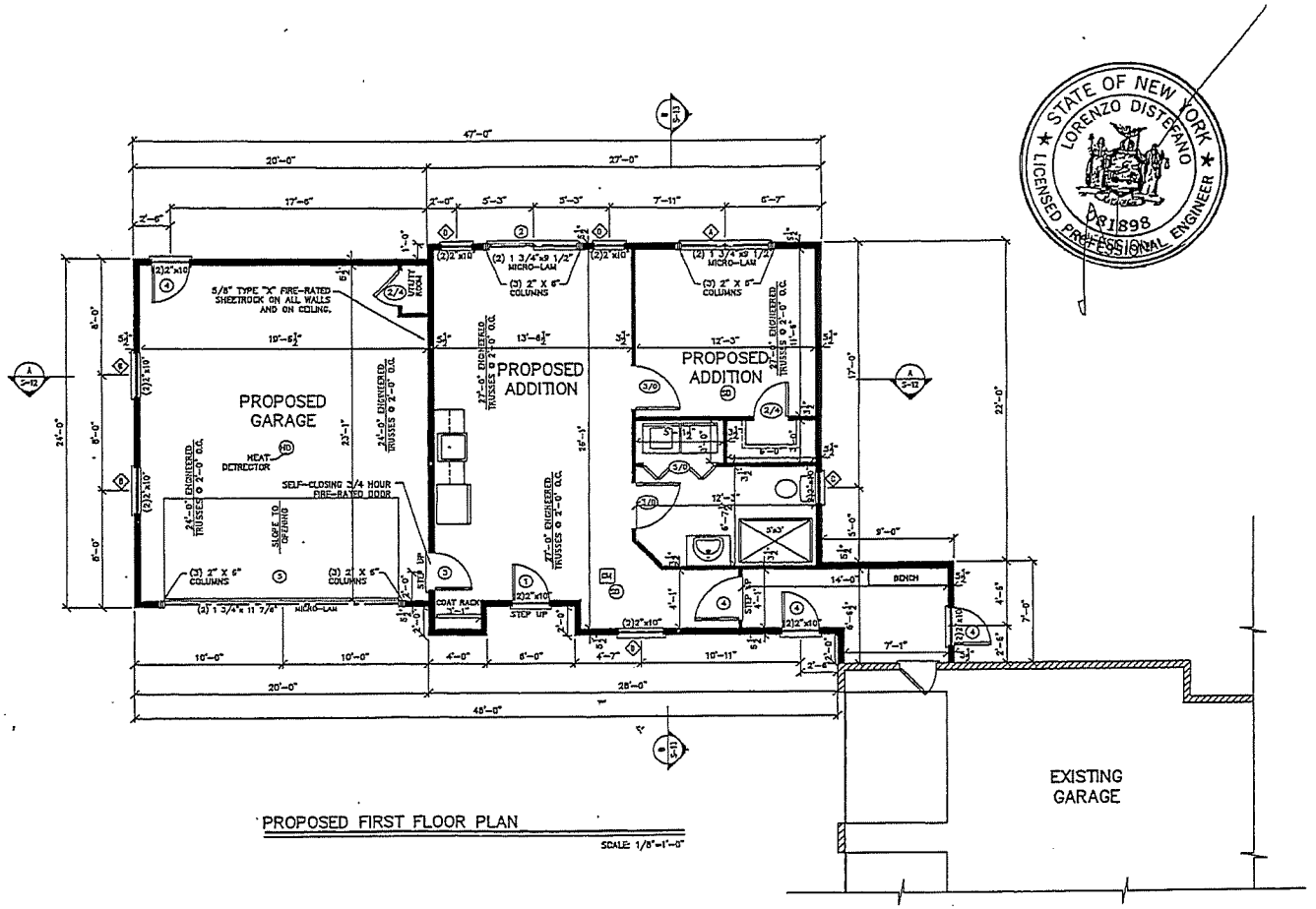
"CS-WSP" CONTINUOUS SHEATHED WOOD STRUCTURAL PANELS SHALL CONSIST OF 1/2" OSB WALL SHEATHING ATTACHED TO EXTERIOR SIDE OF WALL FRAMING WITH 8d COMMON NAILS AT 6" ALONG PANELS EDGES AND 12" O.C. IN FIELD. THE WALL SHALL ALSO HAVE 1/2" SHEETROCK ON THE INSIDE FACE OF THE EXTERIOR WALL WITH SHEETROCK SCREWS AT 6" O.C. ALONG PANEL EDGES AND 12" O.C. IN FIELD. ALL WALLS SHALL HAVE SOLID BLOCKING AT PANEL EDGES. EACH PANEL SHALL HAVE 1/2" DIA. ANCHOR BOLTS @ 4'-0" O.C. ANCHORED INTO THE POURED CONCRETE FOUNDATION WALL.

