



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

MINUTES OF MEETING ZONING BOARD OF APPEALS April 2, 2025

Chairman Peter R. Crouse called the meeting of the Town of Colonie Zoning Board of Appeals to order on **April 2, 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	Christopher Rueckert
	Member	Steven Girvin			
	Member	George Vogt IV			
	Member	Frederick Weinraub			
	Counsel	Michael Paulsen, Esq.			

The meeting minutes of **March 19, 2025**, were reviewed. Member Campbell made a motion to approve the minutes. Member Girvin seconded the motion. Upon roll call, the minutes were approved unanimously.

A public hearing was held on the application of **Maryrita Dobiel** for the premises located at **25 Pheasant Ridge Drive**. Maryrita Dobiel made a presentation to the Board. Chairman Crouse made a motion to adjourn the hearing to the April 16, 2025, Zoning Board of Appeals meeting. Member Girvin seconded the motion. Upon calling the vote, the motion to adjourn the hearing passed unanimously.

A public hearing was held on the application of **L. Sipperly & Associates, DPC (Federal Express)** for the premises located at **590 Broadway**. Lynn Sipperly made a presentation to the Board. Member Vogt made a motion to approve the Special Use Permit (SUP) as presented. Member Campbell seconded the motion. Upon calling the vote, the motion to approve the Special Use Permit (SUP) as presented passed unanimously.

A public hearing was held on the application of **Cillis Builders** for the premises located at **86 Fonda Road**. Ted DeLucia made a presentation to the Board. Chairman Crouse made a motion to adjourn the hearing to the May 21, 2025, Zoning Board of Appeals meeting. Member Campbell seconded the motion. Upon calling the vote, the motion to adjourn the hearing passed unanimously.

A public hearing was held on the application of **Paul Rinella** for the premises located at **24 Lincoln Avenue**. Ted DeLucia made a presentation to the Board. Chairman Crouse made a motion to adjourn the hearing to the April 16, 2025, Zoning Board of Appeals meeting. Member Campbell seconded the motion. Upon calling the vote, the motion to adjourn the hearing passed unanimously.

There being no more business, Member Vogt made a motion to close the meeting at 8:12 p.m. Member Girvin seconded the motion and, upon roll call, the motion to close passed unanimously.

Approved: _____
Chairman Peter R. Crouse

Date: _____



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
<http://www.colonie.org/boards/zba>

Chretien T. Voerg, P.E.
Director

Date: April 3, 2025
To: Members of the Zoning Board of Appeals
From: Chretien T. Voerg, P.E., Director
Subject: **Zoning Board of Appeals Agenda – April 16, 2025**

New Hearings:

25-009 445 Albany Shaker Road – Vision Planning Consultants, LLC

Adjourned Hearings:

24-007 25 Pheasant Ridge Drive – Maryrita Dobiel
24-005 435 New Karner Road – Whitman Holdings, LLC
24-053 17 & 19 Canal Street – Vision Planning Consultants, LLC
25-001 24 Lincoln Avenue – Paul Rinella



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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 **16th day of April 2025, at 7:00 p.m.** to hear the appeal of **Vision Planning Consultants, LLC** from the decision of the Building Department Director for the Town of Colonie denying the applicant a Building Permit for the premises located at **445 Albany Shaker Road**. The proposed subdivision of a 25,500±-square-foot lot into two lots (lot 1 – a 12,600±-square-foot lot with an existing single-family dwelling; lot 2 – a 12,900±-square-foot corner lot) for the future construction of a new single-family dwelling with a proposed 31-foot front yard setback (Shaker Drive), is not compliant with the 18,000-square-foot minimum lot size and 40-foot minimum front yard setback required in a Single Family Residential (SFR) zoning district as stated in the Town of Colonie Land Use Law, Article VI, Section 190-24, 190-25, and Attachment #2 – Dimensional Table. The public may view and listen to the Zoning Board of Appeals hearing on the Town's website by typing <https://colonienny.igmp2.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 April 3, 2025



