



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: May 9, 2025
To: Members of the Zoning Board of Appeals
From: Chretien T. Voerg, P.E., Director
Subject: **Zoning Board of Appeals Agenda – May 21, 2025**

New Hearings:

25-013 9 Alva Drive – Syed Y Raza
25-014 23 Meadow Street – Eric Allen
25-015 17 Schermerhorn Road – CGM Construction, Inc.

Adjourned Hearings:

25-012 1139 Loudon Road – Boght-Oakwood Veterinary Clinic
24-048 86 Fonda Road – Cillis Builders

Adjourned Decision:

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 **21st day of May 2025, at 7:00 p.m.** to hear the appeal of **Syed Y Raza** from the decision of the Building Department Director for the Town of Colonie denying the applicant a Building Permit for the premises located at **9 Alva Drive**. The proposed second-story addition on an existing building with a 4.1-foot side yard setback on a corner lot is not compliant with the 5-foot minimum side yard setback required 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), 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://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 May 9, 2025

Application for Zoning Verification and Building/Zoning Permit

RECEIVED

JAN 17 2020

TOC
BUILDING DEPT.

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. 202500077
2202500048

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: 9 ALVARO
LATHAM NY 12110
City State Zip

Property Owner's Name: SYED Y RAZA
(Applicant)

Address: 459 ROQUETTE AVE
SOUTH FLORAL NY 11001
City State Zip

Phone W _____ H/Cell 646 457 7791

Property Owner's Email: _____

Contractor's Business Name: SABOOKH CONSTRUCTION CORP
(Insurance must match business name)

Address: 21 ALVARO AVE
LATHAM NY 12110 (CALL)
City State Zip

Phone W _____ Cell 518 596 4018

ESTIMATED COST \$ 75000 Flr. Area _____

PERMIT FEE \$ 1250
(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 SABOOKH CONSTRUCTION CORP
(must match business name)

NOTE: IF OWNER IS NOT THE SIGNED, THE SIGNED SWEARS THAT THE PROPOSED WORK IS AUTHORIZED BY THE OWNER AND THAT THE SIGNED 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 _____

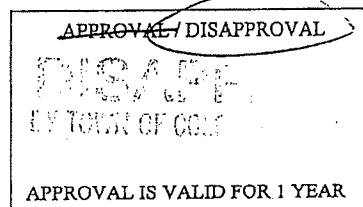
PROPOSED ACTION:

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: ADDING SECOND STORY ALSO RENOVATING
THE EXISTING FIRST FLOOR NEW ELECTRICITY, PLUMBING, INSULATION PLAN
ATTACHED.c) Gross Floor Area: Existing: 1110 square feet
Proposed: 1440 square feet
Total: 2550 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: 0.31 [✓] 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

Building Setbacks:	Existing	Proposed
Front Yard Depth:	feet <u>43.1</u>	feet <u>43.1</u>
Left Side Yard:	feet <u>68.2</u>	feet <u>68.2</u>
Right Side Yard:	feet <u>4.1</u>	feet <u>4.1</u>
Rear Front Yard Depth:	feet <u>26.5</u>	feet <u>26.5</u>
Existing Building Height (at peak):	feet <u>17</u>	stories <u>(1)</u>
Proposed Height (at peak):	feet <u>22</u>	stories <u>(2)</u>

SIGNATURE: [Signature]PRINT NAME: ADAR MUGHALDATED: 01/17/2025TITLE 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.

U.S. MAHAN FOR OFFICIAL USE ONLY

I, Anne Jackson 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: January 22, 2025
4/16/25SIGNATURE OF ZONING OFFICER [Signature]

The proposed second-story addition on an existing building with a 4.1-foot side yard setback on a corner lot is not compliant with the 5-foot minimum side yard setback required 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), and Attachment #3 – Dimensional Table for Prior Established Lots.

Are there easements on the property
Parcel in/near a floodplain
Parcel in/near a wetland
On/near a protected watercourse
Copy of assessor's card(s) attached
Copy of County tax map attached
S. B. L. # 3146-9

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

Is existing use nonconforming
Variance granted on property
Subdivision of record on file
Does the Grandfather Provision apply
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 ☒ 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: May 1, 2025

1. The undersigned, Syed Y Raza, of 9 Alva Drive (S.B.L. # 31.4-6-9), hereby gives notice of appeal from the decision of the Building Department Director made on the 10th day of April, 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 second-story addition on an existing building with a 4.1-foot side yard setback on a corner lot is not compliant with the 5-foot minimum side yard setback required 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), 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:

WITH LOT SIZE 13449 SQ. ONE STORY SINGLE FAMILY HOUSE 1104 SQ. WANT TO ADD 2ND FLOOR AS ADDITION AS PER AREA MANY HOUSE ARE 2 STORIES MOVING FROM NYC WITH MY FAMILY NEED MORE SPACE.

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:

AS PER SURVEY LOT SIZE IS 13449 SQ. ALL SET BACKS ARE OK JUST RIGHT SIDE SET BACK IS 4.1 FOOT FROM BACK CORNER.

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:

CURRENT FLOOR PLAN IS 1140 ADDING 2ND FLOOR OF 1440 SQ. TOTAL WILL BE 2580 SQ. WILL BE WAY LESS THEN 45% OF LOT TOTAL SIZE. MOST HOUSES IN THE AREA ARE AROUND OR BIGGER IN SIZE.

Attached hereto is a plot plan of said property, showing

ATTACHED. WITH SURVEY. PROPOSED ADDITION PLAN IS

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):

JUST ADDING 2ND STORY ON EXISTING 1ST FLOOR NOT CHANGING ANY FOOT PRINT OF EXISTING HOME.

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)

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

Print Name SYED Y RAZA

Address 9 ALVA DRIVE LATHAM NY 12110

STATE OF
COUNTY OF

SS:

Owner or lessee if other than above

Subscribed and sworn to before me this

day of

Name

Mailing

Address

Victoria Normandin
Notary Public State of New York
Qualified in Albany County #01NO6190776
Commission Expires 08/04/2025

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: 9 ALVA ADDITION		
Project Location (describe, and attach a general location map): 9 ALVA DRIVE LATHAM NY 12110		
Brief Description of Proposed Action (include purpose or need): ADDITION OF 2ND FLOOR ON EXISTING SINGLE FAMILY HOUSE.		
Name of Applicant/Sponsor: SYED Y RAZA		Telephone: 6464577791
		E-Mail:
Address: 9 ALVA DRIVE		
City/PO: LATHAM	State: NEW YORK	Zip Code: 12110
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, ☐ Yes ☒ No or Village Board of Trustees		
b. City, Town or Village ☐ Yes ☒ No Planning Board or Commission		
c. City, Town or ☐ Yes ☒ No Village Zoning Board of Appeals		
d. Other local agencies ☐ Yes ☒ No		
e. County agencies ☐ Yes ☒ No		
f. Regional agencies ☐ Yes ☒ No		
g. State agencies ☐ Yes ☒ No		
h. Federal agencies ☐ Yes ☒ No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		☐ Yes ☒ No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		☐ Yes ☒ No
iii. Is the project site within a Coastal Erosion Hazard Area?		☐ Yes ☒ No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☐ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☐ Yes ☒ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐ Yes ☒ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☒ Yes ☐ No

If Yes, identify the plan(s):

NYS Heritage Areas: Mohawk Valley Heritage Corridor

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.
If Yes, what is the zoning classification(s) including any applicable overlay district?

☐ Yes ☐ No

b. Is the use permitted or allowed by a special or conditional use permit?

☐ Yes ☒ No

c. Is a zoning change requested as part of the proposed action?
If Yes,

☐ Yes ☒ No

i. What is the proposed new zoning for the site?

C.4. Existing community services.

a. In what school district is the project site located? NORTH COLONIE SCHOOL DISTRICT

b. What police or other public protection forces serve the project site?
COLONIE

c. Which fire protection and emergency medical services serve the project site?
COLONIE

d. What parks serve the project site?
COLONIE

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? residential

b. a. Total acreage of the site of the proposed action?

_____ acres

b. Total acreage to be physically disturbed?

_____ acres

c. Total acreage (project site and any contiguous properties) owned
or controlled by the applicant or project sponsor?

0.31 acres

c. Is the proposed action an expansion of an existing project or use?

☒ Yes ☐ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % 2550 SQ Units:

d. Is the proposed action a subdivision, or does it include a subdivision?

☐ Yes ☒ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed?

☐ Yes ☒ No

iii. Number of lots proposed?

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases?

☐ Yes ☒ No

i. If No, anticipated period of construction:

_____ months

ii. If Yes:

- Total number of phases anticipated

- Anticipated commencement date of phase I (including demolition)

_____ month _____ year

- Anticipated completion date of final phase

_____ month _____ year

- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

f. Does the project include new residential uses?

☐ Yes ☒ No

If Yes, show numbers of units proposed.

One Family

Two Family

Three Family

Multiple Family (four or more)

Initial Phase

At completion

of all phases

g. Does the proposed action include new non-residential construction (including expansions)?

☐ Yes ☒ No

If Yes,

i. Total number of structures

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?

☐ Yes ☒ No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

☐ Yes ☒ No

If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

• Volume (specify tons or cubic yards): _____

• Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials?

☐ Yes ☒ No

If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting?

☐ Yes ☒ No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?

☐ Yes ☒ No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments?

☐ Yes ☒ No

If Yes, describe:

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?

☐ Yes ☒ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water?

☐ Yes ☒ No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?

☒ Yes ☐ No

If Yes:

- Name of district or service area: COLONIE
- Does the existing public water supply have capacity to serve the proposal? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No
- Do existing lines serve the project site? ☒ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project?

☐ Yes ☒ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

☐ Yes ☒ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes?

☐ Yes ☒ No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities?

☐ Yes ☒ No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☒ No
- Is the project site in the existing district? ☐ Yes ☒ No
- Is expansion of the district needed? ☐ Yes ☒ No

• Do existing sewer lines serve the project site? • Will a line extension within an existing district be necessary to serve the project?	☒ Yes ☐ No ☐ Yes ☒ No
If Yes: • Describe extensions or capacity expansions proposed to serve this project: _____	
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐ Yes ☒ No	
If Yes: • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____ _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____ _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☐ Yes ☒ No	
If Yes: i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or _____ acres (impervious surface) _____ Square feet or _____ acres (parcel size) ii. Describe types of new point sources. _____ iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____ _____ • If to surface waters, identify receiving water bodies or wetlands: _____ • Will stormwater runoff flow to adjacent properties? ☐ Yes ☒ No	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐ Yes ☒ No	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐ Yes ☒ No	
If Yes, identify: i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐ Yes ☒ No	
If Yes: i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐ Yes ☒ No ii. In addition to emissions as calculated in the application, the project will generate: • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☒ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend
☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐ Yes ☒ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☒ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☒ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☒ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☒ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☒ No

l. Hours of operation. Answer all items which apply.

i. During Construction:	ii. During Operations:
• Monday - Friday: _____ 8AM-6PM	• Monday - Friday: _____
• Saturday: _____	• Saturday: _____
• Sunday: _____	• Sunday: _____
• Holidays: _____	• Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☒ No

If yes:

i. Provide details including sources, time of day and duration: _____

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☒ No

Describe: _____

n. Will the proposed action have outdoor lighting? ☐ Yes ☒ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☒ No

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☒ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☒ No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☒ No

If Yes:

i. Describe proposed treatment(s): _____

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☒ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☒ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation: _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing: _____

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☒ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☒ No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☒ No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? ☐ Yes ☒ No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☒ No
If Yes:
i. Has the facility been formally closed? ☐ Yes ☐ No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☒ No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☒ No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☒ No
☐ Yes – Spills Incidents database Provide DEC ID number(s): _____
☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
☐ Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☒ No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☒ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☒ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site: _____ %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: ☐ Well Drained: _____ % of site
☐ Moderately Well Drained: _____ % of site
☐ Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____ % of site
☐ 10-15%: _____ % of site
☐ 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☒ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☒ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☐ Yes ☒ No
If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☒ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☒ No
If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐ Yes ☒ No

j. Is the project site in the 100-year Floodplain? ☐ Yes ☒ No

k. Is the project site in the 500-year Floodplain? ☐ Yes ☒ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☒ Yes ☐ No
If Yes:

i. Name of aquifer: Principal Aquifer

m. Identify the predominant wildlife species that occupy or use the project site: _____

n. Does the project site contain a designated significant natural community? ☐ Yes ☒ No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☒ No
 If Yes:
 i. Species and listing (endangered or threatened): _____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☒ No
 If Yes:
 i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☐ No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☒ No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☒ No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☒ No
 If Yes:
 i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☒ No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

e. 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? ☒ Yes ☐ No	
If Yes: i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District ii. Name: <u>Goodrich School</u> iii. Brief description of attributes on which listing is based: _____	
f. 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? ☐ Yes ☒ No	
g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☒ No	
If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☒ No	
If Yes: i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☒ No	
If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☒ No	

F. Additional Information

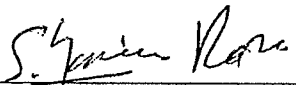
Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

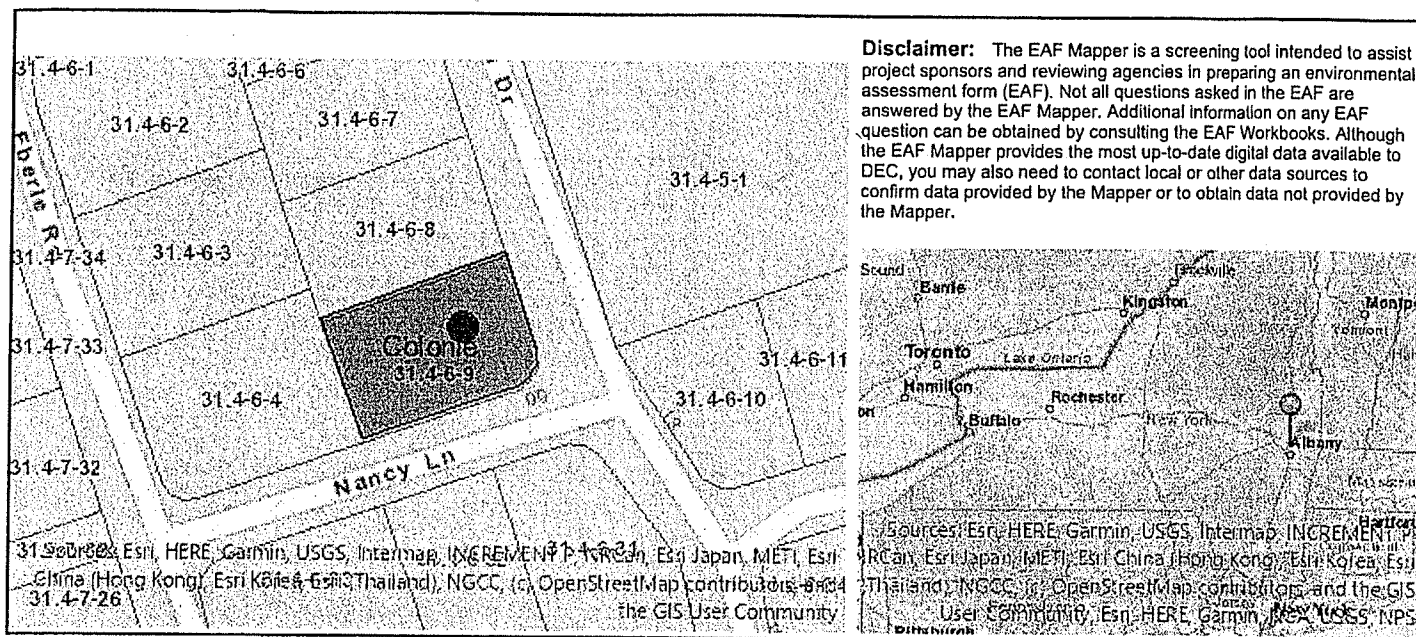
I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name SYED Y RAZA Date 5/06/2025

Signature  Title OWNER

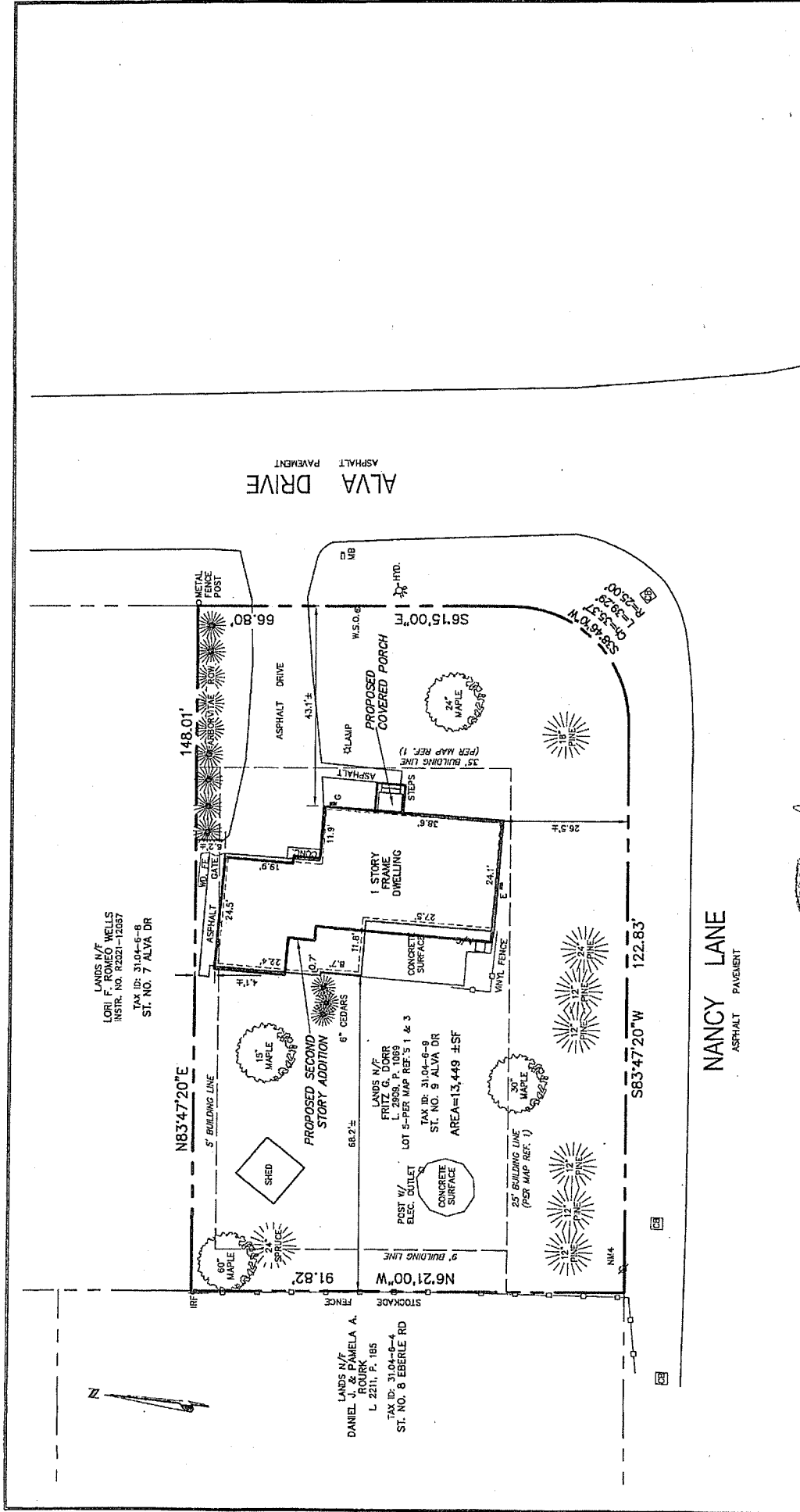
EAF Mapper Summary Report

Monday, May 5, 2025 11:50 PM



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas: Mohawk Valley Heritage Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.h.ii [Surface Water Features]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.h.iii [Surface Water Features]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer

E.2.m. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Goodrich School
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No



NO.	REVISION	DATE	UNAUTHORIZED ALTERATION OR MAP BEARING A SURVEYOR'S SEAL IN VIOLATION OF SECTION 13 OF THE NEW YORK STATE EDUCATION LAW. ONLY COPIES FROM THE SURVEY MARKED WITH AN ORIGINAL OF THE EMBOSSED SEAL SHALL BE CONSIDERED TRUE COPIES.	ROBERTS & DAVIS, JR., P.L.S. N.Y.S. LICENSE NO. 051060	ABD ENGINEERS & SURVEYORS 411 Union Street Schenectady, N.Y. 12305 518-377-0315 Fax: 518-377-0379 www.abdeng.com	PROPOSED PLOT PLAN LANDS KNOWN AS ST. NO. 9 ALVA DRIVE TOWN OF COLONIE COUNTY OF ALBANY NEW YORK SCALE: 1" = 20' DATE: MAY 1, 2025 SHEET 1 OF 1
1)						



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 **21st day of May 2025, at 7:00 p.m.** to hear the appeal of **Eric Allen** from the decision of the Building Department Director for the Town of Colonie denying the applicant a Building Permit for the premises located at **23 Meadow Street**. The proposed construction of a 12-foot by 24-foot shed and an existing 24-foot by 32-foot detached pole barn in a front yard on a corner lot are 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, Section 190-24, 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://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 May 9, 2025

Application for Zoning Verification and Building/Zoning Permit
RESIDENTIAL

10/2019

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. 202500207

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: 23 Meadow St
Cohoes NY 12047
City State Zip

Property Owner's Name: Eric Allen
(Applicant)

Address: 23 Meadow St
Cohoes NY 12047
City State Zip

Phone W _____ H/Cell 518-470-0416

Property Owner's Email: ericallen129@
netscape.net

Contractor's Business Name: GARDEN TIME
(Insurance must match business name)

Address: 1467 ROUTE 9
CLIFTON PARK NY 12065
City State Zip

Phone W 518-793-8555 Cell _____

ESTIMATED COST \$ 13,000 ^{288 # SHED} Flr. Area 768 ^{# BARN}

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 ☐ CB-200

Contractor's General Liability

Insured's Name GARDEN TIME
(must match business name)

NOTE: IF OWNER IS NOT THE SIGNED, THE SIGNED SWEARS THAT THE PROPOSED WORK IS AUTHORIZED BY THE OWNER AND THAT THE SIGNED 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____

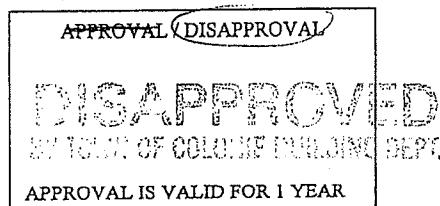
PROPOSED ACTION:

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: 12' x 24' shed
24' x 32' Barnc) Gross Floor Area: Existing: (SHED) (BARN) square feet
Proposed: 288 + 768 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: 1.34 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 190+

Building Setbacks:	Existing	Proposed
Front Yard Depth: MEADOW	feet _____	feet <u>SHED 24</u> <u>BARN 40</u>
Left Side Yard:	feet _____	feet <u>115</u> <u>157</u>
Right Side Yard:	feet _____	feet <u>N/A</u> <u>N/A</u>
Back/Right Front Yard Depth: LARGER	feet _____	feet <u>45</u> <u>41</u>
Existing Building Height (at peak):	feet _____	stories <u>2</u>
Proposed Height (at peak):	feet _____	stories <u>1</u>

SIGNATURE: [Signature]PRINT NAME: Eric AllenDATED: 3/4/25

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: 3/4/25SIGNATURE OF ZONING OFFICER: [Signature]

The proposed construction of a 12-foot by 24-foot shed and an existing 24-foot by 32-foot detached pole barn in a front yard on a corner lot are 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, Section 190-24, 190-26(C)(4), and Attachment #3 – Dimensional Table For Prior Established Lots.

Are there easements on the property
Parcel in/near a floodplain
Parcel in/near a wetland
On/near a protected watercourse
Copy of assessor's card(s) attached
Copy of County tax map attached
S. B. L. # _____

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

Is existing use nonconforming
Variance granted on property 45-070
Subdivision of record on file
Does the Grandfather Provision apply
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 ☒ 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: May 1, 2025

1. The undersigned, Eric Allen, of 23 Meadow Street (S.B.L. # 9.2-4-53), hereby gives notice of appeal from the decision of the Building Department Director made on the 11th day of March, 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 shed and an existing 24-foot by 32-foot detached pole barn in a front yard on a corner lot are 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, Section 190-24, 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:

corner property is a paper road only + the surrounding properties are open fields.

- 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 structure has been installed on the property for several years approved by the Town of Colonie.

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:

To allow the building to remain as previously approved and allow the shed to be positioned behind it.

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):

The structure fits in with its environment and is neat + well maintained.

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) _____

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 _____

Print Name Eric Allen

Address 23 Meadow St
Cohoes NY 12047

Owner or lessee if other than above

STATE OF New York
COUNTY OF Albany SS:

Subscribed and sworn to before me this 8th
day of May 2025

Nancy Terner

NANCY TERNENT
Notary Public, State of New York
No. 4688182
Qualified in Albany County
Commission Expires 12-31-26

Name _____
Mailing _____
Address _____

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: ALLEN SHED			
Project Location (describe, and attach a location map): 23 Meadow St			
Brief Description of Proposed Action: install 12x24 shed next to an existing 24x32 ft pole barn			
Name of Applicant or Sponsor: Eric Allen		Telephone: 518 470 0416	
		E-Mail: ericallen129@netscape.net	
Address: 23 Meadow St			
City/PO: Cohoes		State: NY	Zip Code: 12047
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:			☒ ☐
3. a. Total acreage of the site of the proposed action?		1.34 acres	
b. Total acreage to be physically disturbed?		400 SF acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.34 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			

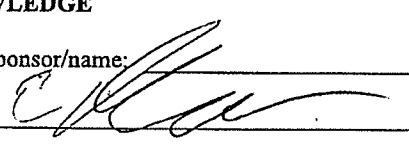
5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed 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: _____ _____	☒	☐	
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:	☒	☐

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
	☒	☐

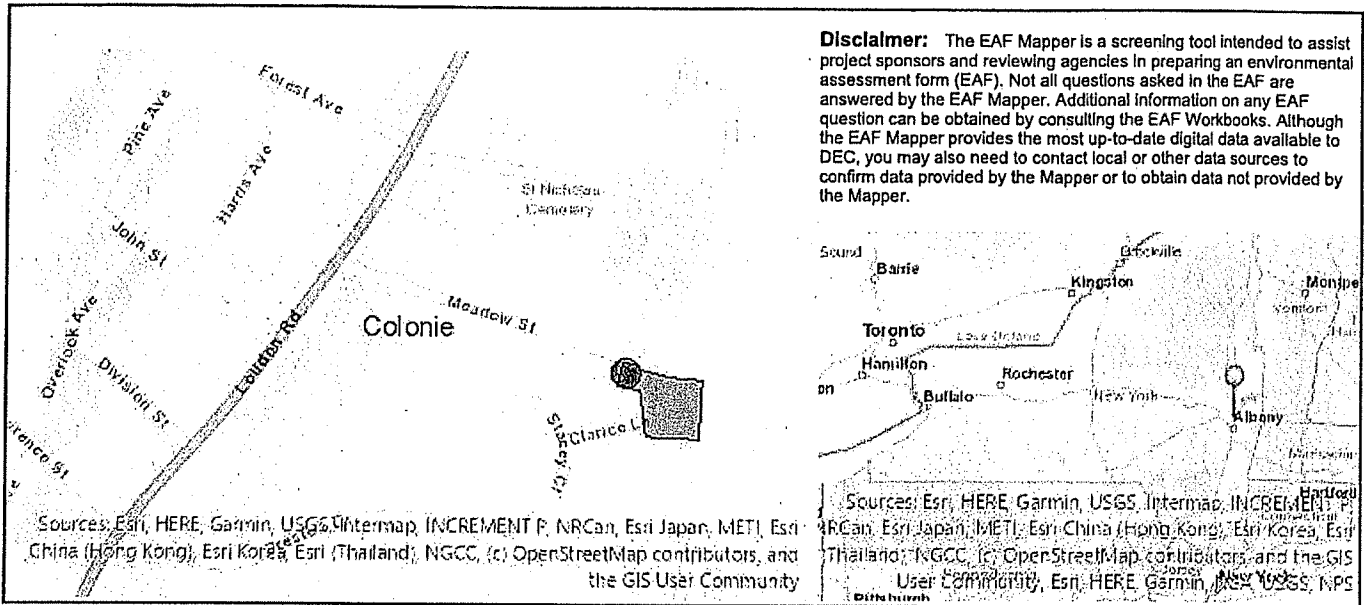
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☒	☐

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
	☒	☐

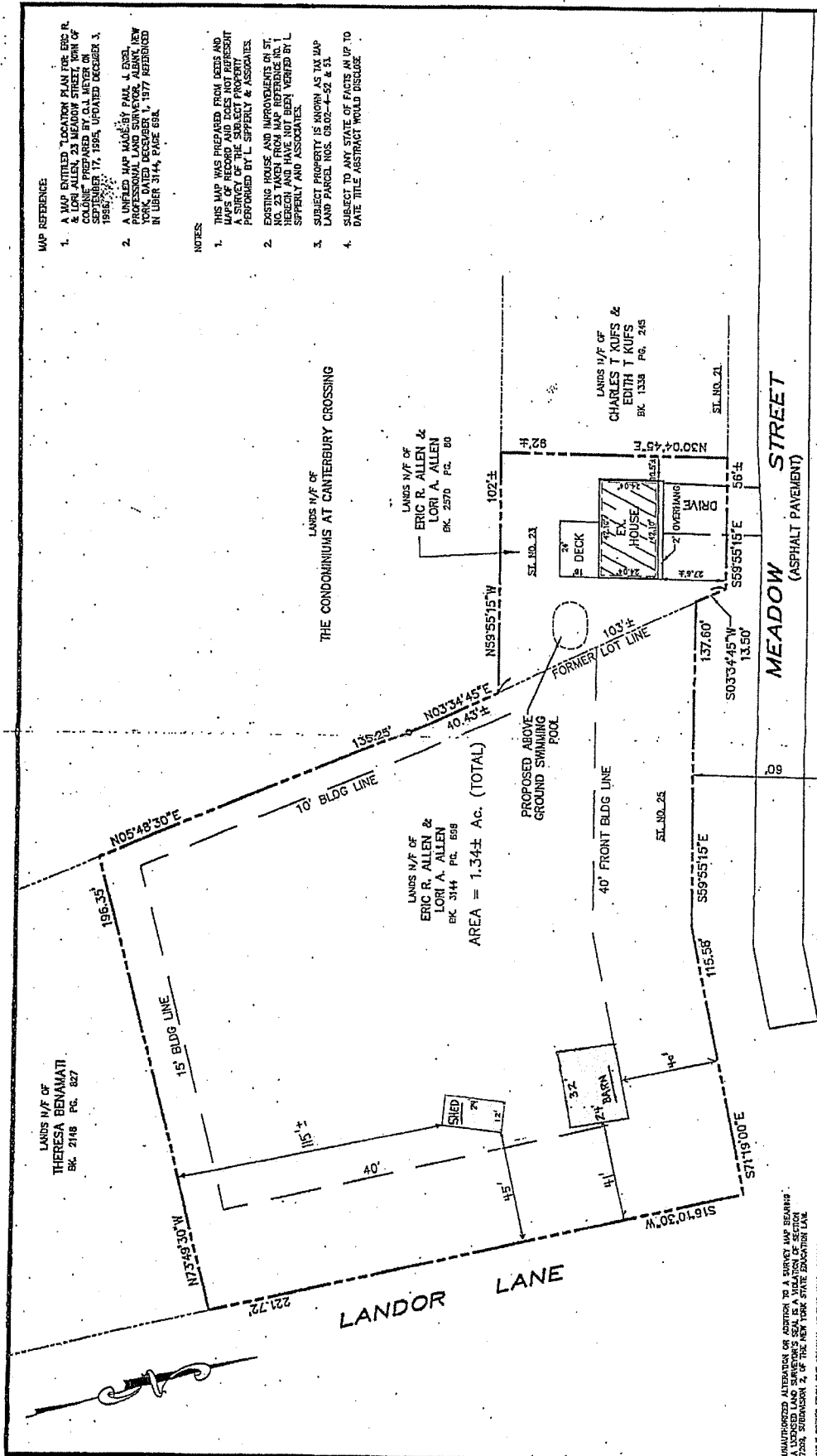
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature: <u></u> Title: <u>5/8/25</u>		

EAF Mapper Summary Report

Thursday, May 8, 2025 1:54 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]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No



MAP REFERENCE

1. A MAP ENTITLED "LOCATION PLAN FOR ERIC R. & LORI ALLEN, 23 MEADOW STREET, TOWN OF COLONIE, PREPARED BY C.J. WYER ON SEPTEMBER 17, 1994, UPDATED DECEMBER 3, 1995, FILED IN THE OFFICE OF THE CLERK OF THE SUPREME COURT, NEW YORK, DATED DECEMBER 1, 1977 REFERRED IN UBER 3144, PAGE 69A.
2. A UNFILED MAP MADE BY PAUL J. BOKI, ARCHITECT, 1000 WEST 10TH AVENUE, NEW YORK, DATED DECEMBER 1, 1977 REFERRED IN UBER 3144, PAGE 69A.

NOTES

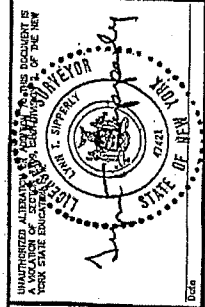
1. THIS MAP WAS PREPARED FROM DEEDS AND A SURVEY OF RECORDS AND DOES NOT REPRESENT A SURVEY OF THE SUBJECT PROPERTY PERFORMED BY L. SIPPERLY & ASSOCIATES.
2. EXISTING HOUSE AND IMPROVEMENTS ON ST. NO. 23 TAKEN FROM MAP REFERENCE NO. 1 HEREON AND HAVE NOT BEEN VERIFIED BY L. SIPPERLY & ASSOCIATES.
3. SUBJECT PROPERTY IS KNOWN AS TAX MAP LAND PARCEL NOS. 0802-4-52 & 51.
4. SUBJECT TO ANY STATE OF FACTS IN/UP TO DATE TITLE ABSTRACT WOULD DISCLOSE.

THE CONDOMINIUMS AT CANTERBURY CROSSING

PROPERTY CONSOLIDATION MAP
OF LANDS OWNED BY
ERIC R. & LORI A. ALLEN

23-25 MEADOW STREET
COUNTY OF ALBANY
TOWN OF COLONIE
STATE OF NEW YORK

DESIGNED BY:	CLS
DRAWN BY:	CLS
CHECKED BY:	LTS
APPROVED BY:	LTS
SCALE:	1" = 40'
DATE:	AUGUST 11, 2016



L. SIPPERLY & ASSOCIATES, PLLC
ENGINEERS • SURVEYORS • LAND PLANNERS
698 THYD-SQ-BENEDICT ROAD
LATHAM, NEW YORK 12110
PHONE (518) 782-9300 FAX (518) 782-9328

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 1720A, SUBSECTION 2, OF THE NEW YORK STATE EDUCATION LAW. ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED VALID TRUE COPIES.

PROJECT NO.	16023
ALBANY COUNTY RECORDS	
FILED IN	16023
SHEET NUMBER	1
SHEET 1 OF 1	
REV. NO.	A
DWG. NO.	B-16274



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 **21st day of May 2025, at 7:00 p.m.** to hear the appeal of **CGM Construction, Inc.** from the decision of the Building Department Director for the Town of Colonie denying the applicant a Building Permit for the premises located at **17 Schermerhorn Road**. The proposed subdivision of one lot into four lots in which lot two and lot three are proposed with a 20.21-foot front lot line and a 20.21-foot width at the front building setback line is not compliant with the 80-foot minimum front lot line and 80-foot minimum width at the front building setback line required in a Single Family Residential (SFR) zoning district as stated in the Town of Colonie Land Use Law, Article VI, Sections 190-24, 190-25, and 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 May 9, 2025



BUILDING AND FIRE SERVICES DEPARTMENT

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

(518) 783-2706

2 2025 00157

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:

17 Schermerhorn Road Cohoes NY 12047
Number Street City State Zip Code

Name of Applicant: CGM Construction, Inc.

Address of Applicant:

2 Brookwood Road Waterford NY 12188
Number Street City State Zip Code

Applicant's telephone numbers: W _____ Cell 518 376 7652

Contact Person Nicholas Costa-Advance Engineering & Surveying, PLLC

Contact Person's Address

11 Herbert Drive Latham NY 12110
Number Street City State Zip Code

Contact Person's telephone numbers: W _____ Cell 518 698 3772

Property Owner(s): CGM Construction, Inc.

Address of Property Owner:

2 Brookwood Road Waterford NY 12188
Number Street City State Zip Code

Property Owner's telephone numbers: W _____ H 518 376 7652

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) \$250.00

Check # _____

Cash _____

Major Subdivision / Merger (over 4 lots) \$400.00

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: Vacant lands

Describe the proposed subdivision / merger in detail: _____

Applicant is proposing to subdivide the parcel into four (4) residential lots as shown on the subdivision plan.

5. SITE STATISTICS:

How many existing parcels comprise the project site? one (1)

Total number of parcels after subdivision or merger? Four (4)

The project site is located in what zoning district(s)? Single Family Residential (SFR)

(Refer to Town of Colonie Zoning Map/Laws)

Total area of existing parcel(s): acres 5.13+/-, and square feet 223,258+/-

Proposed Lots:

Maximum lot size: square feet 72,001+/-

Minimum lot size: square feet 43,950+/-

Proposed Streets:

Streets proposed to be constructed? Yes No X

If no, is the parcel on a dedicated street? Yes X No

What is the minimum right-of-way width proposed? N.A. ft.

What is the minimum frontage on a street a proposed lot will have 20+/- ft?

Buildings:

How many units are proposed? Four (4)

What are the proposed uses? Single Family Residential

What is the density (units per acre)? 0.79+/-

What is the maximum height of any building to be constructed? 35+/- feet

Stories (If known at this time)? two (2) stories

SIGNATURE OF APPLICANT: _____

PRINTED OR TYPED COPY OF SIGNATURE: Nicholas Costa, Agent for Applicant

DATE: 2/20/25

XXXXXXXXXX ZONING OFFICERS DECISION BELOW XXXXXXXXXXXX

Are there easements on the property Yes No ✓
Parcel in/near a floodplain Yes No ✓
Parcel in/near a wetland Yes No ✓
Variance granted on property Yes No ✓
Copy of Assessor's card(s) attached Yes No ✓
Copy of County Tax Map Yes No ✓

Was the parcel created or divided since 1966 Yes No ✓
Protected watercourse on/near the property Yes No ✓
Is existing use nonconforming Yes No ✓
Subdivision of record on file Yes No ✓
Existing violation or outstanding permit Yes No ✓

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)

*APPROVED DISAPPROVED

DISAPPROVED
BY TOWN OF COLONIE BUILDING DEPT.

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 _____

IS NOT IN ACCORDANCE _____ DISAPPROVED DATE 2/20/25

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

The proposed subdivision of one lot into four lots in which lot two and lot three are proposed with a 20.21-foot front lot line and a 20.21-foot width at the front building setback line is not compliant with the 80-foot minimum front lot line and 80-foot minimum width at the front building setback line required in a Single Family Residential (SFR) zoning district as stated in the Town of Colonie Land Use Law, Article VI, Sections 190-24, 190-25, and Attachment #2 - Dimensional Table.

**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: April 16, 2025

1. The undersigned, Nicholas Costa (Advance Engineering & Surveying, PLLC) representing CGM Construction, Inc. of 17 Schermerhorn (S.B.L. # 4.4-3-12.2), hereby gives notice of appeal from the decision of the Building Department Director made on the 26th 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 subdivision of one lot into four lots in which lot two and lot three are proposed with a 20.21-foot front lot line and a 20.21-foot width at the front building setback line is not compliant with the 80-foot minimum front lot line and 80-foot minimum width at the front building setback line required in a Single Family Residential (SFR) zoning district as stated in the Town of Colonie Land Use Law, Article VI, Sections 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:

See attached responses

- 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 attached responses

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 attached responses

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 attached responses

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)

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

Print Name Christopher Marchand

Address

2 Brookwood Road, Waterford, NY 12188

Owner or lessee if other than above

STATE OF New York
COUNTY OF Saratoga SS:

Subscribed and sworn to before me this 21st
day of April, 2025

Barbara A. Marois

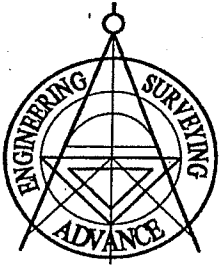
1/2025

BARBARA A. MAROIS
Notary Public, State of New York
Qualified in Saratoga County
Reg. No. 4803449 2026
Commission Expires May 31, 18

Name

Mailing

Address



Advance Engineering & Surveying, PLLC

Consulting in: Civil & Environmental Engineering • Land Surveying • Land Development
11 Herbert Drive
Latham, N.Y. 12110
Phone: (518) 698-3772
Email:ncostape@gmail.com

Nicholas Costa, PE

APPEAL FROM DECISION OF ADMINISTRATIVE OFFICIAL APPLICATION FOR INTERPRETATION/VARIANCE

17 Schermerhorn Road Responses to Appeal Questions

The Applicant is seeking an Area Variance for the construction of four (4) Residential Lots located at 17 Schermerhorn Road. The proposed subdivision conforms with the lot area requirements in the Single Family Residential (SFR) zone but two (2) of the proposed parcels do not have the required 80 feet of frontage.

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 subject parcel is located in the SFR (Single Family Residential) Zone per the Town of Colonie Code. The property can be developed with Single Family Residential parcels. The parcel has approximately 348 feet of frontage on a Town highway, Schermerhorn Road and therefore can meet the minimum lot frontage of 80 feet required in the SFR zone. However, the subdivision with the minimum lot frontage width of 80 feet would result in four (4) lots that are long and narrow which are not very attractive to potential customers. This layout is shown on the attached conventional plan layout. The proposed development of the lots with two parcels requiring the requested area variances result in a more balanced layout with very attractive lots at the front of the parcel that are over one acre in size that provide ample space for a building envelope and very nice yard space. The two rear lots that require the area variances are very large and attractive that provides flexibility and a lot of privacy. Additionally, in the neighborhood and adjacent to the parcel there are already developed lots that have substandard width at the front of the parcels. Two of the existing substandard lots are neighboring the parcel westerly boundaries.

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

The applicant of the subject parcel would have practical difficulties in carrying out the strict application of the Zoning Law. The applicant does not own any additional property along the Schermerhorn Road. The adjacent parcels to the subject parcel are all privately owned. The zoning of the parcel SFR allows the parcel to be developed for single family residential purposes which the applicant is proposing but requires area variances so that the proposed single family lots can be developed with reduced frontage as approved in the area variance(s). The parcel is located in the Single Family Residential (SFR) zone that has been very active and successfully developed. Neighboring residential subdivisions that are similar to the residential development that is being proposed by the Applicant include the Welding Way Subdivision, Ridgeview Meadows Subdivision and the Dutch Meadows Subdivision. The proposed residential development is complimentary to what surrounds the parcel.

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 as follows:

Approve the Area Variance(s) requested by the Applicant that will permit the Residential development of the parcel in a neighborhood with existing uses that are complimentary and the proposed use will preserve the residential integrity that dominates the area. The proposed Residential use is allowed in the SFR Zone.

Attached hereto is a plot plan of said property, showing the proposed development of the four (4) SFR lots together with proposed access drives connecting to the road and the existing conditions of the subject parcel and the available municipal infrastructure.

4. Appellant further alleges that such a 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):

As noted above the proposed Residential Use of the property is permitted and matches the existing uses in the neighboring parcels. The proposed architectural style of the buildings will replicate some of the architectural designs exhibited at the nearby existing residential development (Welding Way Subdivision, Ridgeview Meadows Subdivision and the Dutch Meadows Subdivision). The proposed design compliments the adjacent properties (Welding Way Subdivision, Ridgeview Meadows Subdivision and the Dutch Meadows Subdivision) and will not be detrimental to the properties or persons in the neighborhood and the public safety & welfare would be secured and substantial justice done by the granting of the requested Area Variance.

17 schermerhorn rd response to variance questons.docx

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 I 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.

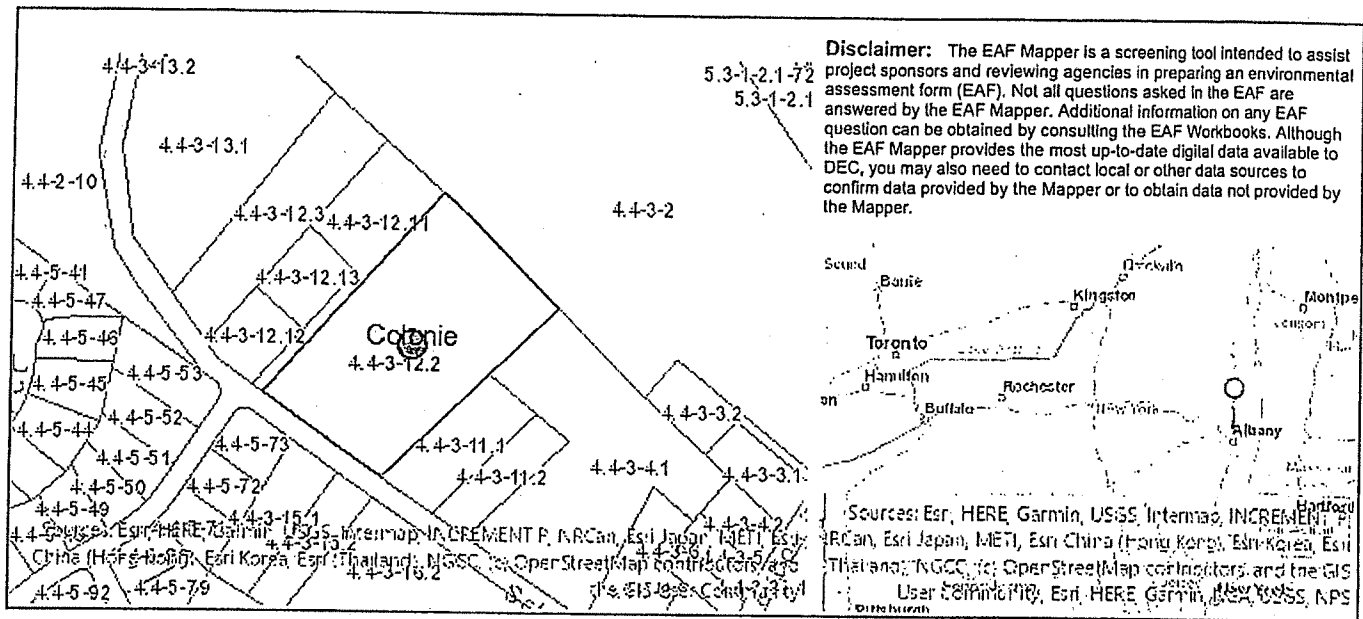
Part 1 – Project and Sponsor Information			
Name of Action or Project: Area Variance for Proposed Four Lot Subdivision			
Project Location (describe, and attach a location map): 17 Schermerhorn Road, Cohoes NY 12047			
Brief Description of Proposed Action: Applicant is proposing to subdivide the parcel and create four (4) Residential parcels. The parcel is located in the Single Family Residential (SFR) District and two of the proposed lots do not meet the minimum frontage requirements of 80 feet. Area Variances for these two lots are required. All of the necessary municipal services consisting of water and sanitary sewer exists and are located along Schermerhorn Road.			
Name of Applicant or Sponsor: CGM Construction, Inc.		Telephone: 518 376 7652 E-Mail: camarchand@cgmcconstructioninc.com	
Address: 2 Brookwood Road			
City/PO: Waterford		State: NY	Zip Code: 12188
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 Department of Planning & Economic Development - Minor Subdivision Approval; Building Dept.-Building Permit		NO ☐	YES ☒
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		5.13+/- acres 0 acres 5.13+/- 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: _____ _____	☐	☒	
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:	☐	☒
Stormwater resulting from the proposed subdivision will be managed in accordance with the Town of Colonie and the NYSDEC Stormwater Regulations.		
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>Chris Marchand</u> Date: <u>4/21/25</u> Signature: <u>[Signature]</u> Title: <u>Owner</u>		

EAF Mapper Summary Report

Friday, April 18, 2025 10:06 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]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

Call 811
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[illegible]

CONVENTIONAL LAYOUT
(MINOR SUBDIVISION)

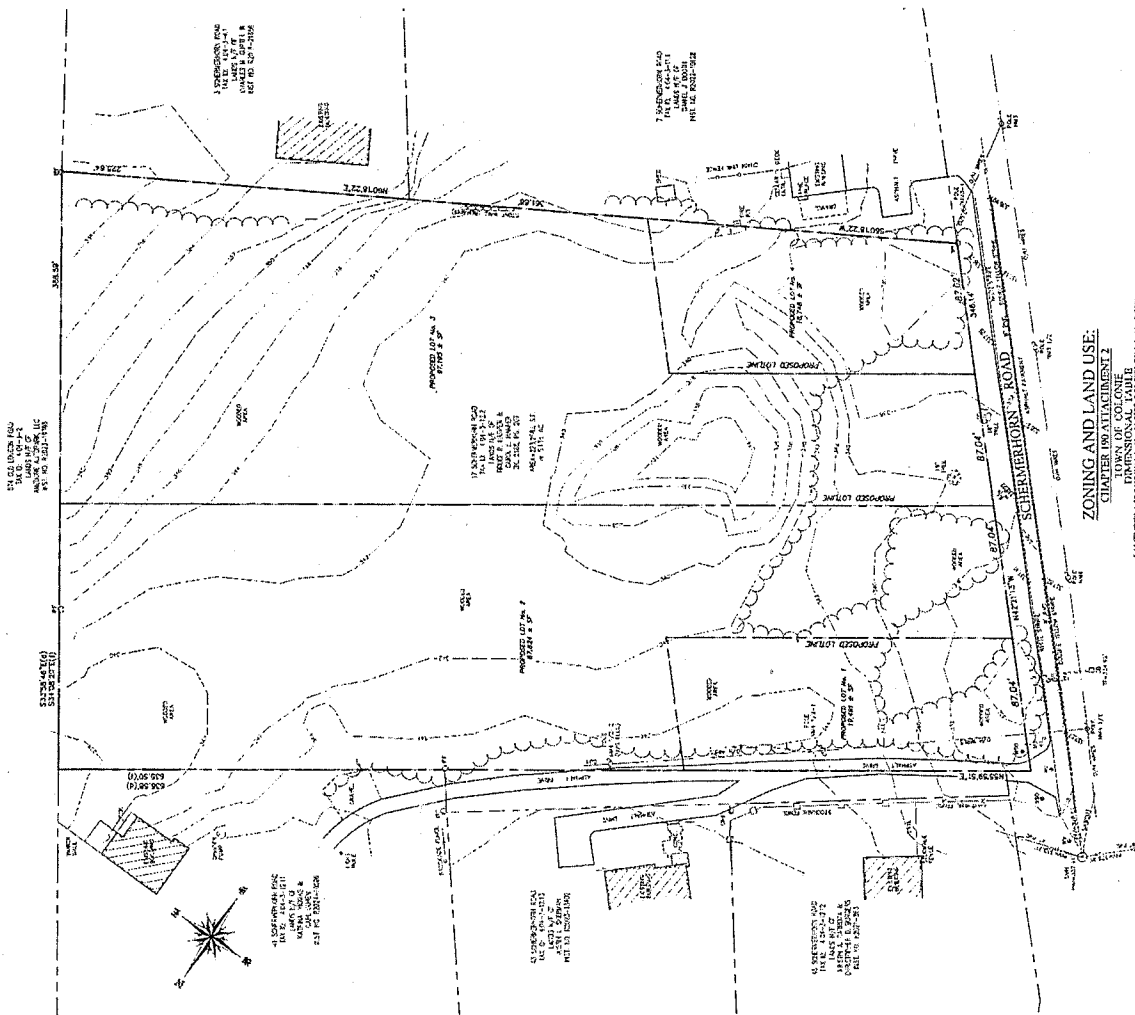
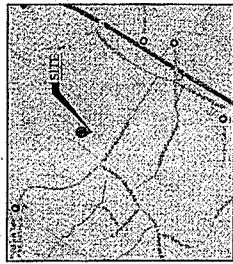
SITE LOCATION MAP

SURVEY NOTES:

- [illegible]

ABBREVIATIONS:

- DSE = CAPRED FROM 100 FOUND
 SE = FROM 100 FOUND
 FF = FROM PRC FOUND
 SO = WATER SHUT OFF
 WV = WATER VALVE
 HY = HYDRANT
 SAN = SANITARY CENTER VAPORABLE
 C/W MILES = CUMULATIVE MILES
 CB = CATCH BASIN
 MD = MANHOLE
 (1) = FIELD MEASUREMENT
 (2) = DEDU MEASUREMENT

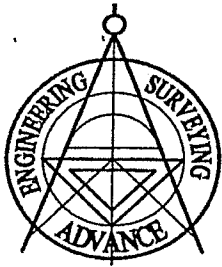


		BUILDING AND LOT REQUIREMENTS					BUILDING AND LOT REQUIREMENTS					YARD REQUIREMENTS			
DISTRICT	MAXIMUM HEIGHT (feet)	MAXIMUM LOT AREA (square feet)	MAXIMUM LOT AREA (square feet)	MAXIMUM LOT AREA (square feet)	MAXIMUM LOT AREA (square feet)	MAXIMUM LOT AREA (square feet)	MINIMUM FRONT YARD SETBACK (feet)	MINIMUM SIDE YARD SETBACK (feet)	MINIMUM REAR YARD SETBACK (feet)	MINIMUM FRONT YARD SETBACK (feet)	MINIMUM SIDE YARD SETBACK (feet)	MINIMUM REAR YARD SETBACK (feet)	MINIMUM FRONT YARD SETBACK (feet)	MINIMUM SIDE YARD SETBACK (feet)	MINIMUM REAR YARD SETBACK (feet)
		10,000	10,000	10,000	10,000	10,000	10	10	10	10	10	10	10	10	10
1	10	10,000	10,000	10,000	10,000	10,000	10	10	10	10	10	10	10	10	10
2	15	15,000	15,000	15,000	15,000	15,000	15	15	15	15	15	15	15	15	15
3	20	20,000	20,000	20,000	20,000	20,000	20	20	20	20	20	20	20	20	20
4	25	25,000	25,000	25,000	25,000	25,000	25	25	25	25	25	25	25	25	25
5	30	30,000	30,000	30,000	30,000	30,000	30	30	30	30	30	30	30	30	30
6	35	35,000	35,000	35,000	35,000	35,000	35	35	35	35	35	35	35	35	35
7	40	40,000	40,000	40,000	40,000	40,000	40	40	40	40	40	40	40	40	40
8	45	45,000	45,000	45,000	45,000	45,000	45	45	45	45	45	45	45	45	45
9	50	50,000	50,000	50,000	50,000	50,000	50	50	50	50	50	50	50	50	50
10	55	55,000	55,000	55,000	55,000	55,000	55	55	55	55	55	55	55	55	55
11	60	60,000	60,000	60,000	60,000	60,000	60	60	60	60	60	60	60	60	60
12	65	65,000	65,000	65,000	65,000	65,000	65	65	65	65	65	65	65	65	65
13	70	70,000	70,000	70,000	70,000	70,000	70	70	70	70	70	70	70	70	70
14	75	75,000	75,000	75,000	75,000	75,000	75	75	75	75	75	75	75	75	75
15	80	80,000	80,000	80,000	80,000	80,000	80	80	80	80	80	80	80	80	80
16	85	85,000	85,000	85,000	85,000	85,000	85	85	85	85	85	85	85	85	85
17	90	90,000	90,000	90,000	90,000	90,000	90	90	90	90	90	90	90	90	90
18	95	95,000	95,000	95,000	95,000	95,000	95	95	95	95	95	95	95	95	95
19	100	100,000	100,000	100,000	100,000	100,000	100	100	100	100	100	100	100	100	100
20	105	105,000	105,000	105,000	105,000	105,000	105	105	105	105	105	105	105	105	105
21	110	110,000	110,000	110,000	110,000	110,000	110	110	110	110	110	110	110	110	110
22	115	115,000	115,000	115,000	115,000	115,000	115	115	115	115	115	115	115	115	115
23	120	120,000	120,000	120,000	120,000	120,000	120	120	120	120	120	120	120	120	120
24	125	125,000	125,000	125,000	125,000	125,000	125	125	125	125	125	125	125	125	125
25	130	130,000	130,000	130,000	130,000	130,000	130	130	130	130	130	130	130	130	130
26	135	135,000	135,000	135,000	135,000	135,000	135	135	135	135	135	135	135	135	135

ZONING AND LAND USE:

CHAPTER 190 ATTACHMENT 2
TOWN OF COLONIE
DIMENSIONAL TABLE
AMENDED 4-1-2007 BY L.L. No. 19-0067; 5-1-2003 BY L.L. No. 2-2003;
5-1-2006 BY L.L. No. 4-2002; 4-1-2013 BY L.L. No. 5-2013

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11 Herbert Drive
Latham, N.Y. 12110
Phone: (518) 698-3772
Email:ncostape@gmail.com

Nicholas Costa, PE

Project Narrative
Proposed Four Lot Minor Residential Subdivision at
17 Schermerhorn Road
Town of Colonie, Albany County
April 2025

Site Address: 17 Schermerhorn Road

Applicant: CGM Construction, Inc.

Contact: Christopher Marchand
Email: camarchand@cgmconstructioninc.com
518 376 7652

Engineer: Advance Engineering & Surveying PLLC
Nicholas Costa
518-698-3772

Proposed use: Single Family Residential

Zoning: Single Family Residential (SFR)

Site Area: 5.13± acres

Description of Existing Site and Use

The parcel being subdivided contains approximately 5.13 acres and is located on the northerly side of Schermerhorn Road with an address of street number 17. The parcel is currently vacant. The parcel is identified as tax map no. 4.04-3-12.2 and is located in the Single Family Residential (SFR) district zone.

The site topography is gently sloping and generally slopes towards the south and toward a low area generally located in the central part of the parcel; there are portions of the parcel that continue a direct slope towards Schermerhorn Road where the lower elevations are located. The site drainage follows the topography and discharges into an end section that is at the end of a 12-inch diameter Corrugated Metal Pipe (CMP). This end section allows the drainage to continue across the Schermerhorn Road where a closed drainage system continues transporting the drainage westerly for eventual discharge into the Mohawk River. Site vegetation for the majority of the site consists of mature trees and overgrown brush. Along the property frontage of Schermerhorn Road and within the right-of-way there are municipal services consisting of sanitary sewer and water main; it also contains gas, telephone and CATV. These systems can provide municipal services to the project site.

The Websoil database indicates the project site soils are as following:
NaC – Nassau channery silt loam, rolling

NuB – Nunda silt loam, 3 to 8% slopes

The subject parcel does not contain ACOE wetlands that are shown and identified on the project plans.

Description of Proposed Project

The project site is located in the SFR zone and the applicant is proposing to develop the parcel in conformance with the SFR zone requirements and in a similar fashion with the developed adjacent parcels.

The proposed subdivision of the parcel as shown on the Subdivision Plan has been completed and a total of four (4) residential lots are being proposed. The proposed four (4) lots are fully compliant with the required minimum area of 18,000 Square Feet (SF) for the SFR Zone. However, two of the lots will only have approximately 20 feet of frontage along Schermerhorn Road, a Town of Colonie highway and a minimum frontage of 80 feet is required for each lot in the SFR zone. The applicant is requesting the Area Variance that will allow the two substandard lots to be developed with less than 80 feet of frontage along a Town street (Schermerhorn Road).

Based on the zoning regulations, the site can be developed with Single Family Residential lots as proposed. The applicant has proposed a total of four (4) lots which results in a density of 0.78 unit/acre; this is substantially less than the allowed density of 2 units/acre. Based on the size of the parcel, 5.13 acres a total of 10 lots could be developed at the parcel. Utilities necessary to provide the new lots with municipal services will be extended from the existing infrastructure located within the Schermerhorn Road Right-of-Way along the subject site frontage.

The existing corridor along the Schermerhorn Road project frontage has sanitary sewer, storm sewer, water system, gas, electric, telephone, and cable television utilities and can service the proposed lots. These systems have sufficient capacities to meet the demands of the proposed development.

Stormwater management will be required for the proposed residential development and it will be provided on-site by the construction of stormwater management practices that are in accordance with the requirements of the NYSDEC and the Town of Colonie Stormwater regulations for new construction. Portions of the proposed development stormwater runoff will be connected to the existing culvert that already exists along Schermerhorn Road.

The proposed project site is located within the Single Family Residential (SFR) zone as shown on the Town of Colonie Zoning Map. The proposed Residential land use within this zone is allowed and is a compatible use with existing uses and facilities located along Schermerhorn Road, in the project vicinity. The use is consistent with land uses permitted in the Town of Colonie Zoning Code.

The proposed project is not proposing any common lands; all of the subdivided parcels will be owned by the future homeowners.

The applicant is proposing to construct residential structures which will be architecturally appealing and will closely resemble those homes that have been constructed or are currently under construction in the neighborhood.

DEVELOPMENT IMPACTS

The proposed development will have minor impacts upon the environment, traffic and community services consisting of police, fire protection and solid waste disposal. These impacts range from none to minor and have been identified and taken into consideration in planning and designing the proposed development.

Impact on physical environment: the property proposed for development, is currently a combination of wooded, brush and undeveloped areas. The impact to physical environment will be minor since the proposal does clear or modify the existing wooded, brush and undeveloped areas.

Impact upon community services: The proposed development will result in minor impact to community services.

- The subject property lies in the North Colonie School District. It is estimated that once the vacant lot is developed as a 4 single family residential subdivision it may result in eight (8) additional school-age children living in the future homes. The existing North Colonie School District has the capacity, facilities and infrastructure to accommodate these new students. It should also be noted that the estimated school age children will not be occurring all at one time but it will vary over the period of time until the entire project is fully developed. The impact upon schools generated by this subdivision is considered minor.
- Police protection will be provided by the Town of Colonie Police Department. These services already exist in the community and encompass the project site. The impacts are considered none to minor.
- Fire protection will be provided by the Boght Community Fire Department. No impacts are expected since the existing equipment and facilities can accommodate the proposed development and currently provide those services to the adjacent neighborhood.
- Sanitary sewer, water, telephone, gas, electric and cable television are fully accessible to the property and have ample capacity to service the proposed subdivision. No impacts are anticipated to occur to community services. Estimated average daily water usage would be 1,320 gallons per day with a corresponding discharge to the sanitary sewer system. Water and Sanitary sewer district extensions will not be required since the parcel is located within the existing district's limits.
- Solid waste generated by the proposed development will be collected by a private hauler with anticipated disposal at the Town of Colonie Solid Waste Facility. This facility has the capacity to accommodate the estimated 0.8 tons per month of solid waste generated by the new lots. Impacts to solid waste are minimal.
- New traffic will be added to the existing street system from the proposed new development. The proposed 4 lots are estimated to generate 4 A.M. VT (vehicle trips) and 4 P.M. VT during the respective A.M. and P.M. peak commute periods. The local streets have the capacity to accommodate the new traffic generated from the proposed development.

The subdivision is fully compatible with the adjacent developments and land use development goals of the Town of Colonie. The proposed minor subdivision will require Area Variance(s) for the reduction of the required minimum 80 feet of frontage to approximately 20 feet as shown on the proposed Subdivision Plan.

Description of Project Construction Sequence and Phasing

The proposed project, upon approval, will commence with the installation of Erosion & Sediment Control systems and will be maintained throughout the construction period. The contractor will proceed with the clearing of the existing wooded areas to be removed and the topsoil will be stripped and stockpiled. The next phase will involve the construction of the project utilities which start with the installation of the sanitary sewer first and the water next followed with the installation of the storm sewer systems.

Impact on Town Communications System

The project does not anticipate interference with the Town Communications System.