



Peter G. Crummey
Town Supervisor

TOWN OF COLONIE

Zoning Board of Appeals
Public Operations Center
347 Old Niskayuna Road
Latham, New York 12110

Phone (518) 783-2706 Fax (518) 783-2772
<https://www.colonie.org/boards/zba/>

Peter R. Crouse
Chairman

MINUTES OF MEETING ZONING BOARD OF APPEALS March 19, 2025

Chairman Peter R. Crouse called the meeting of the Town of Colonie Zoning Board of Appeals to order on **March 19, 2025**, at **7:00 p.m.** at the Public Operations Center, 347 Old Niskayuna Road, Latham, New York.

Present:	Chairman	Peter R. Crouse	Absent:
	Member	P.J. Blanchfield	
	Member	James Campbell	
	Member	Steven Girvin	
	Member	Christopher Rueckert	
	Member	George Vogt IV	
	Member	Frederick Weinraub	
	Counsel	Michael Paulsen, Esq.	

The meeting minutes of **March 5, 2025**, were reviewed. Member Rueckert made a motion to approve the minutes. Member Campbell seconded the motion. Upon roll call, the minutes were approved unanimously.

A public hearing was held on the application of **Vincenzo Sofia** for the premises located at **7 Lorna Lane**. Vincenzo Sofia made a presentation to the Board. Member Vogt made a motion to approve the variance as presented. Member Blanchfield seconded the motion. Upon calling the vote, the motion to approve the variance as presented passed unanimously.

There being no more business, Member Campbell made a motion to close the meeting at 7:14 p.m. Member Weinraub seconded the motion and, upon roll call, the motion to close passed unanimously.

Approved: _____ Date: _____
Chairman Peter R. Crouse



Peter G. Crummey
Town Supervisor

TOWN OF COLONIE

Building Department
Public Operations Center
347 Old Niskayuna Road
Latham, New York 12110

Phone (518) 783-2706 Fax (518) 783-2772
www.colonie.org/departments/building
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Chretien T. Voerg, P.E.
Director

Date: March 20, 2025
To: Members of the Zoning Board of Appeals
From: Chretien T. Voerg, P.E., Director
Subject: **Zoning Board of Appeals Agenda – April 2, 2025**

Adjourned Hearings:

24-048 86 Fonda Road – Cillis Builders
25-001 24 Lincoln Avenue – Paul Rinella

New Hearings:

25-007 25 Pheasant Ridge Drive – Maryrita Dobiel
25-008 590 Broadway – L. Sipperly & Associates, DPC (Federal Express)



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Peter R. Crouse
Chairman

TAKE NOTICE that the Town of Colonie Zoning Board of Appeals will hold a public hearing at the Public Operations Center, 347 Old Niskayuna Road, Latham, in the Town of Colonie, on the **2nd day of April, 2025, at 7:00 p.m.** to hear the appeal of **Cillis Builders** from the decision of the Building Department Director for the Town of Colonie denying the applicant a Building Permit for the premises located at **86 Fonda Road**. The proposed construction of a 4,464±-square-foot two-family dwelling, replacing an existing 2,088±-square-foot two-family dwelling is not compliant with the prohibition of enlargement of a non-conforming use in a Single Family Residential (SFR) zoning district as stated in the Town of Colonie Land Use Law, Article VIII, Section 190-34, Attachment #2 - Dimensional Table. The Zoning Board of Appeals will hear the request for variance from the provisions of the Code of the Town of Colonie, Chapter 190 to permit such construction and use and a SEQR Determination for such appeal. The public may view and listen to the Zoning Board of Appeals hearing on the Town's website by typing <https://colonienny.iqm2.com/Citizens/Default.aspx> in your web browser. The public may present comments to the Board in person or by emailing infozba@colonie.org. (Emailed comments must be received at least 24 hours in advance). Such comments will be read and addressed by the Chairman during the hearing. Landlords are strongly encouraged to notify tenants of the contents of this notice.

**ZONING BOARD OF APPEALS
PETER R. CROUSE, CHAIRMAN**

DATED March 20, 2025

Application for Zoning Verification and Building/Zoning Permit

RECEIVED
34

SEP 11 2024

RESIDENTIAL

TOWN OF COLONIE

Public Operations Center

347 Old Niskayuna Road

Latham, NY 12110-2286

Building Department

518-783-2706

Fax 518-783-2772

Permit No. Z20240101GTOC
BUILDING DEPT.

INSTRUCTIONS

Any proposal which requires a Town of Colonie Building and Zoning Permit must first be reviewed by the zoning enforcement officer of the Town of Colonie to determine whether the proposal violates any zoning provision(s) of the Town of Colonie Land Use Law. The zoning enforcement officer's determination is based upon the information submitted on this form and such determination is subject to review and change if the project is modified at a subsequent date. The zoning enforcement officer reserves the right to request further information if deemed necessary. Disapproval of the application by the zoning enforcement officer means the project, as designed, cannot proceed for the reasons provided. If you disagree with the zoning enforcement officer's determination, you may appeal said determination to the Town of Colonie Zoning Board of Appeals.

A new Application for Zoning Verification may be required if applicable zoning laws change before the proposed action is completed.

SITE PLAN REQUIRED

If the proposed action includes a garage, pool, shed, addition, other accessory structure or a new building, a site plan must be submitted with this application. Site plan requirements are as follows: Depending on the type of construction, a hand-drawn plan may be done by the applicant.

The plan must depict the existing structure(s), if any, the proposed structure, the lot layout, and all new and existing building setbacks.

APPLICATION IS HEREBY MADE to the Building Department for the issuance of a Building/Zoning Permit pursuant to the N.Y.S. Uniform Fire Prevention & Building Code for the construction of buildings, additions or alterations, or for removal or demolition, as herein described. The signer and/or owner agrees to comply with all applicable laws, ordinances, and regulations, as well as any conditions expressed on this application, and will allow all inspectors to enter the premises for required inspections.

THIS FORM WILL BE ON FILE IN THE BUILDING DEPARTMENT FOR 1 YEAR.

Address of Site: 86 FONDA RDCity Cohoes State NY Zip 12047Property Owner's Name: Cillis Builders(Applicant) Address: 88 NEWTON ST.City ALBANY State NY Zip 12205

Phone W _____ H/Cell _____

Property Owner's Email: _____

Contractor's Business Name: Cillis Builders

(insurance must match business name)

Address: Visionplanning consultants@gmail.comCity ALBANY State NY Zip 12205Phone W _____ Cell 518-857-4406ESTIMATED COST \$ 175K Flr. Area _____

PERMIT FEE \$ _____

(This fee is not refundable)

*all permits, co's and cc's will be issued to the property owner

INSURANCE INFORMATION REQUIRED

Owners performing work must submit a CE-200 obtained from www.businessexpress.ny.gov

By signing this application, the owner/contractor doing work acknowledges their responsibility for verification of all required subcontractor insurance.

Contractors must prove compliance with Section 57 of the Worker's Compensation Law by producing one of the following:

☐ C-105.2 ☐ U-26.3 ☐ SI-12 ☐ CE-200

Contractor's General Liability

Insured's Name _____

(must match business name)

NOTE: IF OWNER IS NOT THE SIGNEE, THE SIGNEE SWEARS THAT THE PROPOSED WORK IS AUTHORIZED BY THE OWNER AND THAT THE SIGNEE IS AUTHORIZED TO MAKE SUCH APPLICATION.

ADVISORY NOTE: THERE ARE SEVERAL PARCELS OF LAND IN THE TOWN OF COLONIE THAT CONTAIN FEDERAL WETLANDS. BEFORE EXCAVATING, WE ADVISE CONTACTING THE ARMY CORP. OF ENGINEERS AT (518) 270-0588.

YOU MUST CALL FOR REQUIRED INSPECTIONS. SEE PERMIT CARD FOR INSPECTIONS NEEDED

FOR OFFICIAL USE ONLY

The application of _____ Dated _____, 20____
Is hereby approved (disapproved) and permission granted (refused) for the construction, reconstruction, or alteration of a building and/or accessory structure as set forth on this application.

Reason for approval (refusal) of permit: _____

Proposed use: _____

Variance Granted # _____

Dated: _____, 20____

Contract
Person:
TED DEWIS
518-857-4406

PROPOSED ACTION:

a) Describe Present Use of Property: ☐ One Family ☒ Two Family ☐ Vacant Land ☐ Other (specify)

WITH A DETACHED 2 CAR GARAGE

b) Is the proposed action a: ☒ New Building ☐ Addition ☐ Renovation☐ Accessory Structure ☐ Garage ☐ Shed ☐ Deck ☐ Pool ☐ Other☐ Home Occupation:☐ Accessory Dwelling Unit

Describe the proposed use or construction in detail: REPLACE OLD TWO FAMILY WITH A NEW TWO FAMILY

c) Gross Floor Area: Existing: 2,996 square feet FOOT PRINT
Proposed: 3,880 square feet FOOT PRINT
DIFFERENCE Total: 884 square feet FOOT PRINT

d) Parcel is located in a SFR zoning district. (If unknown, verify with Building Department.)

SITE INFORMATION: (DO NOT COMPLETE THIS SECTION IF THERE WILL BE NO EXTERIOR ALTERATION OF THE STRUCTURE/SITE)

Size of lot: 4.74 acre sq. ft.

Is this a corner lot? Yes ☐ No ☒ If yes, corner lot: feet Through lot? Yes ☐ No ☒Does the parcel front upon a developed public street? Yes ☒ No ☐ If yes, length of frontage on street: feet 219.22

Building Setbacks:

Front Yard Depth:

Existing

feet

76

Proposed

feet

82

Left Side Yard:

feet

300

feet

315

Right Side Yard:

feet

85

feet

23

Rear/Side Yard Depth:

feet

380

feet

378

Existing Building Height (at peak):

feet

30

stories

2

Proposed Height (at peak):

feet

22

stories

1

APPROVAL/DISAPPROVAL

APPROVAL IS VALID FOR 1 YEAR

SIGNATURE: Ted Deluca

PRINT NAME: TED DELUCA

DATED: 9/10/24

TITLE IN COMPANY: Agent

If DISAPPROVED, an appeal must be taken within sixty days after the filing in the Town Clerk's office of any order, requirement, decision, interpretation or determination, from which the appeal is taken.

FOR OFFICIAL USE ONLY

I, U.S. MAHAN, Zoning Officer of the Town of Colonie do hereby find that the proposed action as described above, and in any attachments hereto, ☐ IS IN ACCORDANCE ☒ IS NOT IN ACCORDANCE

with Chapter 190 of the Colonie Land Use Law that are effective as of this date.

Dated: 9/13/24

SIGNATURE OF ZONING OFFICER

The proposed construction of a 3,880 sq. ft. two family dwelling, replacing an existing 2,996 sq. ft. two family dwelling is not compliant with the prohibition of enlargement of a non-conforming use in a Single Family Residential (SFR) zoning district as stated in the Town of Colonie Land Use Law, Article VIII Section 190-34, Attachment #2 - Dimensional Table.