BUILDING AND FIRE SERVICES DEPARTMENT

TOWN OF COLONIE

PUBLIC OPERATIONS CENTER
347 OLD NISKAYUNA ROAD
LATHAM, NEW YORK 12110-2286

(518) 783-2706

Z 202401321

ZONING VERIFICATION – SUBDIVISION / MERGER

APPLICATION FOR ZONING VERIFICATION FOR A SUBDIVISION OR MERGER OF LAND
(SUBMIT TO TOWN OF COLONIE BUILDING DEPARTMENT)

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

THIS FORM IS TO BE USED IF YOU PROPOSE A COMMERCIAL SUBDIVISION OR MERGER.
ANOTHER FORM IS AVAILABLE IF YOUR PROPOSAL IS FOR SOMETHING BESIDES A SUBDIVISION OR MERGER.

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 Law. The 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 officer reserves the right to request further information if it is deemed necessary. A disapproval of the application by the zoning officer means the project, as designed, cannot proceed for the means 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. The applicant further agrees and understands that a new "Application for Zoning Verification" may have to be submitted if the applicable zoning laws change before the proposed action is completed.

1. GENERAL INFORMATION (MUST BE TYPEWRITTEN OR PRINTED LEGIBLY)

Address of site of proposed subdivision:

445 ALBANY SHAKER RD LATHAM N.Y. 12110
Number Street City State Zip Code

Name of Applicant: VISION PLANNING CONSULTANTS LLC

Address of Applicant:

P.O. BOX 442 NEWTONVILLE N.Y. 12128
Number Street City State Zip Code

Applicant's telephone numbers: W Cell 518-857-4486

Contact Person TED DELUCA

Contact Person's Address

P.O. BOX 442 NEWTONVILLE N.Y. 12128
Number Street City State Zip Code

Contact Person's telephone numbers: W Cell 518-857-4486

Property Owner(s): NML PROPERTY HOLDINGS LLC

Address of Property Owner: P.O. BOX 11213
Number Street City State Zip Code

Property Owner's telephone numbers: W H

2. FEE

A non-refundable fee is required at time of application or when processed and ready for pickup.

Minor Subdivision / Merger (1 - 4 lots) \$210.00 310 Check # Cash

Major Subdivision / Merger (over 4 lots) \$340.00 650 Check # Cash

3. PLOT PLAN

A plot plan with the following information must be submitted with this application. Failure to provide the required information will result in denial of this application for zoning verification.

- zoning district boundaries within 300 ft. of site
- outside boundary of the parcel(s) to be subdivided
- boundary of all proposed lots
- typical lot layout with setbacks
- building setback line(s) and distance from front property line to the building setback line
- proposed streets / existing public highways
- right of way of all streets affected by project or to be constructed
- a note describing the scale used
- proposed street names
- proposed lot numbers
- any existing buildings, with setback dimensions to any new lot or street line
- area of each proposed lot (sq. ft.)
- width of lot at front property line and also at front setback line
- any proposed signs
- title block with name of subdivision and date of map
- north arrow

Over

4. APPLICANT'S PROPOSED SUBDIVISION / MERGER:

Describe Present Use: ONE FAMILY HOME

Describe the proposed subdivision / merger in detail: SUBDIVIDE LT TO BUILD A
ONE FAMILY HOME

5. SITE STATISTICS:

How many existing parcels comprise the project site? 1
Total number of parcels after subdivision or merger? 2
The project site is located in what zoning district(s)? SFR
(Refer to Town of Colonie Zoning Map/Laws)
Total area of existing parcel(s): acres .59, and square feet 25,500 ±

Proposed Lots:

Maximum lot size: square feet 12,900
Minimum lot size: square feet 12,600

Proposed Streets:

Streets proposed to be constructed? Yes No No X
If no, is the parcel on a dedicated street? Yes No No X
What is the minimum right-of-way width proposed? 30 ft.
What is the minimum frontage on a street a proposed lot will have 84 ft?

