



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

Wayne Spenziero  
Manager

## MEMORANDUM

Date: June 1, 2022

To: Members of the Zoning Board of Appeals

From: Wayne Spenziero, Building Department Manager

Subject: **Zoning Board of Appeals Agenda – June 15, 2022**

### **Adjourned Hearings:**

22-019 Ken Bouchard, 632 Boght Road

22-022 Bethlehem Land Surveying (Jason Peterson) (agent for Matthew Rafalik), 44 & 46 Morris Road

21-082 Victor A. Caponera, (agent for True Property LLC) 22 Crescent Terrace

### **New Hearings:**

22-023 Lisa Paonessa. 266 Vly Rd./1 Londonderry Way

22-024 Richard & Mary Beth Pastore, 1205 Chestnut St.

22-020 Ted Delucia, 24 Knadler Drive

22-018 Daniel R. Hershberg, PE, LS (agent for Michael Lia), 2116 Central Ave

22-021 Lisa Proskin, Proskin Law Firm (agent for West Albany Volunteer Co. No. 2), 36 Osborne Road



Peter G. Crummey  
Town Supervisor

# TOWN OF COLONIE

## Zoning Board of Appeals

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

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

Peter R. Crouse  
Chairman

Peter Molinaro, Esq.  
Counsel

**TAKE NOTICE**, that the Town of Colonie Zoning Board of Appeals will hold a public hearing at the Memorial Town Hall, 534 New Loudon Road, Latham, in the Town of Colonie, on the **15<sup>th</sup> of June, 2022**, at 7:00 p.m., to hear the appeal of **Kenneth Bouchard**, from the decision of the Building Department Manager for the Town of Colonie, denying the applicant a Building Permit for the premises located at **632 Boght Rd.**, the proposed construction of a 10'x20' three season room on a corner lot with a 22.3' front yard setback (Cedar Dr.) is not compliant with the 30' minimum front yard setback required in a single family residential (SFR) zoning district as stated in the Town of Colonie Land Use Law, Article VI, Sections 190-24 and 190-26(A), Attachment #3, Dimensional Table for prior established lots. 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](mailto:infozba@colonie.org). (Emailed comments must be received at least 24 hours in advance). Such comments will be read and addressed by the Chairman during the hearing.

**ZONING BOARD OF APPEALS**

**PETER R. CROUSE, CHAIRMAN**

**DATED May 13, 2022**



Peter G. Crummey  
Town Supervisor

# TOWN OF COLONIE

## Zoning Board of Appeals

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

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

Peter R. Crouse  
Chairman

Peter Molinaro, Esq.  
Counsel

**TAKE NOTICE**, that the Town of Colonie Zoning Board of Appeals will hold a public hearing at the Memorial Town Hall, 534 New Loudon Road, Latham, in the Town of Colonie, on the **15<sup>th</sup> of June, 2022**, at 7:00 p.m., to hear the appeal of **Bethlehem Land Surveying (Jason Peterson) (agent for Matthew Rafalik)** from the decision of the Building Department Manager for the Town of Colonie, denying the applicant a Building Permit for the premises located at **44 & 46 Morris Road**, the proposed subdivision, a lot line adjustment to create a 10,277  $\pm$  Sq. Ft. lot (44 Morris Rd) with an existing 53.14' front lot line and lot width at the front building setback line, is not compliant with the 18,000 Sq. Ft. minimum lot size, 80' minimum front lot line and 80' minimum lot width at the front building setback line required in a Single Family Residential (SFR) Zoning District, upon the request for a 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.igm2.com/Citizens/Default.aspx> in your web browser. The public may present comments to the Board in person or by emailing [infozba@colonie.org](mailto:infozba@colonie.org). (Emailed comments must be received at least 24 hours in advance). Such comments will be read and addressed by the Chairman during the hearing.