Are there easements on the property

Yes ☐ No ☒

Parcel in/near a floodplain

Yes ☐ No ☒

Parcel in/near a wetland

Yes ☒ No ☐

On/near a protected watercourse

Yes ☒ No ☐

Copy of assessor's card(s) attached

Yes ☒ No ☐

Copy of County tax map attached

Yes ☐ No ☒

S. B. L. # 5-3-2-12.1

Is existing use nonconforming

Yes ☒ No ☐

Variance granted on property

Yes ☐ No ☒

Subdivision of record on file

Yes ☐ No ☒

Does the Grandfather Provision apply

Yes ☒ No ☐If yes, Pre-1987 ☒ 1987 to 2006 ☐

Existing Violation or outstanding permit

Yes ☐ No ☒YES ☐ NO ☒ VIOLATION - CHAPTER 190-8 - CONSTRUCTION STARTED WITHOUT ZONING/BUILDING PERMIT

You may now file for a:

☐ Building permit application☒ Application for a Zoning Variance or Interpretation☐ Special Use Permit (Planning & Economic Development)☐ Application to Town Board for Open Development Area

**APPEAL FROM DECISION OF ADMINISTRATIVE OFFICIAL
APPLICATION FOR INTERPRETATION/VARIANCE**

Zoning Board of Appeals
Town of Colonie
Appeal and Petition for Interpretation/Variance
Under Building Construction/Zoning Law

To the Zoning Board of Appeals
Town of Colonie

Date: October 22, 2024

(being) (owner)
1. The undersigned, (representing) the (lessee) of (identify property by lot and block or otherwise) SBL #5.3-2-12.1 located at 86 Fonda Road, hereby gives notice of appeal from the decision of the (Bldg. Dept. Manager) made on the 13th day of September, 2024 in refusing to issue a Building and Zoning Permit on the ground that the same would be in violation of the provisions of the Code of the Town of Colonie for the following reason(s):

The proposed construction of a 4,464 ± sq. ft. two family dwelling, replacing an existing 2,088 ± sq. ft. two family dwelling is not compliant with the prohibition of enlargement of a non-conforming use in a Single Family Residential (SFR) zoning district as stated in the Town of Colonie Land Use Law, Article VIII Section 190-34, Attachment #2 - Dimensional Table.

2. Appellant alleges:

a. That there are unusual circumstances and conditions affecting said property that are peculiar to said property and do not apply generally to other property in the vicinity, which circumstances and conditions are as follows:

X SEE ATTACHED

b. That by reason of the aforesaid unusual and peculiar circumstances and conditions, there are (practical difficulties) (unnecessary hardships) in carrying out the strict letter of the aforesaid provisions of the Building Const./Zoning Law as follows:

X SEE ATTACHED

3. Because of the aforesaid alleged facts, appellant petitions the Zoning Board of Appeals, in acting on this appeal, to vary or modify the strict application of the aforesaid provisions of the Building Const./Zoning Law to said property, to the following specific extent:

X SEE ATTACHED

Attached hereto is a plot plan of said property, showing _____

together with _____

4. Appellant further alleges that such variance would be in harmony with the spirit of the Building Const./Zoning Law and would not be detrimental to property or persons in the neighborhood and that the public safety and welfare would be secured and substantial justice done by the granting of such variance, for the following reason(s): _____

X SEE ATTACHED

X FOR APPLICATION FOR INTERPRETATION ONLY. State grounds upon which appellant asserts that the order, requirement, decision, interpretation or determination of the Building Department Manager as stated in paragraph 1. above, is incorrect. (Attach additional pages if necessary) _____

STATE OF
COUNTY OF

SS:

Subscribed and sworn to before me this 22nd day of October, 2024

Victoria Normandin
Notary Public State of New York
Qualified in Albany County NO190776
Commission Expires 08/04/2028

The undersigned, being duly sworn, deposes and says that he has read the foregoing document and knows the contents thereof and that the facts set forth therein are true to the best of his knowledge, information and belief

Signature: 150 DEW

Print Name: TED DEW

Address: PO Box 442

Newville NY 12128

Owner or lessee if other than above

Name _____

Mailing _____

Address _____

Zoning Board Variance Appeal for : 86 Fonda Rd

Appeal form attachment :

2 (a) Appellant alleges: There are unusual circumstances and conditions affecting said property that are peculiar to said property and do not apply generally to other property in the vicinity, which circumstances and conditions are as follows:

This parcel is somewhat unique due to it is an existing two family home on a very large 4.74 acre parcel of land. It is in within a Single Family zoning district however the two family use is grandfathered in based on it being built decades ago.

2 (b) That by reason of the aforesaid unusual and peculiar circumstances and conditions, there are practical difficulties , unnecessary hardships, in carrying out the strict letter of the aforesaid provisions of the Building Construction & Zoning Law as follows:

Our unusual and peculiar conditions are, based on the grandfather provision when replacing a two family you are not allowed to expand the ground floor footprint. This does complicate a rebuild due to decades ago houses were a lot smaller and garages we detached. So, to replace this in today's market we obviously want and need to build a larger living space for each unit to support individuals needs and the garages are typically attached to the building which enlarges the ground floor footprint needing a variance.

3) Because of the aforesaid alleged facts, appellant petitions the Zoning Board of Appeals, in acting on this appeal. To vary or modify the strict application of the aforesaid provisions of the Building Construction & Zoning Law to said property, to the following specific extent:

We are asking to allow the existing two story two family building and detached garage to be removed and build a ranch style two family home with the garages attached using a larger ground floor footprint. None of which violates the required area size or setbacks.

4) Appellant further alleges that such variance would be in harmony with the spirit of the Building Construction & Zoning Law and would not be detrimental to property or persons in the neighborhood and that the public safety and welfare would be secured and substantial justice done by granting of such variance, for the following reasons:

Granting this variance would not have a detrimental impact on neighbors, public safety or the environment. The enlargement and placement of the new two family will allow for a significant distance to any neighbor and based on the towns required regulations will need to comply with all public and environment standards.

617.20
Appendix B
Short Environmental Assessment Form

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			
Name of Action or Project: 86 Fonda Rd - proposed two family home			
Project Location (describe, and attach a location map): 86 Fonda Rd			
Brief Description of Proposed Action: To remove an existing two family home and detached garage and replace it with a new ranch larger two family home.			
Name of Applicant or Sponsor: Vision Planning Consultants LLC		Telephone: 518 857 4486 E-Mail: visionplanningconsultants@gmail.com	
Address: PO Box 442			
City/PO: Newtonville		State: NY	Zip Code: 12128
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.			NO ☐ YES ☒
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Building Permit			NO ☐ YES ☒
3.a. Total acreage of the site of the proposed action?		4.74 acres	
b. Total acreage to be physically disturbed?		0.5 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		4.74 acres	
4. Check all land uses that occur on, adjoining and near the proposed action. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____ ☐ Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO ☐	YES ☒	N/A ☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
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?	NO ☒	YES ☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☒	☐	
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 site contain a structure that is listed on either the State or National Register of Historic Places?	NO ☒	YES ☐	
b. Is the proposed action located in an archeological sensitive area?	☒	☐	
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?	NO ☒	YES ☐	
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			
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?	NO ☒	YES ☐	
16. Is the project site located in the 100 year flood plain?	NO ☒	YES ☐	
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? ☒ NO ☐ YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☒ YES	NO ☐	YES ☒	
Town approved systems _____			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	☒	☐
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: _____	NO	YES
_____	☒	☐
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: _____	NO	YES
_____	☒	☐
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>RED DECCA</u> Date: <u>10/19/24</u> Signature: <u>190 DECCA</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☐	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☐	☐
3. Will the proposed action impair the character or quality of the existing community?	☐	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☐	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☐	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☐	☐
7. Will the proposed action impact existing: a. public / private water supplies?	☐	☐
b. public / private wastewater treatment utilities?	☐	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☐	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☐	☐

PROPOSED PLOT PLAN OF LANDS KNOWN AS 86 FONDA ROAD	
TOWN OF COLONIE	
COUNTY OF ALBANY	
STATE OF NEW YORK	
DATE: AUGUST 16, 2024	SCALE: 1" = 40'



ADVANCE ENGINEERING & SURVEYING, P.L.C.
CONSULTING IN -
CIVIL & ENVIRONMENTAL ENGINEERING
LAND SURVEYING & DEVELOPMENT
COMMERCIAL AND RESIDENTIAL
PHONE (04) 648-3172
FAX: 60531420
11 HERBERT DRIVE, CAIRNS, N.T. 1210

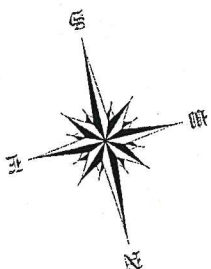
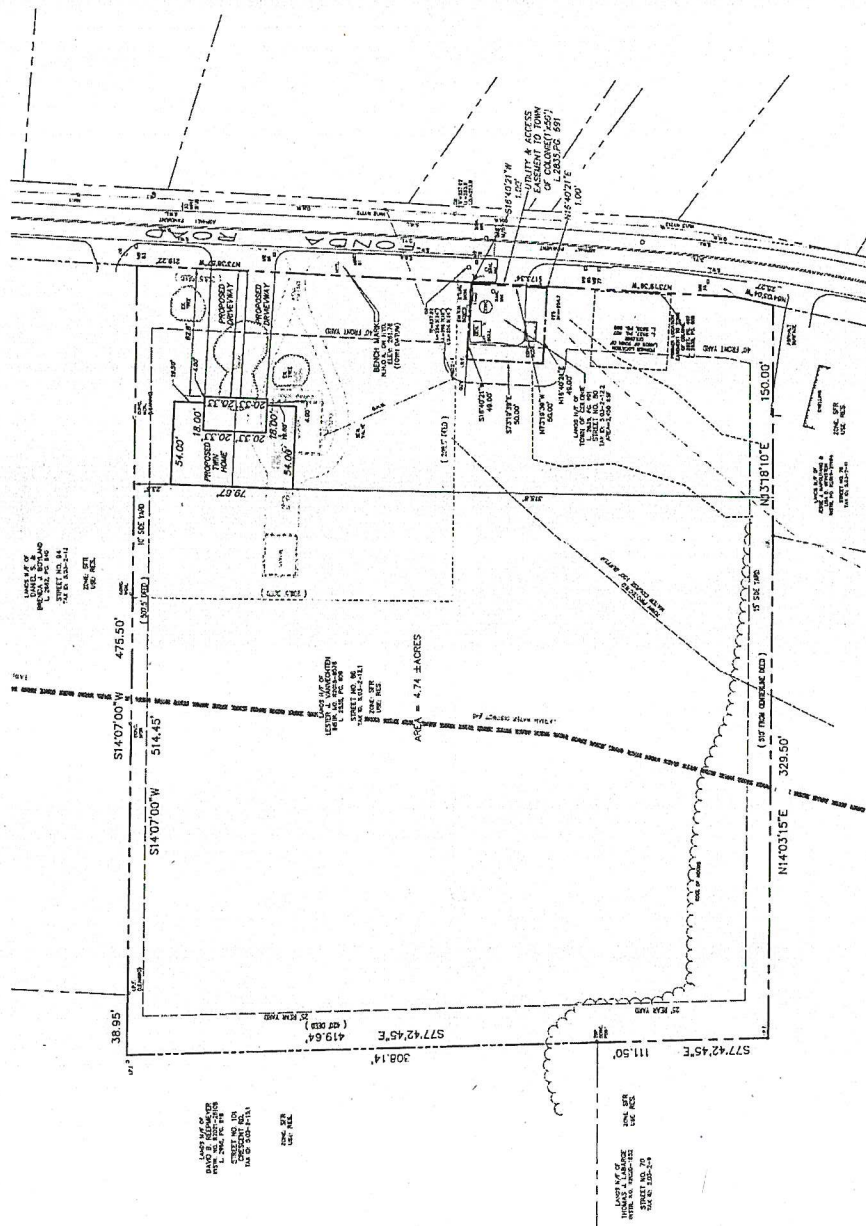
[illegible][illegible]

SURVEY NOTES:

- [illegible]

MAP REFERENCES:

- BOUNDARY LINE ADJUSTMENT, BETWEEN LANDS OF FIDELMAYER (2068-415) WITH OTHER LANDS OF FIDELMAYER (2079-415), (1172-113) & (2819-147), PLYA, 1123 & 98 FONDA ROAD, ALBANY, N.Y., DATED APRIL 1, 2001.**
- LAST REVISED PROCEEDING BY 2074, AS RECORDED BY FREDERICK J. METZGER, LAND SURVEYOR P.E., WHO FILED IN THE CLERGY COURT CLERK'S OFFICE AS MAP NO. 1.681.**
- SUBJECT OF LANDS N/E OF MEXHAUS & WAGON RECEPTION TO BE CONVEYED TO THOMAS & TRIN LAMARQUE, TOWN OF COLONIE, ALBANY COUNTY, DATED JANUARY 8, 2001,**
- PREPARED BY BRIAN R. HOLBRITT, P.L.S.**