Buildings:

How many units are proposed? 1
What are the proposed uses? ONE FAMILY HOME
What is the density (units per acre)? 3.8
What is the maximum height of any building to be constructed? 26 feet
Stories (If known at this time)? 2 stories

SIGNATURE OF APPLICANT: IED DELUCA

PRINTED OR TYPED COPY OF SIGNATURE: IED DELUCA DATE 12/27/24

XXXXXXXXXXXX ZONING OFFICERS DECISION BELOW XXXXXXXXXXXXXXX

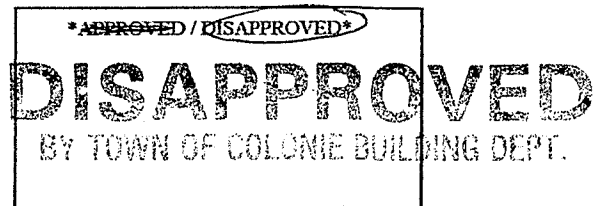
Are there easements on the property	Yes <u> </u>	No <u>✓</u>	Was the parcel created or divided since 1966	Yes <u> </u>	No <u>✓</u>
Parcel in/near a floodplain	Yes <u> </u>	No <u>✓</u>	Protected watercourse on/near the property	Yes <u> </u>	No <u>✓</u>
Parcel in/near a wetland	Yes <u> </u>	No <u>✓</u>	Is existing use nonconforming	Yes <u> </u>	No <u>✓</u>
Variance granted on property	Yes <u> </u>	No <u>✓</u>	Subdivision of record on file	Yes <u> </u>	No <u>✓</u>
Copy of Assessor's card(s) attached	Yes <u>✓</u>	No <u> </u>	Existing violation or outstanding permit	Yes <u> </u>	No <u>✓</u>
Copy of County Tax Map	Yes <u> </u>	No <u> </u>			

YES NO VIOLATION - CHAPTER 190-8 (BUILDING PERMITS REQUIRED)
☐ ☒ CONSTRUCTION STARTED WITHOUT OBTAINING ZONING AND BUILDING PERMIT.

TO THE APPLICANT:

You may now file an:

- ✓ Application for Subdivision Approval (Planning and Economic Development)
 Application for a Zoning Variance or Interpretation (Zoning Board of Appeals)
 Application for a Special Use Permit (Planning Board)
 Application for Open Development Area (Town Board)
 Application for Zoning Verification (Building & Fire Services)



This approval is subject to receiving approval from the Town of Colonie Planning & Economic Development Department

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 APPROVED DATE
SIGNATURE OF ZONING OFFICER

IS NOT IN ACCORDANCE DISAPPROVED DATE 12/31/24
SIGNATURE OF ZONING OFFICER

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

**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: January 31, 2025

1. The undersigned, Ted DeLucia (Vision Planning Consultants LLC), representing 445 Albany Shaker Road (S.B.L. # 43.3-1-22) hereby gives notice of appeal from the decision of the Building Department Director made on the 31st day of December, 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 subdivision of a 25,500±-square-foot lot into two lots (lot 1 – a 12,600±-square-foot lot with an existing single-family dwelling; lot 2 – a 12,900±-square-foot corner lot) for the future construction of a new single-family dwelling with a proposed 31-foot front yard setback (Shaker Drive), is not compliant with the 18,000-square-foot minimum lot size and 40-foot minimum front yard setback required in a Single Family Residential (SFR) zoning district as stated in the Town of Colonie Land Use Law, Article VI, Section 190-24, 190-25, and 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:

~~1~~ 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:

~~1~~ 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:

~~1~~ 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): _____

~~1~~ SEE ATTACHED

☒ 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 Ted DeLucia

Print Name TED DELUCIA

Address PO BOX 462

Newman NY 12128

STATE OF
COUNTY OF

SS:

Owner or lessee if other than above

Subscribed and sworn to before me this 1st
day of February, 2025

Name _____

Mailing _____

Address _____

Victoria Normandin

Notary Public State of New York

Qualified in Albany County #01NO6190776

Commission Expires 08/04/2028

1/2025

Vision Planning Consultants LLC

February 18, 2025

Town of Colonie Building Dept.

347 Old Niskayuna Rd

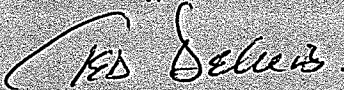
Latham NY 12110

Re: 445 Albany Shaker Rd – Minor subdivision area variance

Please find attached the variance application material including the fee for this project. Based on our earlier conversation I will be out of town until March 24 and then upon my return I would like to pick up the posting material for an April 16th Zoning Board meeting. As mentioned, my understanding was this will be added to the same meeting scheduled along with my adjourned case for 17 & 19 Canal St. In addition, I currently already have two meetings which are 24 Lincoln Ave and 86 Fonda Rd. on the April 2nd schedule.

I appreciate your continued help with all of this process and hearing back that this is correct and confirmed.

Sincerely,



Ted DeLucia

Building Codes Division Certified –NYS#0007857

Zoning Board Variance Appeal for : 445 Albany Shaker 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:

The unusual conditions are that this parcel is double the size of the neighboring properties and has frontage on two streets. Therefore, allows the parcel to be subdivided to mirror image the other properties.

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 be required to comply with the current larger lot size requirement would not be common within these older subdivision neighborhoods. It would essentially place a burden on the property owner to have a lot that is double the size as others for no particular purpose. Even if the owner wanted to place a garage, swimming pool or any accessory structure in this area we would need a variance due to no development is permitted as one parcel in this area as it is a front yard on the corner lot of Shaker Dr.

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:

To allow this double sized lot in the neighborhood to be subdivided for a new one family home. We need relief on the lot sizes and one front yard setback even though we comply with the developed properties in this neighborhood and is common within the adjoining neighborhoods.

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 granting this variance there will be no detrimental impact as we will have the same size lot as the neighborhood. This parcel has open lands with no negative environmental impacts; it has adequate road frontage and an existing driveway. All of this will need to be further reviewed and needs approval through the subdivision process.

Points of interest regarding area variance – 445 Albany Shaker Rd

- This parcel is within a Single Family Residential zoning district which is adjacent to and across the street from a Neighborhood Commercial Office Residential zoning district. This property has an existing one family home that has been there for decades. This one family use is the same all within Shaker Drive and predominantly the same heading east on Albany Shaker Rd. Based on when these homes were developed they complied with either the 12,000 sq. ft. lot size requirement or even the lesser square footage requirement prior to 1987.
- Based on this parcel we have a double lot with a 25,500 sq. ft. which is a larger size then the majority of the parcels on Shaker Dr. including the neighboring Tipton Dr. and College View Dr. which range from 9,500 sq. ft. to 13, 500 sq. ft. Some of these are also legal non-conforming two family homes in the Single Family Residential district. This house is located to the far left side of the parcel on a corner lot leaving a very large vacant area to the right towards Shaker Dr. Our proposal is to subdivide into two almost equal sizes for the construction of a new modest one family home to face Shaker Dr. The parcel sizes will be 12,600 sq. ft. for the existing house and 12,900 sq. ft. for the new house which fall within the parameters of the surrounding neighborhoods lot sizes to reflect how they were developed. Therefore, this proposal will be mirror imaging how these neighborhoods were designed and developed which is in character and not causing a detriment. (see example of neighborhoods lot sizes and the current nine area dimensional requirements)
- This existing parcel has two driveways servicing the existing house; however, we will be separating this to use the existing driveway on Shaker Dr. for the new house. As part of this proposal we will be complying with the lot frontage widths, side and rear yard setbacks for each based on the current zoning law. The only setback exception is: we are asking for a 30 foot front yard setback on Shaker Dr., which is common and the complies with the standard grandfather provision with all others in this zoning district which obviously has much less traffic then Albany Shaker Rd. Our proposed placement and development will not cause any type of detriment based on the lot size, front yard setback, and we will have ample space to provide a turn-a-round driveway which will be a subdivision requirement. (see attached site & draft house plan)
- We feel this proposal is not substantial and the proposed lot sizes are very common with the surrounding neighborhood. The current larger lot size requirement is really not a standard as we have shown. We look forward to our meeting to discuss this further.

Area Variance Criteria for: 445 Albany Shaker Rd.

Addressing the detriment to the character of the neighborhood:

This proposal will have no detrimental impact to the neighborhood based on the parcel we intend to subdivide will be very similar to the surrounding neighborhood and is separated from the other homes.

Addressing the feasibility as to if we can achieve this approval through a different method:

Based on our proposal we are not able to meet or increase the lot sizes to conform to the current requirements by adding more lands. Also, we feel it is not necessary to meet the current lot size that are now required in a neighborhood which is not the standard nor developed that way.

Addressing whether this is a substantial variance:

The reduced lot size is not substantial based on we are proposing an extremely similar lot size within the neighborhood.

Addressing the adverse effect on the physical and environmental impact:

This proposal will not have a negative impact of any kind based on the lot size or location of the new house. The parcel is an open area with an existing driveway to allow for development which will need to be designed and approved to meet the town's development standards by each department through the subdivision process.

Are the alleged difficulties self-created and relevant to preclude the granting of the area variance.

This may be considered a self-created hardship however, based on that this current lot size is double to our neighbors there is reason to believe this larger area facing another street was for a purpose something similar to our proposal. Also, based on the information that we provided, this lot size for a new home will be proportionate and not out of the ordinary to the other neighbors which we feel should not preclude this from being granted.

- 1) Maximum height – 40 ft.
- 2) Maximum building footprint – 30%
- 3) Lot area – 18,000 sq. ft.
- 4) Lot width – 80 ft.
- 5) Lot width at the building setback line – 80 ft.
- 6) Green space coverage – 35 %
- 7) Front yard setback – 40 ft.
- 8) Side yard setback – 10 ft. & 15 ft.
- 9) Rear yard setback 25 ft.

Proposing – 28 ft. *Comply*

Proposing - 12 % *Comply*

Proposing – 12,600 & 12,900

Proposing – 84, 86 & 150 ft. *Comply*

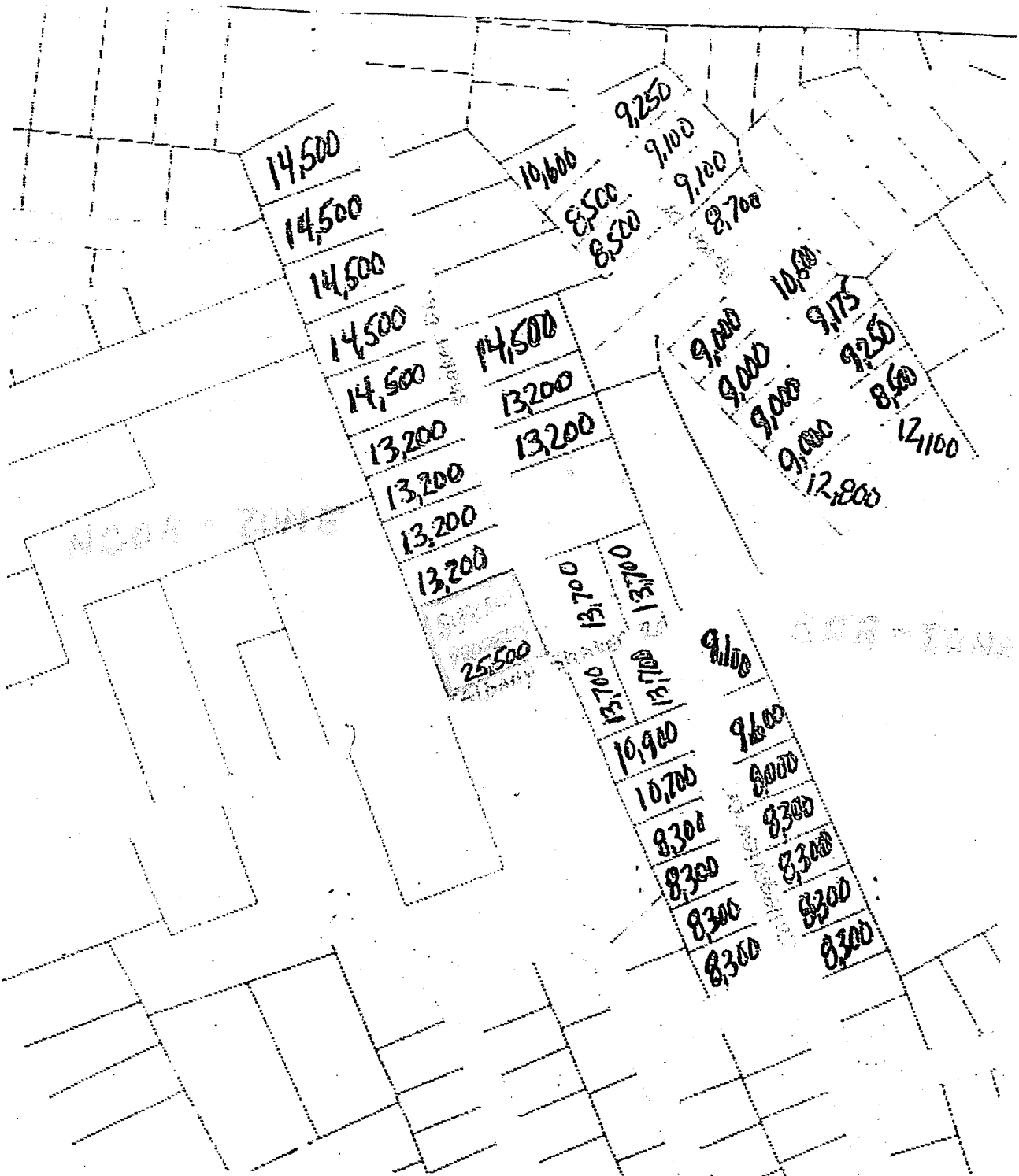
Proposing – 84, 86 & 150 ft. *Comply*

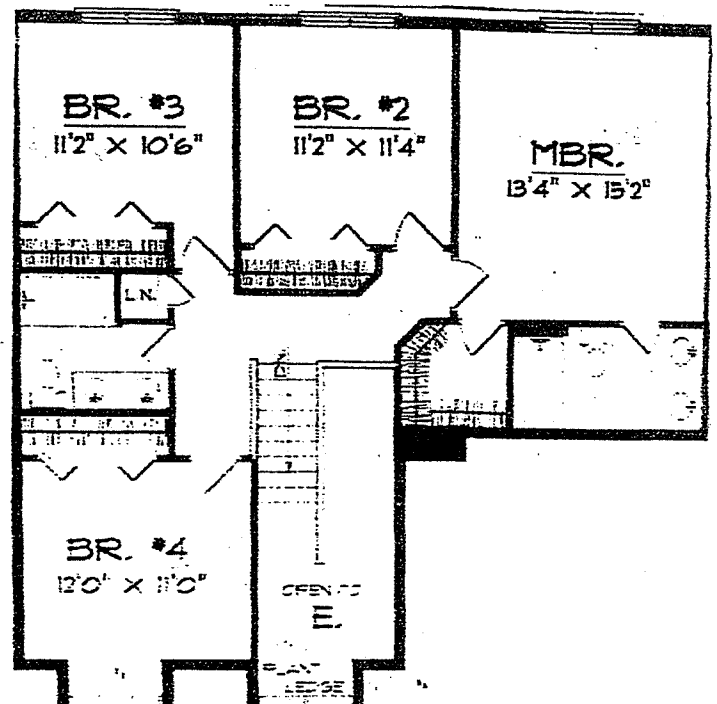
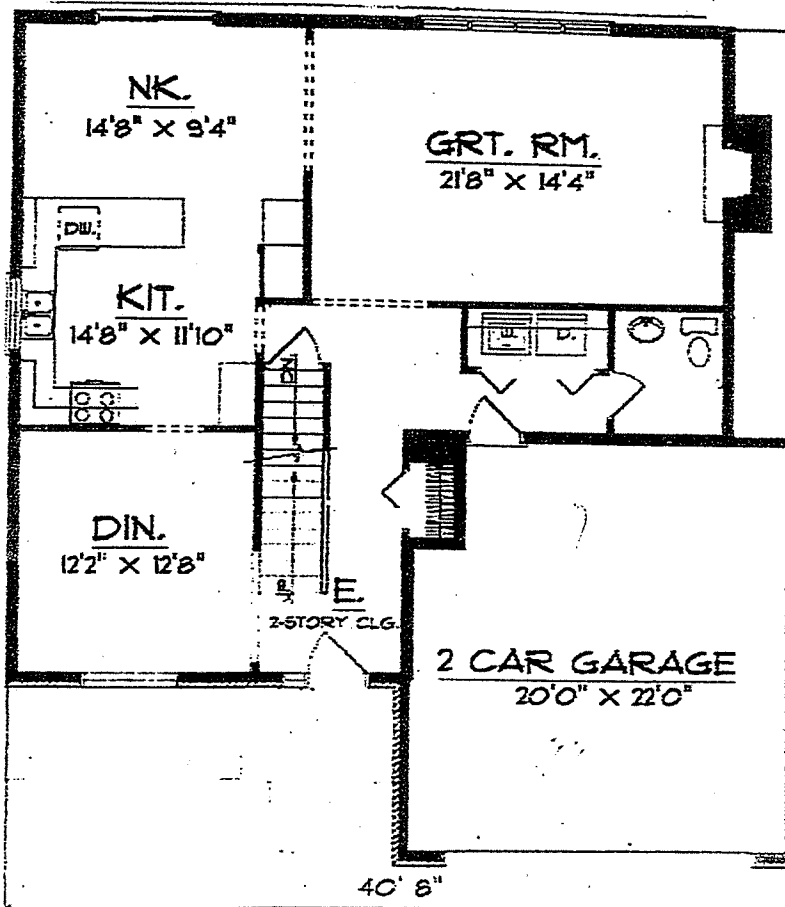
Proposing - 75% *Comply*

Proposing - 40 ft. & 30 ft.

Proposing – 40 ft. & 60 ft. *Comply*

Proposing – N/A corner lot *N/A*





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:			
Project Location (describe, and attach a location map): 445 ALBANY SHAKER RD - COLONIE N.Y.			
Brief Description of Proposed Action: TO SUBDIVIDE PARCEL INTO TWO LOTS. THERE WILL BE AN EXISTING ONE FAMILY HOME ON ONE LOT AND A NEW ONE FAMILY HOME ON THE SECOND PROPOSED LOT.			
Name of Applicant or Sponsor: VISION PLANNING CONSULTANTS LLC		Telephone: 516-857-4486	
Address: P.O. Box 442		E-Mail: visionplanningconsultants@gmail.com	
City/PO: NEWTONVILLE		State: N.Y.	Zip Code: 12128
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		☒	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval: BUILDING PERMIT		☐	☒
3. a. Total acreage of the site of the proposed action?		25,500 acres 50 FT.	
b. Total acreage to be physically disturbed?		3,000 acres 50 FT.	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		25,500 acres 50 FT.	
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: _____ _____	☐	☒	
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:	☐	☒
<u>TOWN APPROVED SYSTEM</u>		
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>LEO DEUNA AGENT</u> Date: <u>2/3/25</u>		
Signature: <u>LEO DEUNA</u> Title: <u>AGENT</u>		

PRINT FORM

Project: Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

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)?	☐	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☐	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☐	☐