BLOCKING AT HORIZONTAL JOINTS NOT REQUIRED IN WALL SEGMENTS THAT ARE NOT COUNTED AS BRACED WALL PANELS.

KEY

EXISTING WALL

PROPOSED WALL



PROPOSED FIRST FLOOR PLAN

SCALE: 1/8"=1'-0"

Designer:
AM DESIGNS
Angelo Melillo
902 Duffbambury Court
Schenectady, NY 12309
(518) 878-9059

"Unauthorized alteration or addition to this document is a violation of Section 7209 (2) of New York State Education Law."

STATE OF NEW YORK
LORENZO DISTEFANO
LICENSED PROFESSIONAL ENGINEER
081898

Project Title:
PROPOSED NEW ADDITION FOR THE SENA'S
2660 CURRYBUSH ROAD ROTTERDAM, N.Y.

Drawing Title:
PROPOSED FIRST FLOOR PLAN

No.	Revisions/Submissions	Date

Drawn by: A. MELILLO
Date: APRIL, 2024
Scale: AS SHOWN
Drawing No.:
S-7

5. **Valerie Talbot – 1338 Paul Avenue, Rotterdam, NY,** Tax Map #58.7-12-45 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 270-143 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 that 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 property is a corner lot.

SEQR Requirement: Type 2 Listed Action – 6NYCRR Part 617

County 239-m Requirement: County review is not required.

Town of Rotterdam
Zoning Board of Appeals

AREA VARIANCE APPLICATION

RECEIVED
APR 29 2024
TOWN OF ROTTERDAM
PUBLIC WORKS

PART II

TOWN OF ROTTERDAM
General Information

All requested information shall be provided and must be filled out in ink or typed for photocopying purposes

Legal Owner's Name: Valerie Talbot

Mailing Address: 1338 Paul Ave
City: Rotterdam State: NY Zip: 12306
Daytime Phone: 518-441-4881 E-mail: kvtalbot71@gmail.com

If applicant is not the owner, include the written owner authorization form below designating the contact to serve as representative.

Owner's Designated Contact: Kevin Talbot

Mailing Address: 1338 Paul Ave
City: Schenectady State: NY Zip: 12306
Daytime Phone: 315-702-7386 E-mail: kvtalbot71@gmail.com

Project/Proposal Site Area (Acres or sq. ft.):
Assessor Tax Parcel No.(s) of Proposal Site: 58.7-12-45
Street Address of Proposed Site (if any): 1338 Paul Ave Rotterdam NY 12306

Adjacent Area Owned or Controlled (Acres or sq. ft.): .17 acres
Assessor Tax Parcel No.(s) of Adjacent Land Owned or Controlled: 58.7-12-24
Name and Address of All Adjacent Landowners:

NAME: Jeffrey Mills
ADD: 1325 Trinity Ave
Schenectady NY
12306

NAME:
ADD:

NAME:
ADD:

NAME:
ADD:

NAME:
ADD:

NAME:
ADD:

NAME:
ADD:

NAME:
ADD:

Describe Existing Use(s) on Proposed Site (Such as buildings, well, sewer drainfield and others): 1 family residential dwelling with public water & public sewer

Existing Zoning Classification: residential R-1

LEGAL INFORMATION

Please attach the deed to the proposed site (REQUIRED)

Width of Property Fronting on Public Road: 125Ft

Section(s) of the zoning ordinance under which a variance is requested:
270-143

Purpose for the requested variance: fencing

Are there special circumstances such as lot size, slope, topography or necessary size or shape of the building, which prevent compliance with the zoning ordinance? If so, please explain:
NO

Does any Town officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? Yes _____ No X. If yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

PLEASE DISCUSS EACH OF THE FOLLOWING FIVE (5) CRITERIA WHICH FORM THE LEGAL BASIS FOR THE GRANTING OF A VARIANCE

Explain why you believe that your variance request will not create an undesirable change to the character of the neighborhood or be a detriment to nearby properties if it is granted.