DISAPPEARED



TOWN OF COLONIE

Zoning Board of Appeals
Public Operations Center
347 Old Niskayuna Road
Latham, New York 12110

Peter G. Crummey
Town Supervisor

Phone (518) 783-2706 Fax (518) 783-2772
<https://www.colonie.org/boards/zba/>

Peter R. Crouse
Chairman

TAKE NOTICE that the Town of Colonie Zoning Board of Appeals will hold a public hearing at the Public Operations Center, 347 Old Niskayuna Road, Latham, in the Town of Colonie, on the **15th day of January 2025, at 7:00 p.m.** to hear the appeal of **Paul Rinella** from the decision of the Building Department Director for the Town of Colonie denying the applicant a Building Permit for the premises located at **24 Lincoln Avenue**. The proposed construction of a 45 ft. x 45 ft. (2,025 sq. ft.) three-bay residential storage building on a vacant 7,500 sq. ft. corner lot with a 20 ft. front yard setback does not comply with the required 30 ft. minimum front yard setback as stated in the Town of Colonie Land Use Law, Article VI, Sections 190-24, 190-26, and 190 Attachment #3 – Dimensional Table for Prior Established Lots. Furthermore, the proposed construction of an accessory structure on a vacant lot is not a permitted use in a Single Family Residential (SFR) zoning district as stated in the Town of Colonie Land Use Law, Article V, Sections 190-18 and 190 Attachment #1 – Table of Permitted Uses. The Zoning Board of Appeals will hear the request for variance from the provisions of the Code of the Town of Colonie, Chapter 190 to permit such construction and use and a SEQR Determination for such appeal. The public may view and listen to the Zoning Board of Appeals hearing on the Town's website by typing <https://colonieny.iqm2.com/Citizens/Default.aspx> in your web browser. The public may present comments to the Board in person or by emailing infozba@colonie.org. (Emailed comments must be received at least 24 hours in advance). Such comments will be read and addressed by the Chairman during the hearing.

ZONING BOARD OF APPEALS
PETER R. CROUSE, CHAIRMAN

DATED December 24, 2024

Application for Zoning Verification and Building/Zoning Permit

RESIDENTIAL

TOWN OF COLONIE

Public Operations Center

347 Old Niskayuna Road

Latham, NY 12110-2286

Building Department

518-783-2706

Fax 518-783-2772

Permit No. _____

2202401120

INSTRUCTIONS

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A new Application for Zoning Verification may be required if applicable zoning laws change before the proposed action is completed.

SITE PLAN REQUIRED

If the proposed action includes a garage, pool, shed, addition, other accessory structure or a new building, a site plan must be submitted with this application. Site plan requirements are as follows: Depending on the type of construction, a hand-drawn plan may be done by the applicant. The plan must depict the existing structure(s), if any, the proposed structure, the lot layout, and all new and existing building setbacks.

APPLICATION IS HEREBY MADE to the Building Department for the issuance of a Building/Zoning Permit pursuant to the N.Y.S. Uniform Fire Prevention & Building Code for the construction of buildings, additions or alterations, or for removal or demolition, as herein described. The signer and/or owner agrees to comply with all applicable laws, ordinances, and regulations, as well as any conditions expressed on this application, and will allow all inspectors to enter the premises for required inspections.

THIS FORM WILL BE ON FILE IN THE BUILDING DEPARTMENT FOR 1 YEAR.

Address of Site: 24 LINCOLN AVE
WATERVLEET NY 12189
 City State Zip

Property Owner's Name: PAUL RINELLA
 (Applicant)

Address: 13 LOIS LANE
LOLDONVILLE NY 12211
 City State Zip

Phone W _____ H/Cell 518-783-9480

Property Owner's Email: RINELLA055@yahoo

Contractor's Business Name: TED DECCA
 (insurance must match business name)

Address: P.O. Box 442
NEWTONVILLE NY 12128
 City State Zip
 Phone W _____ Cell 518-857-4486

ESTIMATED COST \$ 90K Flr. Area 2,205

PERMIT FEE \$ _____

(This fee is not refundable)

*all permits, co's and cc's will be issued to the property owner

INSURANCE INFORMATION REQUIRED

Owners performing work must submit a CE-200 obtained from www.businessexpress.ny.gov

By signing this application, the owner/contractor doing work acknowledges their responsibility for verification of all required subcontractor insurance.

Contractors must prove compliance with Section 57 of the Worker's Compensation Law by producing one of the following:

☐ C-105.2 ☐ U-26.3 ☐ SI-12 ☐ CE-200

Contractor's General Liability

Insured's Name _____
 (must match business name)

NOTE: IF OWNER IS NOT THE SIGNEE, THE SIGNEE SWEARS THAT THE PROPOSED WORK IS AUTHORIZED BY THE OWNER AND THAT THE SIGNEE IS AUTHORIZED TO MAKE SUCH APPLICATION.

ADVISORY NOTE: THERE ARE SEVERAL PARCELS OF LAND IN THE TOWN OF COLONIE THAT CONTAIN FEDERAL WETLANDS. BEFORE EXCAVATING, WE ADVISE CONTACTING THE ARMY CORP. OF ENGINEERS AT (518) 270-0588.

YOU MUST CALL FOR REQUIRED INSPECTIONS.
 SEE PERMIT CARD FOR INSPECTIONS NEEDED

FOR OFFICIAL USE ONLY

The application of _____ Dated _____, 20____
 Is hereby approved (disapproved) and permission granted (refused) for the construction, reconstruction, or alteration of a building and/or accessory structure as set forth on this application.

Reason for approval (refusal) of permit: _____

Proposed use: _____

Variance Granted # _____

Dated: _____, 20____

PROPOSED ACTION:a) Describe Present Use of Property: ☐ One Family ☐ Two Family ☒ Vacant Land ☐ Other (specify)b) Is the proposed action a: ☒ New Building ☐ Addition ☐ Renovation☐ Accessory Structure ☒ Garage ☐ Shed ☐ Deck ☐ Pool ☐ Other☐ Home Occupation:☐ Accessory Dwelling UnitDescribe the proposed use or construction in detail: BUILD A 45'x45' BUILDING TO DRG
STORAGE OF PERSONAL, VEHICLES, BOAT + RV

c) Gross Floor Area: Existing: _____ square feet

Proposed: 2,025 square feetTotal: 2,025 square feetd) Parcel is located in a SFR zoning district. (If unknown, verify with Building Department.)**SITE INFORMATION:** (DO NOT COMPLETE THIS SECTION IF THERE WILL BE NO EXTERIOR ALTERATION OF THE STRUCTURE/SITE)Size of lot: _____ acre 7,500 sq. ft.Is this a corner lot? Yes ☒ No ☐ If yes, corner lot: feet 75' x 100' Through lot? Yes ☐ No ☒Does the parcel front upon a developed public street? Yes ☒ No ☐ If yes, length of frontage on street: feet 75' x 100'**Building Setbacks:****Existing****Proposed**

Front Yard Depth:

feet /feet 30'

Left Side Yard:

feet /feet 25'

Right Side Yard:

feet /feet 10'

Rear Front Yard Depth:

feet /feet 20'

Existing Building Height (at peak):

feet 16stories 1

Proposed Height (at peak):

feet 16stories 1**APPROVAL/DISAPPROVAL****DISAPPROVED**
BY TOWN OF COLONIE BUILDING DEPT.

APPROVAL IS VALID FOR 1 YEAR

SIGNATURE: IED DELUXAPRINT NAME: IED DELUXADATED: 10/17/24TITLE IN COMPANY: VISION PLANNING CONSULTANTS LLC

If DISAPPROVED, an appeal must be taken within sixty days after the filing in the Town Clerk's office of any order, requirement, decision, interpretation or determination, from which the appeal is taken.

FOR OFFICIAL USE ONLYI, J. S. MAHAN, Zoning Officer of the Town of Colonie do hereby find that the proposed action as described above, and in any attachments hereto, ☐ IS IN ACCORDANCE ☒ IS NOT IN ACCORDANCE with Chapter 190 of the Colonie Land Use Law that are effective as of this date.Dated: 10/18/24

SIGNATURE OF ZONING OFFICER

The proposed construction of a 45 ft. x 45 ft. (2,025 sq. ft.) three bay residential storage building on a vacant 7,500 sq. ft. corner lot with a 20 ft. front yard setback does not comply with the required 30 ft. minimum front yard setback as stated in the Town of Colonie Land Use Law, Article VI, Sections 190-24, 190-26, and 190 Attachment #3 - Dimensional Table for Prior Established Lots. Furthermore, the proposed construction of an accessory structure on a vacant lot is not a permitted use in a Single Family Residential (SFR) zoning district as stated in the Town of Colonie Land Use Law, Article V, Sections 190-18 and 190 Attachment #1 - Table of Permitted Uses.

Are there easements on the property

Yes ☐ No ☒

Parcel in/near a floodplain

Yes ☒ No ☐

Parcel in/near a wetland

Yes ☐ No ☒

On/near a protected watercourse

Yes ☐ No ☒

Copy of assessor's card(s) attached

Yes ☒ No ☐

Copy of County tax map attached

Yes ☐ No ☒

S. B. L # _____

Is existing use nonconforming

Yes ☐ No ☒

Variance granted on property

Yes ☐ No ☒

Subdivision of record on file

Yes ☒ No ☐

Does the Grandfather Provision apply

Yes ☒ No ☐If yes, Pre-1987 ☒ 1987 to 2006 ☐

Existing Violation or outstanding permit

Yes ☐ No ☒YES ☐ NO ☒ VIOLATION - CHAPTER 190-8 - CONSTRUCTION STARTED WITHOUT ZONING/BUILDING PERMIT

You may now file for a:

☐ Building permit application☒ Application for a Zoning Variance or Interpretation☐ Special Use Permit (Planning & Economic Development)☐ Application to Town Board for Open Development Area

**APPEAL FROM DECISION OF ADMINISTRATIVE OFFICIAL
APPLICATION FOR INTERPRETATION/VARIANCE**

Zoning Board of Appeals
Town of Colonie
Appeal and Petition for Interpretation/Variance
Under Building Construction/Zoning Law

To the Zoning Board of Appeals
Town of Colonie

Date: December 10, 2024

(being) (owner)

1. The undersigned, (representing) the (lessee) of (identify property by lot and block or otherwise) SBL # 44.6-4-23 located at 24 Lincoln Avenue hereby gives notice of appeal from the decision of the (Bldg. Dept. Manager) made on the 18th day of October, 2024 in refusing to issue a Building and Zoning Permit on the ground that the same would be in violation of the provisions of the Code of the Town of Colonie for the following reason(s):

The proposed construction of a 45 ft. x 45 ft. (2,025 sq. ft.) three bay residential storage building on a vacant 7,500 sq. ft. corner lot with a 20 ft. front yard setback does not comply with the required 30 ft. minimum front yard setback as stated in the Town of Colonie Land Use Law, Article VI, Sections 190-24, 190-26, and 190 Attachment #3 – Dimensional Table for Prior Established Lots. Furthermore, the proposed construction of an accessory structure on a vacant lot is not a permitted use in a Single Family Residential (SFR) zoning district as stated in the Town of Colonie Land Use Law, Article V, Sections 190-18 and 190 Attachment #1 – Table of Permitted Uses.