**ZONING BOARD OF APPEALS**

**PETER R. CROUSE, CHAIRMAN**

**DATED May 4, 2022**



Paula A. Mahan  
Town Supervisor

# TOWN OF COLONIE

## Zoning Board of Appeals

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

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

Peter R. Crouse  
Chairman

Peter Molinaro, Esq  
Counsel

**TAKE NOTICE**, that the Town of Colonie Zoning Board of Appeals will hold a public hearing at the Memorial Town Hall, 534 New Loudon Road, Latham, in the Town of Colonie, on the **15<sup>th</sup> of June, 2022**, at 7:00 p.m., to hear the appeal of **Victor A. Caponera, Jr. (agent for True Property, LLC)** from the decision of the Building Department Manager for the Town of Colonie, denying them a Building Permit for the premises located at **22 Crescent Terrace**, the proposal for a construction company, large, located in the Neighborhood Commercial Office Residential (NCOR) zoning district is not permitted, as stated in the Town of Colonie Land Use Law, Article V, Sections 190-18, 190-21 and 190 Attachment #1 –Table of Permitted uses, upon the request for a 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](mailto:infozba@colonie.org). Such comments will be read and addressed by the Chairman during the hearing.

**ZONING BOARD OF APPEALS**

**PETER R. CROUSE, CHAIRMAN**

**DATED May 13, 2022**



Peter G. Crummey  
Town Supervisor

# TOWN OF COLONIE

## Zoning Board of Appeals

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

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

Peter R. Crouse  
Chairman

Peter Molinaro, Esq.  
Counsel

**TAKE NOTICE**, that the Town of Colonie Zoning Board of Appeals will hold a public hearing at the Memorial Town Hall, 534 New Loudon Road, Latham, in the Town of Colonie, on the **15<sup>th</sup> of June, 2022**, at 7:00 p.m., to hear the appeal of **Lisa Paonessa**, from the decision of the Building Department Manager for the Town of Colonie, denying the applicant a Building Permit for the premises located at **266 Vly Rd./1 Londonderry Way**, the The proposed lot line adjustment at 266 Vly Rd./1 Londonderry Way, reducing the lot size at 266 Vly Rd. to 14,257 ± sq. ft. from 18,006± sq. ft., is not compliant with the 18,000 sq. ft. minimum allowable lot size in a Single Family Residential (SFR) zoning district as stated in the Town of Colonie Land Use Law, Article VI, Sections 190-24 and 190-25, Attachment #2 – Dimensional Table.

The public may view and listen to the Zoning Board of Appeals hearing on the Town's website by typing <https://colonienny.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](mailto:infozba@colonie.org). (Emailed comments must be received at least 24 hours in advance). Such comments will be read and addressed by the Chairman during the hearing.

**ZONING BOARD OF APPEALS**

**PETER R. CROUSE, CHAIRMAN**

**DATED May 23, 2022**



Peter G. Crummey  
Town Supervisor

# TOWN OF COLONIE

## Zoning Board of Appeals

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

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

Peter R. Crouse  
Chairman

Peter Molinaro, Esq.  
Counsel

**TAKE NOTICE**, that the Town of Colonie Zoning Board of Appeals will hold a public hearing at the Memorial Town Hall, 534 New Loudon Road, Latham, in the Town of Colonie, on the **15<sup>th</sup> of June, 2022**, at 7:00 p.m., to hear the appeal of **Richard A. Pastore** from the decision of the Building Department Manager for the Town of Colonie, denying the applicant a Building Permit for the premises located at **1205 Chestnut St**, the proposed construction of a 24' diameter above ground pool in a front yard on a thru/corner lot with 10' front (alley) and side yard setbacks is not compliant with the prohibition of an accessory structure in a front yard in a Single Family Residential (SFR) Zoning District as stated in the Town of Colonie Land Use Law, Article VI, Sections 190-24, 190-26 (4), Attachment #3 – Dimensional Table for Prior Established Lots, upon the request for a 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.igm2.com/Citizens/Default.aspx> in your web browser. The public may present comments to the Board in person or by emailing [infozba@colonie.org](mailto:infozba@colonie.org). (Emailed comments must be received at least 24 hours in advance). Such comments will be read and addressed by the Chairman during the hearing.