Surrounding properties have white vinyl fencing which we plan to purchase for our property. This will also provide our family safety and privacy as we are located on a corner lot. With AC towing company and the industrial park our property needs a fence for safety and for aesthetics.

Can the benefit you seek by this variance request be achieved by some other means? If not, explain why there are no other alternatives.

No. Our property abuts the Rotterdam corporate park and the industrial uses of the park and adjacent properties will likely never change. The only way we see to solve the issue of providing safety of our family is to construct a fence.

Is your request a substantial variance from the ordinance? Please explain.

NO. We do not believe it is because there are multiple homes on corner lots with fencing which is much closer to the road than what we propose to do.

Why do you believe the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood? Please explain.

As I've stated previously our proposed variance will not have an adverse effect or impact on the physical of environmental conditions in the neighborhood.

Explain how the difficulty arose and why said difficulty was not self created (purchasing property without first checking the zoning restrictions and/or limitations is an example of a self-created hardship).

This is not a self-created hardship. All we are looking for is a fence to provide safety for our family and aesthetically pleasing environment in our back/side yard.

If you have any additional comments, please attach them on a separate sheet of paper.

PART III
LEGAL OWNER SIGNATURE
(Signature of legal owner(s))

I, the undersigned, swear or affirm under penalty of perjury that the above responses are made truthfully and to the best of my knowledge.

I further swear or affirm that (I)(we) (am)(are) the owner(s) of record of the area proposed for the previously identified land use action, or, if not the owner(s), attached herewith is written permission from the owner(s) authorizing my actions on his or her behalf.

Name: Valerie Talbot
Address: 1338 Paul Ave
Schenectady NY 12306

Date: 4/29/24
Phone: 518-441-4881
Zip: 12306

Valerie Talbot
*#1 Signature of Owner #1

4/29/24
Date

Notary
*(For Signature #1 Above)

STATE OF NEW YORK) ss:
COUNTY OF SCHENECTADY)

SUBSCRIBED AND SWORN to me this 29th day of April, 2024.

NOTARY SEAL Tammy L. Whelan
Notary Public, State of New York
Certified Schenectady County
01WH6261330
Commission Expires 5/7/24

Tammy L. Whelan
Notary Signature
Notary Public in and for the State of New York

My appointment expires: 5/7/24

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Name: _____
Address: _____
_____

Date: _____
Phone: _____
Zip: _____

_____
*#2 Signature of Owner #2

_____
Date

Notary
*(For Signature #2 Above)

STATE OF NEW YORK) ss:
COUNTY OF SCHENECTADY)

SUBSCRIBED AND SWORN to me this _____ day of _____, 20___.

NOTARY SEAL

_____
Notary Signature
Notary Public in and for the State of New York

My appointment expires: _____

Paul Ave

North

Pelham St.

RPS version 4 - [Owner Update , Group - Assessor Staff, Name - helpdesk]

File Edit View Toolbar Window Help

58.7-12-25 | 422800 Rotterdam | Active | R/S 1 | School: Mohonasen Cntl

Scrom, Jeffrey | Roll Year: 2024 Curr Yr | 1 Family Res | Land AV: 6,800

1321 Trinity Ave | Land Size: 0.17 acres | Homestead | Total AV: 170,000

- Parcel 58.7-12-25
  - History
  - Assessment
    - Exempt(s)
    - Spec Dist(s)
  - Description
  - Owner(s)
  - Images
  - GIS
  - Site (1) Res
    - Land(s)
    - Bldg
    - Imprvmt(s)
    - Valuation

Owner | Tax Bill Mailing Address | 3rd Party Address | Bank

Total 2 Owners. To open, click the appropriate row. (Right Click to Add)

Jeffrey Scrom — Owner Type: Primary — Desig Status:

Michele Scrom — Owner Type: Additional — Desig Status:

Last Name / Company: Scrom | First Name: Jeffrey | MI: | Jr, Sr, etc:

Attention To / In Care Of: | Additional Address:

Street No: 1321 | Prefix Dir: | Street / Rural Route: Trinity | St Suffix: Ave | Post Dir: | UnitName: | Unit No:

Po Box No: | City/Town: Schenectady | State: NY | Zip Code: 12306-

Country: enter if not "USA" | Bar Cd: | Ownership: e.g. Life Use | Owner Type: P = Primary

Owner's Primary Residence

Prints the screen

USD/GBP | Search

RPS version 4 - [Owner Update , Group - Assessor Staff, Name - helpdesk]