2. Appellant alleges:

- a. That there are unusual circumstances and conditions affecting said property that are peculiar to said property and do not apply generally to other property in the vicinity, which circumstances and conditions are as follows:

SEE ATTACHMENT

- b. That by reason of the aforesaid unusual and peculiar circumstances and conditions, there are (practical difficulties) (unnecessary hardships) in carrying out the strict letter of the aforesaid provisions of the Building Const./Zoning Law as follows:

SEE ATTACHMENT

3. Because of the aforesaid alleged facts, appellant petitions the Zoning Board of Appeals, in acting on this appeal, to vary or modify the strict application of the aforesaid provisions of the Building Const./Zoning Law to said property, to the following specific extent:

SEE ATTACHMENT

Attached hereto is a plot plan of said property, showing _____

together with _____

4. Appellant further alleges that such variance would be in harmony with the spirit of the Building Const./Zoning Law and would not be detrimental to property or persons in the neighborhood and that the public safety and welfare would be secured and substantial justice done by the granting of such variance, for the following reason(s): _____

SEE ATTACHMENT

☒ FOR APPLICATION FOR INTERPRETATION ONLY. State grounds upon which appellant asserts that the order, requirement, decision, interpretation or determination of the Building Department Manager as stated in paragraph 1. above, is incorrect. (Attach additional pages if necessary) _____

The undersigned, being duly sworn, deposes and says that he has read the foregoing document and knows the contents thereof and that the facts set forth therein are true to the best of his knowledge, information and belief.

Signed [Signature]

Print Name ROBERT J. BUECH

Address _____

STATE OF
COUNTY OF

SS:

Owner or lessee if other than above

Subscribed and sworn to before me this 18th
day of December

Name _____

Mailing _____

Address _____

Victoria Normandin
Notary Public State of New York
Qualified n. Atty.: County #01NO6190776
Commission Expires 08/04/2028

Zoning Board Variance Appeal for : 24 Lincoln Ave

Appeal form attachment :

2 (a) Appellant alleges: There are unusual circumstances and conditions affecting said property that are peculiar to said property and do not apply generally to other property in the vicinity, which circumstances and conditions are as follows:

There are several unusual circumstances affecting this property. The parcel even though it's zoned residential is within a highly industrial area. It is located on a very busy roadway that is heavily traveled by tractor trailers, dump trucks and concrete trucks going to and from there commercial business's including traveling into and out of the railyard. The parcel is also directly across the street from a very busy commercial vehicle repair shop and down the road from several industrial business's to mention a few is Galb Construction, Bonded Concrete etc.

2 (b) That by reason of the aforesaid unusual and peculiar circumstances and conditions, there are practical difficulties , unnecessary hardships, in carrying out the strict letter of the aforesaid provisions of the Building Construction & Zoning Law as follows:

To require this parcel to be used as solely a residential use is not reasonable based on the surrounding conditions and industrial environment. This parcels location is not in a typical residential area for a family to build a house and raise a family.

3) Because of the aforesaid alleged facts, appellant petitions the Zoning Board of Appeals, in acting on this appeal. To vary or modify the strict application of the aforesaid provisions of the Building Construction & Zoning Law to said property, to the following specific extent:

We are requesting the property to be developed with a storage building for residential storage of the owners large RV, snowmobile trailer and utility trailer. There will be no commercial work out of this building. The building will have no water or sewer service.

4) Appellant further alleges that such variance would be in harmony with the spirit of the Building Construction & Zoning Law and would not be detrimental to property or persons in the neighborhood and that the public safety and welfare would be secured and substantial justice done by granting of such variance, for the following reasons:

By allowing this building to be built with this storage use it actually fits in with the surrounding charter of the neighborhood whereas, a residential use will be totally be out of place. The storage building will not create a safety concern or harm the welfare of this industrial area.

617.20
Appendix B
Short Environmental Assessment Form

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			
Name of Action or Project: 24 Lincoln Ave - proposed residential storage building			
Project Location (describe, and attach a location map): 24 Lincoln Ave. Watervliet NY			
Brief Description of Proposed Action: Build a new storage building for the owners residential vehicles, boat & RV			
Name of Applicant or Sponsor: Vision Planning Consultants LLC		Telephone: 518 857 4486	
		E-Mail: visionplanningconsultants@gmail.com	
Address: PO Box 442			
City/PO: Newtonville		State: NY	Zip Code: 12128
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.			NO ☒
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Building Permit			YES ☒
3.a. Total acreage of the site of the proposed action?		7,500 Sq. Ft. acres	
b. Total acreage to be physically disturbed?		2,000 Sq. Ft. acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		7,500 Sq.Ft. acres	
4. Check all land uses that occur on, adjoining and near the proposed action. ☐ Urban ☐ Rural (non-agriculture) ☒ Industrial ☒ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____ ☐ Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO ☒	YES ☐	N/A ☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
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?		NO ☒	YES ☐
b. Are public transportation service(s) available at or near the site of the proposed action?		☒	☐
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		☒	☐
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 site contain a structure that is listed on either the State or National Register of Historic Places?		NO ☒	YES ☐
b. Is the proposed action located in an archeological sensitive area?		☒	☐
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?		NO ☒	YES ☐
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			
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?		NO ☒	YES ☐
16. Is the project site located in the 100 year flood plain?		NO ☒	YES ☐
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? ☒ NO ☐ YES		NO ☐	YES ☒
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ ☐ NO ☒ YES Town approved systems _____			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	☒	☐
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: _____	NO	YES
_____	☒	☐
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: _____	NO	YES
_____	☒	☐
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>TEA DEUCH</u> Date: <u>10/9/23</u> Signature: <u>ES DEUCH</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☐	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☐	☐
3. Will the proposed action impair the character or quality of the existing community?	☐	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☐	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☐	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☐	☐
7. Will the proposed action impact existing: a. public / private water supplies?	☐	☐
b. public / private wastewater treatment utilities?	☐	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☐	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☐	☐



TOWN OF COLONIE

Zoning Board of Appeals
Public Operations Center
347 Old Niskayuna Road
Latham, New York 12110

Peter G. Crummey
Town Supervisor

Phone (518) 783-2706 Fax (518) 783-2772
<https://www.colonie.org/boards/zba/>

Peter R. Crouse
Chairman

TAKE NOTICE that the Town of Colonie Zoning Board of Appeals will hold a public hearing at the Public Operations Center, 347 Old Niskayuna Road, Latham, in the Town of Colonie, on the **2nd day of April 2025, at 7:00 p.m.** to hear the appeal of **Maryrita Dobiell** from the decision of the Building Department Director for the Town of Colonie denying the applicant a Building Permit for the premises located at **25 Pheasant Ridge Drive**. The proposed construction of a 12-foot by 24-foot oval aboveground pool in a front yard on a corner lot with a 25-foot front yard setback is not compliant with the prohibition of accessory structures in a front yard in a Single Family Residential (SFR) zoning district as stated in the Town of Colonie Land Use Law, Article VI, Sections 190-24, 190-26(A), 190-26(C)(4), and Attachment #3 – Dimensional Table for Prior Established Lots. The Zoning Board of Appeals will hear the request for variance from the provisions of the Code of the Town of Colonie, Chapter 190 to permit such construction and use and a SEQR Determination for such appeal. The public may view and listen to the Zoning Board of Appeals hearing on the Town's website by typing <https://colonieny.iqm2.com/Citizens/Default.aspx> in your web browser. The public may present comments to the Board in person or by emailing infozba@colonie.org. (Emailed comments must be received at least 24 hours in advance). Such comments will be read and addressed by the Chairman during the hearing. Landlords are strongly encouraged to notify tenants of the contents of this notice.

ZONING BOARD OF APPEALS
PETER R. CROUSE, CHAIRMAN

DATED March 20, 2025

RECEIVED

10/2019

10-1-2009
Bldg. DEPT.

Application for Zoning Verification and Building/Zoning Permit

RESIDENTIAL

TOWN OF COLONIE
Public Operations Center
347 Old Niskayuna Road
Latham, NY 12110-2286

Building Department
518-783-2706
Fax 518-783-2772

Permit No. _____

2202500079

INSTRUCTIONS

Any proposal which requires a Town of Colonie Building and Zoning Permit must first be reviewed by the zoning enforcement officer of the Town of Colonie to determine whether the proposal violates any zoning provision(s) of the Town of Colonie Land Use Law. The zoning enforcement officer's determination is based upon the information submitted on this form and such determination is subject to review and change if the project is modified at a subsequent date. The zoning enforcement officer reserves the right to request further information if deemed necessary. Disapproval of the application by the zoning enforcement officer means the project, as designed, cannot proceed for the reasons provided. If you disagree with the zoning enforcement officer's determination, you may appeal said determination to the Town of Colonie Zoning Board of Appeals.

A new Application for Zoning Verification may be required if applicable zoning laws change before the proposed action is completed.

SITE PLAN REQUIRED

If the proposed action includes a garage, pool, shed, addition, other accessory structure or a new building, a site plan must be submitted with this application. Site plan requirements are as follows: Depending on the type of construction, a hand-drawn plan may be done by the applicant. The plan must depict the existing structure(s), if any, the proposed structure, the lot layout, and all new and existing building setbacks.

APPLICATION IS HEREBY MADE to the Building Department for the issuance of a Building/Zoning Permit pursuant to the N.Y.S. Uniform Fire Prevention & Building Code for the construction of buildings, additions or alterations, or for removal or demolition, as herein described. The signee and/or owner agrees to comply with all applicable laws, ordinances, and regulations, as well as any conditions expressed on this application, and will allow all inspectors to enter the premises for required inspections.

THIS FORM WILL BE ON FILE IN THE BUILDING DEPARTMENT FOR 1 YEAR.

Address of Site: 25 Pheasant Ridge Dr
Albany NY 12211
City State Zip
Property Owner's Name: Maryrita Dobiel
(Applicant)
Address: 25 Pheasant Ridge Dr
Albany NY 12211
City State Zip
Phone W _____ H/Cell 518-478-1548
Property Owner's Email: hilly76149@earthlink.net
Contractor's Business Name: Imperial Pools
(insurance must match business name)
A frame
Address: 615 New London Road
Latham NY 12110-4023
City State Zip
Phone W 518-785-41 Cell 71

Owners performing work must submit a CE-200 obtained from www.businessexpress.ny.gov

By signing this application, the owner/contractor doing work acknowledges their responsibility for verification of all required subcontractor insurance.

Contractors must prove compliance with Section 57 of the Worker's Compensation Law by producing one of the following:

☐ C-105.2 ☐ U-26.3 ☐ SI-12 ☐ CE-200

Contractor's General Liability

Insured's Name _____
(must match business name)

NOTE: IF OWNER IS NOT THE SIGNEE, THE SIGNEE SWEARS THAT THE PROPOSED WORK IS AUTHORIZED BY THE OWNER AND THAT THE SIGNEE IS AUTHORIZED TO MAKE SUCH APPLICATION.

ADVISORY NOTE: THERE ARE SEVERAL PARCELS OF LAND IN THE TOWN OF COLONIE THAT CONTAIN FEDERAL WETLANDS. BEFORE EXCAVATING, WE ADVISE CONTACTING THE ARMY CORP. OF ENGINEERS AT (518) 270-0588.

YOU MUST CALL FOR REQUIRED INSPECTIONS. SEE PERMIT CARD FOR INSPECTIONS NEEDED

ESTIMATED COST \$ 6,650 Flr. Area _____

PERMIT FEE \$ _____
(This fee is not refundable)

*all permits, co's and cc's will be issued to the property owner

INSURANCE INFORMATION REQUIRED

FOR OFFICIAL USE ONLY

The application of _____ Dated _____, 20____
Is hereby approved (disapproved) and permission granted (refused) for the construction, reconstruction, or alteration of a building and/or accessory structure as set forth on this application.

Reason for approval (refusal) of permit: _____

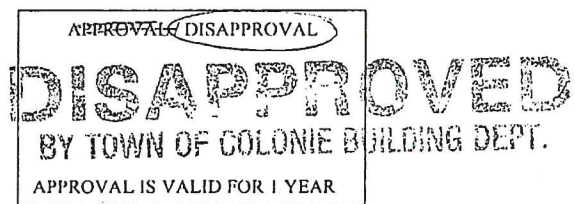
Proposed use: _____

Variance Granted # _____

Dated: _____, 20____

PROPOSED ACTION:a) Describe Present Use of Property: ☒ One Family ☐ Two Family ☐ Vacant Land ☐ Other (specify) _____b) Is the proposed action a: ☐ New Building ☐ Addition ☐ Renovation
☐ Accessory Structure ☐ Garage ☐ Shed ☐ Deck ☒ Pool ☐ Other
☐ Home Occupation:
☐ Accessory Dwelling Unit
Describe the proposed use or construction in detail: 24' x 12' x 52" above ground poolc) Gross Floor Area: Existing: _____ square feet
Proposed: _____ square feet
Total: _____ square feetd) Parcel is located in a SFR zoning district. (If unknown, verify with Building Department.)**SITE INFORMATION:** (DO NOT COMPLETE THIS SECTION IF THERE WILL BE NO EXTERIOR ALTERATION OF THE STRUCTURE/SITE)Size of lot: _____ acre 12.1331 sq. ft.Is this a corner lot? Yes ☒ No ☐ If yes, corner lot: feet _____ Through lot? Yes ☐ No ☒Does the parcel front upon a developed public street? Yes ☒ No ☐ If yes, length of frontage on street: feet _____

Building Setbacks:	Existing	Proposed
Front Yard Depth:	feet <u>32.2</u>	feet <u>N/C</u>
Left Side Yard:	feet <u>24.6</u>	feet <u>—</u>
Right Side Yard:	feet <u>37.1</u>	feet <u>—</u>
Rear/Front Yard Depth:	feet <u>30.9</u>	feet <u>25</u>
Existing Building Height (at peak):	feet <u>—</u>	stories <u>2</u>
Proposed Height (at peak):	feet <u>48"</u>	stories <u>—</u>

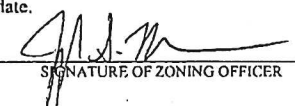
SIGNATURE: Maryrita DobielPRINT NAME: Maryrita DobielDATED: 2/4/25

TITLE IN COMPANY: _____

IF DISAPPROVED, an appeal must be taken within sixty days after the filing in the Town Clerk's office of any order, requirement, decision, interpretation or determination, from which the appeal is taken.

FOR OFFICIAL USE ONLY

I, J.S. MAHAN, Zoning Officer of the Town of Colonie do hereby find that the proposed action as described above, and in any attachments hereto, ☐ IS IN ACCORDANCE ☒ IS NOT IN ACCORDANCE with Chapter 190 of the Colonie Land Use Law that are effective as of this date.

Dated: 2/14/25

 SIGNATURE OF ZONING OFFICER

The proposed construction of a 12-foot by 24-foot oval aboveground pool in a front yard on a corner lot with a 25-foot front yard setback is not compliant with the prohibition of accessory structures in a front yard in a Single Family Residential (SFR) zoning district as stated in the Town of Colonie Land Use Law, Article VI, Sections 190-24, 190-26(A), 190-26(C)(4), and Attachment #3 – Dimensional Table for Prior Established Lots.

Are there easements on the property Yes ☐ No ☒
 Parcel in/near a floodplain Yes ☐ No ☒
 Parcel in/near a wetland Yes ☐ No ☒
 On/near a protected watercourse Yes ☐ No ☒
 Copy of assessor's card(s) attached Yes ☒ No ☐
 Copy of County tax map attached Yes ☐ No ☒
 S. B. L # _____

Yes ☐ No ☒
 Yes ☐ No ☒
 Yes ☐ No ☒
 Yes ☐ No ☒
 Yes ☒ No ☐
 Yes ☐ No ☒
 Yes ☐ No ☒

Is existing use nonconforming Yes ☐ No ☒
 Variance granted on property Yes ☐ No ☒
 Subdivision of record on file Yes ☒ No ☐
 Does the Grandfather Provision apply Yes ☒ No ☐
 If yes, Pre-1987 ☒ 1987 to 2006 ☐
 Existing Violation or outstanding permit Yes ☐ No ☒

Yes ☐ No ☒
 Yes ☐ No ☒
 Yes ☒ No ☐
 Yes ☒ No ☐
 Yes ☐ No ☒
 Yes ☐ No ☒
 Yes ☐ No ☒

YES ☐ NO ☒ VIOLATION – CHAPTER 190-8 – CONSTRUCTION STARTED WITHOUT ZONING/BUILDING PERMIT

You may now file for a:

☐ Building permit application
☒ Application for a Zoning Variance or Interpretation

☐ Special Use Permit (Planning & Economic Development)
☐ Application to Town Board for Open Development Area

RECEIVED
MAR 11 2025
BUILDING DEPT.

APPEAL FROM DECISION OF ADMINISTRATIVE OFFICIAL
APPLICATION FOR INTERPRETATION/VARIANCE

Zoning Board of Appeals
Town of Colonie
Appeal and Petition for Interpretation/Variance
Under Building Construction/Zoning Law

Date: March 4, 2025

To the Zoning Board of Appeals
Town of Colonie
BUILDING DEPT.

1. The undersigned, **Maryrita Dobiel** of **25 Pheasant Ridge Drive (S.B.L. # 43.1-5-19)**, hereby gives notice of appeal from the decision of the Building Department Director made on the **14th day of February, 2025**, in refusing to issue a Building and Zoning Permit on the grounds that the same would be in violation of the provisions of the Code of the Town of Colonie for the following reason(s):

The proposed construction of a 12-foot by 24-foot oval aboveground pool in a front yard on a corner lot with a 25-foot front yard setback is not compliant with the prohibition of accessory structures in a front yard in a Single Family Residential (SFR) zoning district as stated in the Town of Colonie Land Use Law, Article VI, Sections 190-24, 190-26(A), 190-26(C)(4), and Attachment #3 – Dimensional Table for Prior Established Lots.

2. Appellant alleges:

a. That there are unusual circumstances and conditions affecting said property that are peculiar to said property and do not apply generally to other property in the vicinity, which circumstances and conditions are as follows:

Front and back yard both border road.

b. That by reason of the aforesaid unusual and peculiar circumstances and conditions, there are (practical difficulties) (unnecessary hardships) in carrying out the strict letter of the aforesaid provisions of the Building Const./Zoning Law as follows:

I cannot put the pool under a power line, so the proposed location is best.

3. Because of the aforesaid alleged facts, appellant petitions the Zoning Board of Appeals, in acting on this appeal, to vary or modify the strict application of the aforesaid provisions of the Building Const./Zoning Law to said property, to the following specific extent:

Allow location of pool as indicated on attached survey.

Attached hereto is a plot plan of said property, showing *location of proposed location of pool* together with

4. Appellant further alleges that such variance would be in harmony with the spirit of the Building Const./Zoning Law and would not be detrimental to property or persons in the neighborhood and that the public safety and welfare would be secured and substantial justice done by the granting of such variance, for the following reason(s):

The location of the pool does not interfere with use of neighboring properties or free flow of traffic.

5. FOR APPLICATION FOR INTERPRETATION ONLY. State grounds upon which appellant asserts that the order, requirement, decision, interpretation or determination of the Building Department Manager as stated in paragraph 1. above, is incorrect.

(Attach additional pages if necessary) *Pool is partially in backyard and only partially extend beyond front wall of garage.*

The undersigned, being duly sworn, deposes and says that he has read the foregoing document and knows the contents thereof and that the facts set forth therein are true to the best of his knowledge, information and belief.

Signed *Maryrita Dobiel*
Print Name *Maryrita Dobiel*
Address *25 Pheasant Ridge Dr
Albany, NY 12214*

Owner or lessee if other than above

STATE OF
COUNTY OF

SS:

Subscribed and sworn to before me this *11th*
day of *March*, 2025

Victoria Normandin
Notary Public State of New York
Qualified in Albany County #01906190776
Commission Expires 08/04/2028

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.

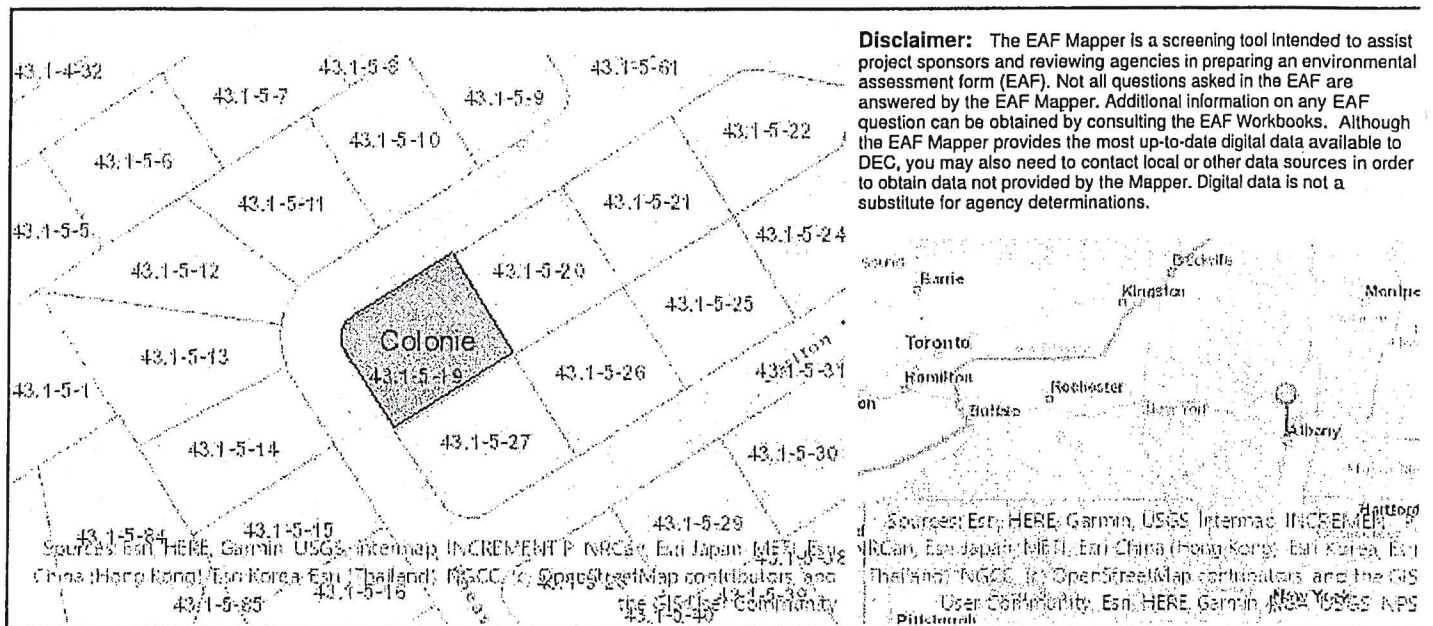
Part 1 – Project and Sponsor Information							
Installation of Residential Above Ground Swimming Pool							
Name of Action or Project: Swimming Pool							
Project Location (describe, and attach a location map): 25 Pheasant Ridge Drive, Colonie (survey provided)							
Brief Description of Proposed Action: Install above ground swimming pool on side yard of residential property. Property front and back yards front on Pheasant Ridge Drive.							
Name of Applicant or Sponsor: Maryrita Dobiel		Telephone: 5184530301 E-Mail: hilly70149@mypacks.net					
Address: 25 Pheasant Ridge Drive							
City/PO: Albany		State: NY	Zip Code: 12211				
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">NO</td> <td style="width: 50%; text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;">☒</td> <td style="text-align: center;">☐</td> </tr> </table>	NO	YES	☒	☐
NO	YES						
☒	☐						
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:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">NO</td> <td style="width: 50%; text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;">☒</td> <td style="text-align: center;">☐</td> </tr> </table>	NO	YES	☒	☐
NO	YES						
☒	☐						
3. a. Total acreage of the site of the proposed action?		+/- .25 acres					
b. Total acreage to be physically disturbed?		12' x 24" acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		+/- .25 acres					
4. Check all land uses that occur on, are adjoining or near the proposed action:							
5. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban)							
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):							
☐ Parkland							

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
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?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
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?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:			
Pool will partially extend beyond the front wall of the attached 2-car garage.	☒	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____			
Not applicable	☒	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____			
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?	NO	YES	
	☒	☐	
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?	☒	☐	
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?	NO	YES	
	☒	☐	
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: _____			

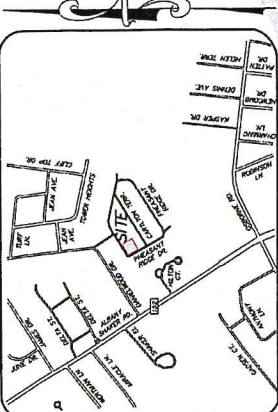
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☒ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	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: _____ _____		
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: _____ _____	NO	YES
	☒	☐
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: _____ _____	NO	YES
	☒	☐
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: _____ _____	NO	YES
	☐	☒
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Maryrita Dobie</u> Date: <u>3/12/25</u> Signature: <u>Maryrita Dobie</u> Title: _____		

EAF Mapper Summary Report

Tuesday, March 11, 2025 3:51 PM



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes



VICINITY MAP
MAP NOT TO SCALE

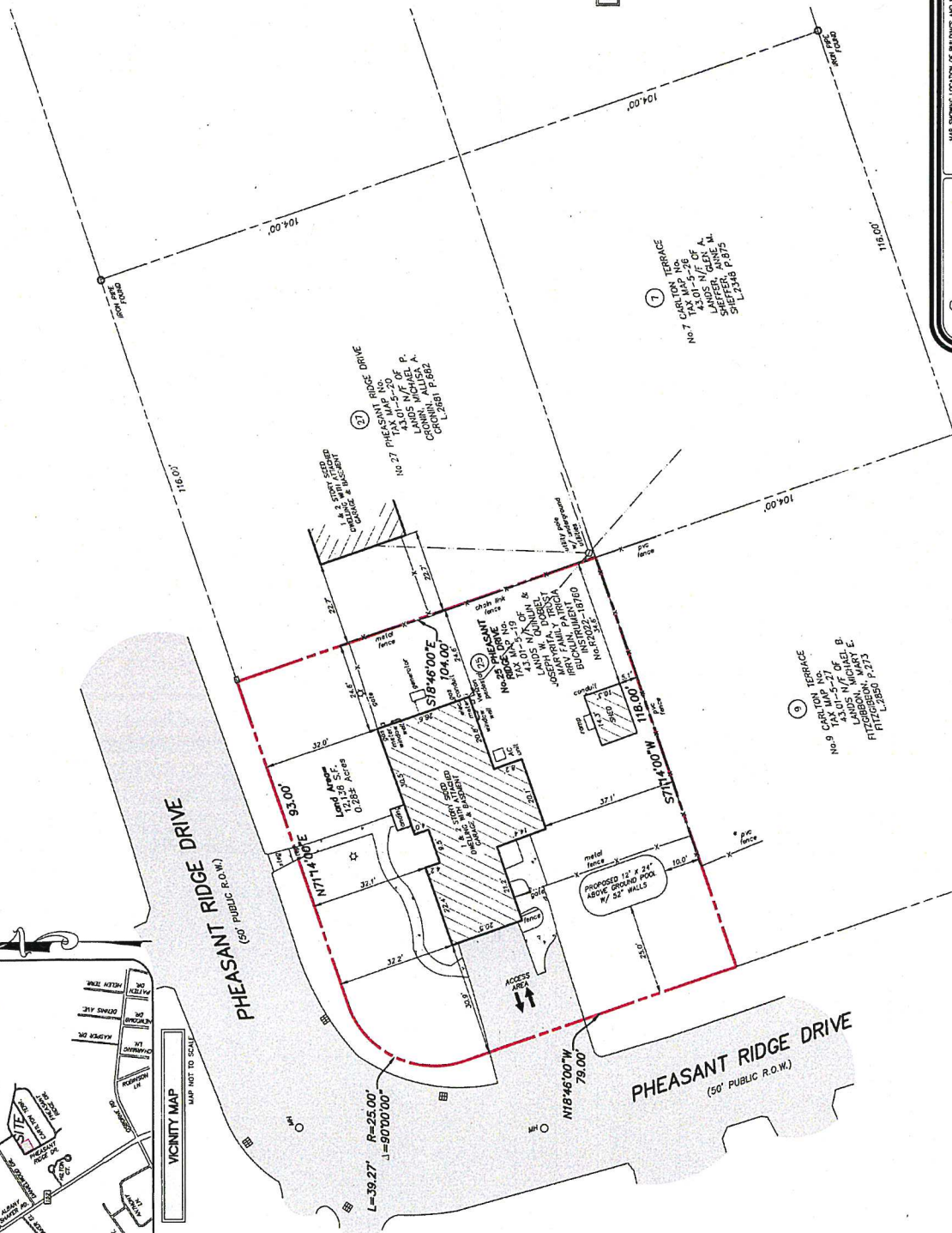
LEGEND	
IRON PIPE FOUND	○
MANHOLE	⊙
CATCHBASIN	⊞
FOUR LINE	—X—
OVERHEAD WIRE, UTILITY POLE & CITY WIRE	—○—
TRANSIT FLOW ACCESS AREA	⊞
LIGHT POLE	⊞
CONCRETE	⊞
PAVEMENT	⊞
LOT NUMBER FROM MAP REFERENCE (N.A.)	(25)
RIGHT OF WAY	—
NUMBER	100
POINT OF BEGINNING	—
SQUARE FEET	—
HOW ON FORMERLY	—
RECORD	—
MEASURED	—
NORTH	—
SOUTH	—
EAST	—
WEST	—
ELECTRIC	—
LIBER	—
PAGE	—

GENERAL NOTES

1. UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209-2 OF THE NEW YORK STATE EDUCATION LAW.
2. ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL AND AN ORIGINAL EMBOSSED OR INK SEAL SHALL BE CONSIDERED VALID TRUE COPIES.
3. THIS SURVEY WAS PREPARED FOR THE PARTIES AND PURPOSE INDICATED HEREON. ANY EXTENSION OF THE SURVEY BEYOND THE BOUNDARIES OF THE PROPERTY OR PERMISSION OF FRANCIS G. MCCLOSKEY, LICENSE NO. 049441.
4. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR EXAMINED OR CONSIDERED AS PART OF THIS SURVEY.
5. THIS SURVEY MAP IS SUBJECT TO WHATEVER FACTS AN ACCURATE AND CURRENT ABSTRACT OF TITLE MAY SHOW.

MAP REFERENCES

1. A MAP ENTITLED "MAP OF NOBBERICK ACRES, A SUBDIVISION OF LAND OF NORTON AND BRICKLEY, IN THE TOWN OF COLONE, ALBANY COUNTY, N.Y." MADE BY BEN B. HERSHBERG, C.E. DATED JUNE 16, 1985, AS AMENDED BY A CLERK'S OFFICE ON JULY 29, 1985 IN UNDER 167 AS MAP NO. 5207.



GRAPHIC SCALE



HERSBERG & HERSBERG
Consulting Engineers
and Land Surveyors
18 Locust Street
Albany, New York 12203
Phone No. 518-459-3086

No. 25
PHEASANT RIDGE DRIVE
TOWN OF COLONE, COUNTY OF ALBANY, STATE OF NEW YORK
REVISIONS: 10/16/2024 (AS PER PROPOSED POOL)
DATE: 10/16/2024 SCALE: 1"=20'
BY: AVC CHK: GRT MAP NO. 240286



Peter G. Crummey
Town Supervisor

TOWN OF COLONIE

Zoning Board of Appeals
Public Operations Center
347 Old Niskayuna Road
Latham, New York 12110

Phone (518) 783-2706 Fax (518) 783-2772
<https://www.colonie.org/boards/zba/>

Peter R. Crouse
Chairman

TAKE NOTICE that the Town of Colonie Zoning Board of Appeals will hold a public hearing at the Public Operations Center, 347 Old Niskayuna Road, Latham, in the Town of Colonie, on the **2nd day of April 2025, at 7:00 p.m.** to hear the appeal of **L. Sipperly & Associates, DPC (Federal Express)** from the decision of the Building Department Director for the Town of Colonie denying the applicant a Building Permit for the premises located at **590 Broadway**. The proposed construction of a barbed wire perimeter security fence requires a Special Use Permit (SUP) prior to the issuance of a building permit as stated in the Code of the Town of Colonie Article IV, section 62-45(E). The Zoning Board of Appeals will hear the request for a Special Use Permit (SUP) as required by the Code of the Town of Colonie, Chapter 190 to permit such construction and use and a SEQR Determination for such appeal. The public may view and listen to the Zoning Board of Appeals hearing on the Town's website by typing <https://colonienny.iqm2.com/Citizens/Default.aspx> in your web browser. The public may present comments to the Board in person or by emailing infozba@colonie.org. (Emailed comments must be received at least 24 hours in advance). Such comments will be read and addressed by the Chairman during the hearing. Landlords are strongly encouraged to notify tenants of the contents of this notice.

ZONING BOARD OF APPEALS
PETER R. CROUSE, CHAIRMAN

DATED March 20, 2025



Peter G. Crumme
Town Supervisor

Commercial Zoning Verification

Town of Colonie Building and Fire Services Department
Public Operations Center, 347 Old Niskayuna Road
Latham, New York 12110

Phone (518) 783-2706
www.colonie.org/departments/building



**THIS APPLICATION IS FOR ZONING VERIFICATION FOR ANY COMMERCIAL PROJECT
FEES ARE DUE AT THE TIME OF APPLICATION
THIS FORM WILL BE ON FILE FOR 1 YEAR**

Any proposal which requires a Town of Colonie Building and Zoning Permit or an approval issued by the Town of Colonie Planning Board/Department must first be reviewed by the zoning enforcement officer of the Town of Colonie to determine whether the proposal violates any provision(s) of the Town of Colonie Zoning Laws. The Officer's determination is based solely upon the information submitted on/with this form and such determination is subject to review and change if the project is modified or further information becomes available at a subsequent date. The officer reserves the right to request further information as deemed necessary. A disapproval of the application by the zoning officer means the project, as designed, cannot proceed for the reasons provided. If you the applicant disagree with the zoning officer's determination you may appeal said determination to the Town of Colonie Zoning Board of Appeals. A new Application for Zoning Verification may need to be submitted if the applicable zoning laws change before the proposed action is completed.

NOTE: IF OWNER IS NOT THE SIGNEE, THE SIGNEE SWEARS THAT THE PROPOSED WORK IS AUTHORIZED BY THE OWNER AND THAT THE SIGNEE IS AUTHORIZED TO MAKE SUCH APPLICATION.

1. GENERAL INFORMATION:

CASE #Z 202401123

Address of site of proposed action:

590 Broadway Menands NY 12204
Number Street City State Zip

Name of applicant Federal Express

590 Broadway Menands NY 12204
Address Number Street City State Zip

Applicant's phone (W) 800-463-3339 (Cell) _____

Email Address alex.jozwiak@fedex.com

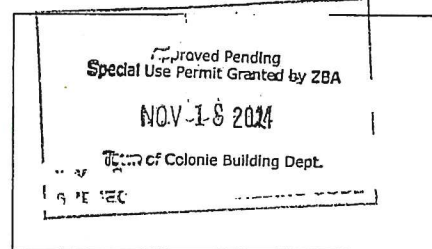
Contact person Lynn Sipperly - L. Sipperly & Associates, DPC

Email Address lsipperly@lsipperly.com

Phone number (W) 518-782-1800 (Cell) 518-366-1459

Property owner(s) NL-Broadway NY, LLC

5353 Wayzata Boulevard Minneapolis MN 55416
Address Number Street City State Zip



2. Describe the present use of the building and property. (If vacant, so note and list last prior use & tenant).

Warehouse and distribution facility for mail and packages.

3. APPLICANT'S PROPOSED ACTION:

A. Is the proposed action a:

- ☐ New building ☐ Addition ☐ Renovation ☐ Accessory Structure ☒ Other
☐ New tenant (business name) _____ ☐ (Including Alterations)
☐ Change of use (new use) _____
☐ Temporary tent (Date tent will be erected) _____ (Date tent will be removed) _____
☒ Site change or other (describe below) _____

B. Proposed use (check where applicable):

- | | | | | |
|--|---|--|---|---|
| ☒ Office | ☒ Warehouse / Storage | ☐ Motor Vehicle Repair Shop | ☐ Supermarket | ☐ Massage |
| ☐ Bank | ☐ Fast Food Establishment | ☐ Motor Vehicle Service Station | ☐ Wholesale | ☐ Messeur |
| ☐ Retail | ☐ Restaurant / Bar | ☐ Motor Vehicle Sales | ☐ Industrial | ☐ Police Handout |
| ☐ Bakery | ☐ Convenience Food Store | ☐ Mini Mart | ☐ Day Care Child/Adult | |
| ☐ Hotel | ☐ Personal Service Business | ☐ Multifamily Dwelling | ☐ Nightclub | |
| ☐ School | ☐ Wireless Telecom Facility | ☐ Place of Worship | ☐ Other | |

C. DESCRIBED THE PROPOSED USE IN DETAIL IN A COMPLETE DESCRIPTIVE NARRATIVE.

The site is occupied by a warehouse with a customer service center and facility office.
No change to existing use is proposed. Proposed work includes installation of perimeter security fence
and access gates and parking for employee, customers, truck trailers and delivery vans.
Barbed wire to be placed on top of security fence.

OVER

4. Parcel is located in a Industrial zoning district (refer to Town of Colonie Zoning Map)

5. SITE INFORMATION: IF THE APPLICANT PROPOSES ONLY A TENANT CHANGE, THIS SECTION MAY NOT BE REQUIRED TO BE COMPLETED. HOWEVER, THIS SECTION MUST BE COMPLETED AND TWO (2) COPIES OF THE PROPOSED SITE PLAN MUST BE SUBMITTED FOR ANY PROPOSAL WHICH INCLUDES A CHANGE OF USE, TEMPORARY TENT, ADDITION, ACCESSORY STRUCTURE OR NEW BUILDING.

A. TEMPORARY TENT: Plan may be hand drawn by the applicant and must depict the existing structure(s), if any, the proposed structure/tent, the lot layout, and all new and existing building setbacks.

B. MAJOR/MINOR OR NONCONFORMING COMMERCIAL SITE OR USE: Plan must be drawn by a licensed N.Y.S. engineer, architect, surveyor or landscape architect and have upon it; the address of the property, all easements, area of the parcel, abutting public highways, frontage of the lot on public highway, all building setback dimensions, the proposed structure, parking, building heights, and all zoning districts within 300 feet of the site. In OR, COR, HCOR and NCOR zoning districts, the site plan must show existing buildings and front yard setback dimensions for abutting properties on each side.

NOTE: MAJOR/MINOR/NONCONFORMING USE Site Development Proposals are defined in the Town of Colonie Land Use Law Section 190-11(A)(B).

C. Area of Property: 30.98 acres and 1,349,489 square feet Lot Size width 770' depth 1615'
Length of property on a developed street 70 feet

Is this a corner lot? Yes No X Frontage on each street ft. ft.
Is this a through lot? Yes No X Frontage on each street ft. ft.

Building setbacks:	Existing	Proposed	Existing	Proposed
Front yard	<u>101</u> ft.	<u>101</u> ft.	Right side yard	<u>280</u> ft.
Rear/Front yard	<u>1010</u> ft.	<u>1010</u> ft.	Left side yard	<u>93.5</u> ft.

Existing Building Height (at peak) 25 ft. stories New Building Size: Length N/A ft. Width N/A ft.
Proposed Building Height (at peak) N/A ft. stories Density Sq. Ft. per acre Units per acre

Gross floor area: existing 130,972 sq. ft. proposed N/A sq. ft. total 130,972 sq. ft.

6. SIGNATURE OF APPLICANT Lynn T. Sipperly, L. Sipperly & Associates, DPC
PRINTED OR TYPED APPLICANT NAME Lynn T. Sipperly DATE 10/14/24

If DISAPPROVED "Such appeal shall be taken within sixty days after the filing in the town clerk's office of any order, requirement, decision, interpretation or determination of the administrative official charged with the enforcement of such ordinance or local law, from which the appeal is taken".

XXXXXXXXXXXXXXXXXXXXXXXXXXXX FOR OFFICIAL USE ONLY XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

I, Chris Mastroianni zoning officer of the Town of Colonie do hereby find that the proposed action as described above ~~and any attachments hereto~~,

IS IN ACCORDANCE APPROVED DATE 10/22/24
SIGNATURE OF ZONING OFFICER

IS NOT IN ACCORDANCE DISAPPROVED DATE
SIGNATURE OF ZONING OFFICER

with Chapter 190 of the Colonie Land Use Law that is effective as of this date.

The proposed construction of a barbed wire perimeter security fence requires a Special Use Permit (SUP) prior to the issuance of a building permit as stated in the Code of the Town of Colonie Article IV, section 62-45(E).

Approved Pending
Special Use Permit Granted by ZBA

NOV 18 2024

Town of Colonie Building Dept.

TO THE APPLICANT: THIS IS NOT A BUILDING AND ZONING PERMIT. IF YOU WISH TO PROCEED, PLEASE SUBMIT AN APPLICATION FOR THE FOLLOWING:

- ☒ BUILDING AND ZONING PERMIT APPLICATION (Building Department)
☐ APPLICATION FOR ZONING VARIANCE OR INTERPRETATION (Building Department)
☒ APPLICATION FOR PLANNING DEPT. APPROVAL (Planning and Economic Development)
☐ SPECIAL USE PERMIT USE

Variance/SUP granted on property Yes ☐ No ☒

Variance #

Is existing use nonconforming Yes ☐ No ☒

Parcel in/near a wetland

Yes ☐ No ☒

Parcel in/near a flood plain

Yes ☐ No ☒

Watercourse on/near the property

Yes ☐ No ☒

YES NO VIOLATION - CHAPTER 190-118 (BUILDING PERMITS REQUIRED)

☐ ☒ CONSTRUCTION STARTED WITHOUT OBTAINING BUILDING AND ZONING PERMIT

Major Zoning Verification \$215 ☐ Fee Paid

Minor Zoning Verification \$115 ☒ Fee Paid OK # 3927 (RS) 10/21/24

Other Zoning Verification \$ 65 ☐ Fee Paid

All fees are non-refundable

**APPEAL FROM DECISION OF ADMINISTRATIVE OFFICIAL
APPLICATION FOR INTERPRETATION/VARIANCE**

Zoning Board of Appeals
Town of Colonie
Appeal and Petition for Interpretation/Variance
Under Building Construction/Zoning Law

To the Zoning Board of Appeals
Town of Colonie

Date: February 27, 2025

1. The undersigned, Lynn Sipperly (of L. Sipperly & Associates, DPC), representing Federal Express of 590 Broadway (S.B.L. # 44.14-3-30) hereby gives notice of appeal from the decision of the Building Department Director made on the 18th day of November, 2024, in refusing to issue a Building and Zoning Permit on the grounds that the same would be in violation of the provisions of the Code of the Town of Colonie for the following reason(s):

The proposed construction of a barbed wire perimeter security fence requires a Special Use Permit (SUP) prior to the issuance of a building permit as stated in the Code of the Town of Colonie Article IV, Section 62-45(E).

2. Appellant alleges:

a. That there are unusual circumstances and conditions affecting said property that are peculiar to said property and do not apply generally to other property in the vicinity, which circumstances and conditions are as follows:

The FedEx facility is an existing facility setback from Broadway some 800'+ and is bounded by undeveloped lands on the south and west sides. Applicant wishes to provide security for the site consisting of a 8' high chain link fence with 3 strands of barbed wire on top to protect their facility from theft and vandalism.

b. That by reason of the aforesaid unusual and peculiar circumstances and conditions, there are (practical difficulties) (unnecessary hardships) in carrying out the strict letter of the aforesaid provisions of the Building Const./Zoning Law as follows:

The use of barbed wire on top of the fence is a deterrent to intruders to climb the fence and access the facility and parked vehicles.

3. Because of the aforesaid alleged facts, appellant petitions the Zoning Board of Appeals, in acting on this appeal, to vary or modify the strict application of the aforesaid provisions of the Building Const./Zoning Law to said property, to the following specific extent: FedEx petitions the Board of Zoning Appeals to allow the installation of 3 strands of barbed wire on top of the proposed 8' fence.

Attached hereto is a plot plan of said property, showing

the location of the existing building relative to adjacent properties and the portion of the facility to be fenced.

together with

4. Appellant further alleges that such variance would be in harmony with the spirit of the Building Const./Zoning Law and would not be detrimental to property or persons in the neighborhood and that the public safety and welfare would be secured and substantial justice done by the granting of such variance, for the following reason(s):

The proposed 8' high chain link fence with barbed wire on top is consistent with security fencing around commercial and industrial facilities. Issuance of the variance for the installation of barbed wire on top of the fence would be in harmony with adjacent land uses and would not be detrimental to property or persons in the neighborhood. It would aid in providing security of the FedEx facility.

5. FOR APPLICATION FOR INTERPRETATION ONLY. State grounds upon which appellant asserts that the order, requirement, decision, interpretation or determination of the Building Department Manager as stated in paragraph 1. above, is incorrect. (Attach additional pages if necessary)



THERESA L. DANIELS
NOTARY PUBLIC
STATE OF NEW YORK
Registration No. 01DA6307990
Qualified in Albany County
My Commission Expires
July 21, 2026

STATE OF New York
COUNTY OF Albany

SS:

Subscribed and sworn to before me this 04
day of March, 2025

Theresa L. Daniels

1/2025

The undersigned, being duly sworn, deposes and says that he has read the foregoing document and knows the contents thereof and that the facts set forth therein are true to the best of his knowledge, information and belief.

Signed Lynn T. Sipperly

Print Name Lynn T. Sipperly

Address L. Sipperly & Associates, D.P.C.

696 Troy Schenectady Road

Latham, NY 12110

Owner or lessee if other than above

Name Lynn T. Sipperly, Agent for the Applicant

Mailing Address 696 Troy Schenectady Road

Latham, New York 12110



TOWN OF COLONIE ZONING BOARD OF APPEALS

Public Operations Center
347 Old Niskayuna Road
Latham, New York 12110

CASE#

Peter G. Crumney
Town Supervisor

Phone (518) 783-2706 Fax (518) 783-2772
www.colonie.org/departments/building

Peter R. Crouse
Chairman

APPLICATION FOR SPECIAL USE PERMIT

An approved "Application for Zoning Verification" and all attachments thereto, including any approved plan, must be submitted with this form.
Also attach all required materials and justification pursuant to the Colonie Town Code §189 and §190-57 and related provisions and a SEQR EAF form.

ADDRESS OF SITE: 590 Broadway Federal Express
Number Street Name Of Business/Tenant
STR International, LLC, Johnnie Golsby 11/19/2024

APPLICANT'S NAME* Julius E George, POE Date Julius George

APPLICANT'S SIGNATURE* PRINT OR TYPE NAME SIGNED

* Applicant must be either the owner of the property to be developed or used, or be a party with a purchase agreement for the property. A copy of the purchase agreement must be attached.

Address: 590 Broadway Menands NY 12204
Number Street City State Zip
Phone No. 412-523-8027 Fax #: Email: jgeorge@strintl.com

CONTACT PERSON: Lynn T. Sipperly - L. Sipperly & Associates, DPC

Address: 696 Troy Schenectady Road Latham NY 12110
Number Street City State Zip
Phone No. 518-782-1800 Fax #: n/a Email: lsipperly@lsipperly.com

NAME OF PRESENT PROPERTY OWNER: NL-Broadway NY, LLC

Address: 5353 Wayzata Boulevard Minneapolis MN 55416
Number Street City State Zip

DESIGN PROFESSIONAL (NYS Licensed) Lynn T. Sipperly - L. Sipperly & Associates, DPC

Check One Engineer X Surveyor X Architect Landscape Architect
Address: 696 Troy Schenectady Road Latham NY 12110
Number Street City State Zip
Phone No. 518-782-1800 Fax #: N/A Email: lsipperly@lsipperly.com

DESCRIBE PRESENT USE OF THE BUILDING AND PROPERTY (IF VACANT, SO NOTE AND LIST LAST USE):
FedEx Distribution Facility

If change of tenant: Name of previous tenant/business: N.A.

DESCRIBE PROPOSED USE IN DETAIL IN A COMPLETE DESCRIPTIVE NARRATIVE:

Site use will remain the same as existing use. FedEx proposes to install site security with a new 8' high chain link fence with 3 barbed wire strands on top of fence and gates for vehicle and employee access.

Parcel is located in a Industrial zoning district (refer to Town of Colonie zoning map).

Area of Property: 30.98 acres and 1,349,489 square feet Lot Size width 770' depth 1615'
Length of property on a developed street 70 ft.
Is this a corner lot? Yes No X Frontage on each street ft. ft.
Is this a Through lot? Yes No X Frontage on each street ft. ft.

Building setbacks:	Existing	Proposed	Existing	Proposed
Front yard	<u>101</u> ft.	<u>101</u> ft.	Right side yard	<u>280</u> ft. <u>280</u> ft.
Rear/Front yard	<u>1010</u> ft.	<u>1010</u> ft.	Left side yard	<u>93.5</u> ft. <u>93.5</u> ft.

Existing Building Height (at peak) 25 ft. stories 1
Proposed Building Height (at peak) N/A ft. stories 1
New Building Size: Length N/A ft. Width ft.

Gross floor area: existing sq. ft. 130,972 proposed sq. ft. total 130,972 sq. ft.

Access to Town Highway? Yes No County Highway? Yes No State Highway? Yes X No

Fee Amount: Date Paid: Receipt #:

APPROVED CONDITIONALLY APPROVED DENIED

☐ Per Zoning Board of Appeals Decision on

Signature of Building Department Official: Date:

OFFICIAL USE ONLY

Approval Shall be Valid Until

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			
Name of Action or Project: Federal Express - Albany-Site Security Fencing			
Project Location (describe, and attach a location map): No. 590 Broadway, Menands, NY 12204			
Brief Description of Proposed Action: Installation of 8' high security fence around operational portion of facility.			
Name of Applicant or Sponsor: Federal Express - Albany		Telephone: 412-523-8027 E-Mail: alex.jozwiak@fedex.com	
Address: 590 Broadway			
City/PO: Menands		State: N.Y.	Zip Code: 12204
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.		NO ☒	YES ☐
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 of Colonie Planning Department - Site Plan Approval		NO ☐	YES ☒
3. a. Total acreage of the site of the proposed action?		30.98 acres	
b. Total acreage to be physically disturbed?		9.0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		30.98 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			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
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?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
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?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☒	
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?	NO	YES	
	☒	☐	
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?	☒	☐	
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?	NO	YES	
	☒	☐	
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		
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?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	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: _____ On site catch basins and drainage pipes discharge to on-site detention basins.		
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: _____	NO	YES
	☒	☐
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: _____	NO	YES
	☒	☐
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: _____	NO	YES
	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>L. Sipperly & Associates, DPC - Agent for Applicant</u> Date: <u>10/14/2024</u> Signature: <u><i>Lynn T. Sipperly</i></u> Lynn T. Sipperly Title: <u>Principal</u>		



**ALBANY COUNTY PLANNING BOARD
NOTIFICATION**

RECOMMENDATION DATE: November 21st, 2024

Case #: 07-2411040588
Project Name: Federal Express Site Improvements
Project Location: 590 Broadway
Tax Map Number: 44.14-3-30
Referring Agency: Town of Colonie Planning Board
Considerations: Site plan review for the proposed installation of 8' high security fence around operational portion of facility.

ACPB Modify local approval to include
Recommendation:

1. A Notice of Intent filed with the New York State Department of Environmental Conservation affirming that a Stormwater Pollution Prevention Plan has been prepared and is being implemented, or submission of a Stormwater Pollution Prevention Plan (SWPPP) that is consistent with the requirements included in the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges (GP-0-24-001, effective January 3, 2024) for construction activities that disturb more than one acre of land should be required prior to final approval.
2. Notification of the application should be sent to the Village of Menands, including all required notices pursuant to GML §239-nn.

Advisory:

Gopika Muddappa, Senior Planner
Albany County Planning Board

NOTE:

- This recommendation is rendered in compliance with applicable requirements of Section 239 of New York State General Municipal Law. Final determination on this matter rests with the appropriate municipal body.
- A recommendation of "APPROVE" or "MODIFY LOCAL APPROVAL" should not be interpreted as a recommendation by this body that the referring agency approve the matter referred. Such recommendation does not indicate that this body has reviewed all local concerns; rather the referral has met certain countywide considerations. Evaluation of local criteria is the responsibility of the referring agency.
- General Municipal Law Section 239 requires that the local agency notify the county within thirty days of its final action. Please use the OFFICIAL NOTICE OF LOCAL ACTION form that is attached for this purpose.
- General Municipal Law Section 239 sets forth the procedural requirements for taking local action contrary to the County Planning Board's recommendation of objection or conditional approval.
- Albany County is required to submit a Municipal Separate Storm Sewer System Permit (MS4) (No. GP-0-10-002) Notice of Intent (NOI) to comply with the NYS DEC permit for the control of wastewater and stormwater discharges in accordance with the Clean Water Act. Construction Activity Permit No. GP-0-1-001 issued by NYSDEC is also required for activity with soil disturbances of one acre or more. The law is required by the Clean Water Act to control point source discharges to ground water as well as surface waters.

**449 New Salem Road, Voorheesville, NY 12186
TELEPHONE: (518) 655-7932 FAX: (518) 765-3459**

In compliance with Article 12-B, Section 239 of New York State General Municipal Law, this serves as official notification to the Albany County Planning Board of the action taken on the application described above.

LOCAL ACTION ON ACPB RECOMMENDATION:

- ☐ AGREED WITH COUNTY PLANNING BOARD RECOMMENDATIONS TO MODIFY OR DISAPPROVE
- ☐ OVER-RULED COUNTY PLANNING BOARD RECOMMENDATIONS TO MODIFY OR DISAPPROVE

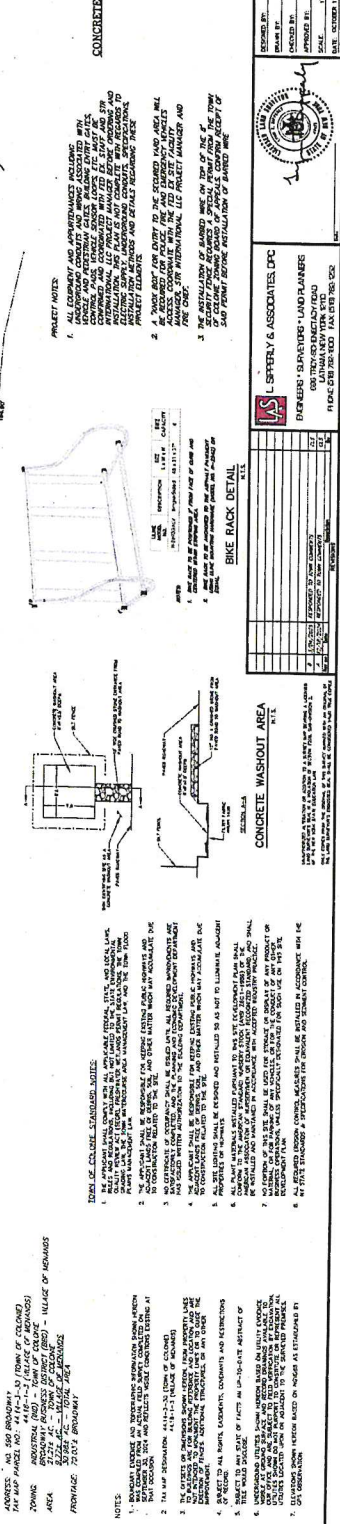
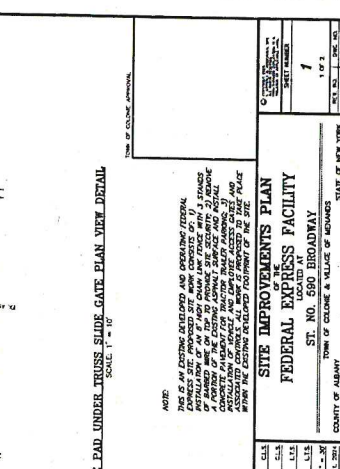
LOCAL DECISION ON PROJECT:

- ☐ PROJECT APPROVED
- ☐ PROJECT DISAPPROVED

VOTE RECORDED: _____ DATE OF LOCAL ACTION: _____

Set forth the reasons for any action contrary to the ACPB recommendations (use additional sheets if needed):

SIGNED: _____ TITLE: _____



L. SIPPERLY & ASSOCIATES, D.P.C.

ENGINEERS • SURVEYORS • LAND PLANNERS

PHONE: (518) 782-1800

Project Narrative
Proposed Site Improvements at the Federal Express Facility
Located at No. 590 Broadway, Menands, N.Y.

Federal Express Albany (FedEx) is proposing site security measures and controlled access features at their facility located at No. 590 Broadway, Menands, N.Y. Additional site improvements are proposed to provide parking for truck trailers and the pavement stripping of employee and customer parking spaces. The latter work is proposed to occur within the present pavement area of the site. No expansion of the existing development area or new impervious surface is proposed. The subject facility and property is located partly within the Town of Colonie and Village of Menands. At the time of initial development, the Town of Colonie Planning Department and Building Department were the lead agencies for its development. The portion of the site in the Town of Colonie is zoned Industrial and the portion in the Village of Menands is zoned Broadway Business District. The FedEx building and yard is located 670' west of Broadway and has one principal driveway to Broadway. The subject property contains 30.98 Acres of which 8.2 Acres is developed by the facility.

The following is a description of proposed site improvements:

- 1) **Site Security:** FedEx is proposing to install an 8' high chain link fence with 3 strands of barbed wire on top to encompass the operations portion of the site. Employee and customer parking would be located outside the secured site. The fencing would be only on the northerly and westerly sides of the site and gates would be installed for company vehicle access and employee access. The vehicle access gate would be a slide style gate operated by a card reader to allow driver ingress-egress to the operational yard and loading/unloading docks and doors. Company vehicles at this facility consists principally of van style trucks and tractor trailer trucks. The vehicle gate operation would be monitored and remotely operated by personnel in the facility's security office. A knox box feature would be provided on the exterior of the building to allow access for

emergency vehicles. A total of 1500'± of fence is proposed. The fence would be located within or along the property boundaries.

2) Surface Improvements: The employee and customer parking would be lined out on the pavement for parking management and control. A total of 213 parking spaces including 7 handicap spaces are proposed including both employee and customer spaces. Employee and customer parking and spaces would be located outside the portion of the site secured by new fencing. No changes are proposed affecting the site access from Broadway. Within the secured portion of the site parking is provided for the Company vans and tractor trailers. Seventeen truck trailer spaces and 23 van spaces are proposed. The truck trailer and van parking spaces would be located in the rear of building and not visible to traffic on Broadway or adjacent properties. For the truck trailer spaces, the existing asphalt pavement would be removed and replaced with concrete pavement designed to support the tractor and trailer wheel loading. Parking spaces within the secure area would be lined out on the pavement for organized parking. As mentioned previously, all surface improvements would occur within the existing developed footprint of the site. The amount and nature of impervious surface would not increase or introduce new stormwater runoff. The stormwater runoff coefficient of asphalt pavement and concrete surface are the same for hydraulic calculation purpose.

Summary:

The proposed site improvements at the FedEx facility involve facility security and orderly parking for employees, company vehicles and customers. All improvements will occur within the presently developed footprint of the site. No new increase in storm runoff will occur. The facility operations will not change. Proposed site improvements will be benign to the public and local community. FedEx is proposing the improvements to be completed in the Fall of 2024. A special permit from the Town of Colonie Zoning Board of Appeals is required to permit the 3 strands of barbed wire on top of the security fence.

LTS/tld