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Zoning Appeals Addendum

Town of Amsterdam, Montgomery County

May 2026

Site Address: Tessiero Square
Amsterdam, New York 12010
Tax Map: 80.65-2-2

Applicant: DiamondHawk Holdings, LLC
P.O. Box 321
Schoharie, NY 12157

Owner: Fiacco Holding 101 Town Square, LLC
33-37 Warehouse Row
Albany, NY 12205

Design Engineer: Verity Engineering, D.P.C.
P.O. Box 474
Troy, New York 12181

Zoning: Mixed Use 1 (MU-1)

Intensity: Business (B-1)

Proposed use: Hotel

Variances Under Article(s): Town of Amsterdam Zoning Law
Article 5, Section 17: Schedule A, Area and Height Regulations
Article 9, Section 37, Off-Street Parking and Loading

Item	Required	Proposed	Variance Request	% Change
Building Height	3-Stories/45 ft.	4-Stories/60 ft.	15 ft.	33%
Side Yard Setback	20 ft.	10 ft.	10 ft.	50%
Rear Yard Setback	30 ft.	15 ft.	15 ft.	50%
Parking Space	180 sq. ft.	162 sq. ft.	18 sq. ft.	10%

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

The subject parcel is located within the Town’s core business district where various commercial uses are located. The area also experiences some of the Town’s most concentrated traffic flow. The proposed hotel is setback ±900 ft. from NYS Route 30, ±225 from the historical Hurricana Stock Farm structure to the west, and ±152 ft. from Sanford Stud Farm historic barn structures to the east. Although the hotel structure is proposed 15 ft. from the existing Town Square Retail Center, retail and hospitality uses being clustered

is normal and customary for high-traffic commercial areas. The proposed Hotel will improve the character of the area and provide a needed asset to the Town's residents and businesses. It compliments the existing character of the district and will not be a detriment to nearby properties in the B-1 zone.

2/ Can the benefit the applicant seeks by virtue of this variance application be achieved by revising your proposal? If not, explain why there are no other alternatives:

There are no other reasonable alternatives for the applicant to consider. Adding another floor to the hotel was considered, but determined to be out of character with the area. Taking into consideration the topography, drainage, stormwater management, required parking, hotel room density, and siting the building appropriately given the surrounding historical resources, the requested variances are reasonable.

3/ Explain why you believe the proposed variance is not substantial:

The requested variances are not substantial. The rear setback is adjacent to a ±57,000 sq. ft. retail shopping plaza, the side yard setback is adjacent to the retail center's rear loading access drive. The parking setback variance is required to achieve the minimum parking required for the use and allows for a reduction of impervious area by 10%. All variances requested are 50% or below of the required area regulations.

4/ Explain why you believe the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood:

Granting of the proposed area variances will not have a negative physical or environmental effect on the neighborhood. The hotel use is allowed by zoning law, is appropriately setback from existing historic resources to the greatest extent practical, and does not generate smoke, odors, noise that would be detrimental to nearby commercial properties. The project will incorporate stormwater management practices which treat stormwater and minimize runoff from the proposed development.

5/ Explain why you believe the difficulty that requires the variance was not "self-created":

The difficulty is not self-created as the relief sought is driven by the physical characteristics, permitting regulations and features of the property. The applicant's do not currently own the property. The request to this Board is to consider the benefits of the Applicant's proposal, which clearly outweighs any detriment to the neighborhood, environment and nearby properties.