**ZONING BOARD OF APPEALS**

**PETER R. CROUSE, CHAIRMAN**

**DATED May 24, 2022**



Peter G. Crummey  
Town Supervisor

# TOWN OF COLONIE

## Zoning Board of Appeals

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

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

Peter R. Crouse  
Chairman

Peter Molinaro, Esq.  
Counsel

**TAKE NOTICE**, that the Town of Colonie Zoning Board of Appeals will hold a public hearing at the Memorial Town Hall, 534 New Loudon Road, Latham, in the Town of Colonie, on the **15<sup>th</sup> of June, 2022**, at 7:00 p.m., to hear the appeal of **Ted Delucia** from the decision of the Building Department Manager for the Town of Colonie, denying the applicant a Building Permit for the premises located at **24 Knadler Dr**, the proposed minor subdivision, subdividing one lot (24 Knadler Dr.) into four lots for Single Family Residential construction, with inadequate front lot lines and lot widths at the front building setback line on proposed lot one (49.93'), lot two (35'), and a 20' front yard setback on lot four, is not compliant with the 80' minimum front lot line and 80' minimum lot width at the front building setback line and 40' minimum front yard setback required, in a Single Family Residential (SFR) zoning district as stated in Article VI, Section 190-24 and 190-25, Attachment #2, Dimensional Table, upon the request for a 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](mailto:infozba@colonie.org). (Emailed comments must be received at least 24 hours in advance). Such comments will be read and addressed by the Chairman during the hearing.

**ZONING BOARD OF APPEALS**

**PETER R. CROUSE, CHAIRMAN**

**DATED April 29, 2022**



Peter G. Crummey  
Town Supervisor

# TOWN OF COLONIE

## Zoning Board of Appeals

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

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

Peter R. Crouse  
Chairman

Peter Molinaro, Esq.  
Counsel

**TAKE NOTICE**, that the Town of Colonie Zoning Board of Appeals will hold a public hearing at the Memorial Town Hall, 534 New Loudon Road, Latham, in the Town of Colonie, on the **15<sup>th</sup> of June, 2022**, at 7:00 p.m., to hear the appeal of **Daniel R. Hershberg, PE, LS (agent for Michael Lia)** from the decision of the Building Department Manager for the Town of Colonie, denying the applicant a Building Permit for the premises located at **2116 Central Ave**, the proposal for accessory structure (rock display) in the front yard of a parcel, located in the Commercial Office Residential (COR) Zoning District, is not compliant with the Town of Colonie Land Use Law, Article VI, Section 190-26 c. (4) (d) , upon the request for a 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](mailto:infozba@colonie.org). (Emailed comments must be received at least 24 hours in advance). Such comments will be read and addressed by the Chairman during the hearing.

**ZONING BOARD OF APPEALS**

**PETER R. CROUSE, CHAIRMAN**

**DATED May 13, 2022**



Peter G. Crummey  
Town Supervisor

# TOWN OF COLONIE

## Zoning Board of Appeals

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

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

Peter R. Crouse  
Chairman

Peter Molinaro, Esq.  
Counsel

**TAKE NOTICE**, that the Town of Colonie Zoning Board of Appeals will hold a public hearing at the Memorial Town Hall, 534 New Loudon Road, Latham, in the Town of Colonie, on the **15<sup>th</sup> of June, 2022**, at 7:00 p.m., to hear the appeal of **Lisa Proskin, Proskin Law Firm (agent for West Albany Volunteer Fire Co. No. 2)** from the decision of the Building Department Manager for the Town of Colonie, denying the applicant a Building Permit for the premises located at **36 Osborne Rd**, the proposal to operate a private club on a parcel located in the Single Family Residential (SFR) Zoning District, is not a permitted use, as stated in the Town of Colonie Land Use Law, Article V, Sections 190-18, 190-21 and 190 Attachment #1 – Table of Permitted Uses, upon the request for a 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](mailto:infozba@colonie.org). (Emailed comments must be received at least 24 hours in advance). Such comments will be read and addressed by the Chairman during the hearing.

**ZONING BOARD OF APPEALS**

**PETER R. CROUSE, CHAIRMAN**

**DATED May 4, 2022**