File Edit View Toolbar Window Help

58.7-12-24 | 422800 Rotterdam | Active | R/S: 1 | School: Mohonasen Cntl
Mills, Jeffrey L | Roll Year: 2024 Curr Yr | 1 Family Res | Land AV: 6,800
1325 Trinity Ave | Land Size: 0.17 acres | Homestead | Total AV: 140,000

- Parcel 58.7-12-24
  - History
  - Assessment
    - Exempt(s)
    - Spec Dist(s)
  - Description
  - Owner(s)
  - Images
  - Gis
  - Site (1) Res
    - Land(s)
    - Bldg
    - Imprvmt(s)
    - Valuation
  - Sale09/28/18
    - Site (1) Res
      - Land(s)
      - Bldg
      - Imprvmt(s)
      - Valuation
  - Sale05/09/13
    - Site (1) Res
      - Land(s)
      - Bldg
      - Imprvmt(s)
      - Valuation
  - Sale12/20/12
    - Site (1) Res
      - Land(s)
      - Bldg
      - Imprvmt(s)
      - Valuation

Owner | Tax Bill Mailing Address | 3rd Party Address | Bank

Total 1 Owners: To open, click the appropriate row (Right Click to Add)

Jeffrey L Mills | Owner Type: Primary | Desig Status:

Last Name / Company: Mills
First Name: Jeffrey
MI: L
Jr, Sr, etc:
Attention To / In Care Of:
Additional Address:
Street No: 1325
Prefix Dir:
Street / Rural Route: Trinity
St Suffix: Ave
Post Dir:
UnitName:
Unit No:
Po Box No:
City/Town: Schenectady
State: NY
Zip Code: 12306-
County: enter if not "USA"
Bar Cd:
Ownership: e.g. Life Use
Owner Type: P = Primary
Owner's Primary Residence:

Prints the screen

61°F Search

Copy

EXECUTOR'S DEED

THIS INDENTURE, made this 23rd day of October, Two Thousand Twenty

BETWEEN James DeMidio, residing at 9 Brewster Street, Scotia, NY 12302, as Executor under the Last Will and Testament of Donald DeMidio aka Donald J. DeMidio, late of the Town of Rotterdam, County of Schenectady and State of New York, who died May 11, 2020

party of the first part, and

Valerie Ann Tommasone, residing at 1337 Paul Avenue, Schenectady, NY 12306,

party of the second part

WITNESSETH that the party of the first part to whom Letters Testamentary were issued by the Surrogate's Court, Schenectady County, New York on July 7, 2020 by virtue of the power and authority given in and by said Last Will and Testament, and by Article 11-1.1 of the Estates, Powers and Trusts Law, and in consideration of One hundred Eighty-Seven Thousand Five Hundred**($187,500.00)** Dollars paid by the party of the second part, does hereby grant and release unto the party of the second part, the distributees or successors and assigns of the party of the second part,

See Schedule A attached

Subject to any and all covenants, conditions, easements and restrictions of record.

BEING the same premises conveyed to Donald DeMidio and Angela DeMidio, his wife by two deeds: 1. Conveyed from David L. Newhouse and Helen A. Newhouse, dated May 7, 1955 and recorded on May 12, 1955 in the Schenectady County Clerk's Office in Book 715 at Page 346 and 2. Conveyed from Robert W. William, as County Treasurer of the County of Schenectady dated December 27, 1966 and recorded on January 30, 1967 the Schenectady County Clerk's Office in Book 885 of Deeds at Page 42. The said Angela DeMidio died a resident of Schenectady County on November 8, 2012 leaving Donald DeMidio as surviving spouse.

TOGETHER with all the right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and also all the estate which the said decedent had at the time of decedent's death in said premises, and also the estate therein, which the party of the first part has or has power to convey or dispose of, whether individually, or by virtue of said will or otherwise;

TO have and to hold the premises herein granted unto the party of the second part, the distributees or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the

first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

SUBJECT to the trust fund provisions of section thirteen of the Lien Law.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

Estate of Donald DeMidio

IN PRESENCE OF

L.S.

James DeMidio, Executor

State of New York)
County of Schenectady) ss.:

On October 13, 2020 before me, the undersigned, personally appeared, James DeMidio, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

NOTARY PUBLIC

LYDIA R. MAROLA
Notary Public, State of New York
No. 4948056
Qualified in Schenectady County
Commission Expires March 8, 2023

Record & Return: