



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 29, 2025
To: Members of the Zoning Board of Appeals
From: Chretien T. Voerg, P.E., Director
Subject: **Zoning Board of Appeals Agenda – June 18, 2025**

New Hearings:

25-016 14 Delia Street – Alejandra Bachus

Adjourned Hearings:

25-012 1139 Loudon Road – Boght-Oakwood Veterinary Clinic



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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 **18th day of June 2025, at 7:00 p.m.** to hear the appeal of **Alejandra Bachus** from the decision of the Building Department Director for the Town of Colonie denying the applicant a Building Permit for the premises located at **14 Delia Street**. The proposed construction of an 18-foot by 40-foot deck with a 15-foot rear yard setback is not compliant with the 25-foot minimum rear yard setback required in a Single Family Residential (SFR) zoning district as stated in the Town of Colonie Land Use Law, Article VI, Section 190-24, 190-25, and Attachment #2 – Dimensional Table. The Zoning Board of Appeals will hear the request for variance from the provisions of the Code of the Town of Colonie, Chapter 190 to permit such construction and use and a SEQR Determination for such appeal. The public may view and listen to the Zoning Board of Appeals hearing on the Town's website by typing <https://colonieny.iqm2.com/Citizens/Default.aspx> in your web browser. The public may present comments to the Board in person or by emailing infozba@colonie.org. (Emailed comments must be received at least 24 hours in advance). Such comments will be read and addressed by the Chairman during the hearing. Landlords are strongly encouraged to notify tenants of the contents of this notice.

ZONING BOARD OF APPEALS
PETER R. CROUSE, CHAIRMAN

DATED May 29, 2025

Application for Zoning Verification and Building/Zoning Permit



RESIDENTIAL

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

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

TOC
BUILDING DEPT.

Permit No. _____

Z 2025 00273

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: 14 Delia St

Loudonville, NY 12211
City State Zip

Property Owner's Name: Alejandra M Bachus

(Applicant)

Address: 14 Delia St
Loudonville NY 12211
City State Zip

Phone W _____ H/Cell 518 8132135

Property Owner's Email: abachus90@gmail.com

Contractor's Business Name: Alejandra Bachus

(Insurance must match business name)

Address: 14 Delia St
Loudonville
City State Zip

Phone W _____ Cell _____

ESTIMATED COST \$ 7,000⁰⁰ Flr. Area _____

PERMIT FEE \$ 230
(This fee is not refundable)

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

INSURANCE INFORMATION REQUIRED

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

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

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

☐ C-105.2 ☐ U-26.3 ☐ SI-12 ☒ CE-200

Contractor's General Liability

Insured's Name _____
(must match business name)

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

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

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

FOR OFFICIAL USE ONLY

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

Reason for approval (refusal) of permit: _____

Proposed use: _____

Variance Granted # _____

Dated: _____, 20____

PROPOSED ACTION:

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

b) Is the proposed action a: ☐ New Building ☒ Addition ☐ Renovation
☐ Accessory Structure ☐ Garage ☐ Shed ☒ Deck ☐ Pool ☐ Other
☐ Home Occupation:
☐ Accessory Dwelling Unit
 Describe the proposed use or construction in detail: 18' x 40' DECK

c) Gross Floor Area: Existing: _____ square feet
 Proposed: 725± square feet
 Total: _____ square feet

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

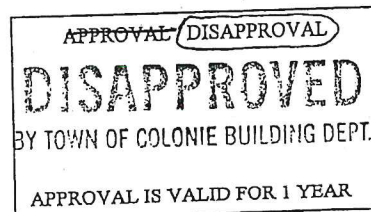
SITE INFORMATION: (DO NOT COMPLETE THIS SECTION IF THERE WILL BE NO EXTERIOR ALTERATION OF THE STRUCTURE/SITE)

Size of lot: _____ acre 13.414± 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 80±

Building Setbacks:	Existing	Proposed
Front Yard Depth:	feet <u>42.1</u>	feet <u>N/C</u>
Left Side Yard:	feet <u>26.3</u>	feet <u>28±</u>
Right Side Yard:	feet <u>25.9</u>	feet <u>30±</u>
Rear/Front Yard Depth:	feet <u>38</u>	feet <u>15'</u>
Existing Building Height (at peak):	feet _____	stories <u>2</u>
Proposed Height (at peak):	feet _____	stories <u>1</u>



SIGNATURE: _____

PRINT NAME: _____

DATED: 03-27-2025

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. MURRAY, 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.

Date: 3/28/25

SIGNATURE OF ZONING OFFICER

The proposed construction of an 18-foot by 40-foot deck with a 15-foot rear yard setback is not compliant with the 25-foot minimum rear yard setback required in a Single Family Residential (SFR) zoning district as stated in the Town of Colonie Land Use Law, Article VI, Section 190-24, 190-25, and Attachment #2 - Dimensional Table.

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. # 43.1-4-71

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 ☒ 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 2, 2025

1. The undersigned, **Alejandra Bachus**, of 14 Delia Street (S.B.L. # 43.1-4-71), hereby gives notice of appeal from the decision of the Building Department Director made on the 28th 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 an 18-foot by 40-foot deck with a 15-foot rear yard setback is not compliant with the 25-foot minimum rear yard setback required in a Single Family Residential (SFR) zoning district as stated in the Town of Colonie Land Use Law, Article VI, Section 190-24, 190-25, and Attachment #2 - Dimensional Table.

2. Appellant alleges:

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

We are the only house in the neighborhood built on a large grade. The builder mentioned that we would be 50 feet from a ground (7-6 ft) and that is why we want a nice deck in the back.

- 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 I mentioned previously our house is on a big slope or grade and we were never notified of this when building the house. That is why we want to built a deck

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:

Showing the proposed deck

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

together with N/A

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):

We are ok and our neighbors are ok with us putting a deck in our backyard.

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 Alejandra M Bachus
Print Name Alejandra M Bachus
Address 14 delia st.
Coudonville NY 12211

Owner or lessee if other than above

STATE OF NEW YORK
COUNTY OF Albany SS:

Subscribed and sworn to before me this 19th
day of May, 2025

Alison M. Holmes

ALISON M. HOLMES
NOTARY PUBLIC-STATE OF NEW YORK
No. 01HO6375633
Qualified in Albany County
My Commission Expires 05-29-2026

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.

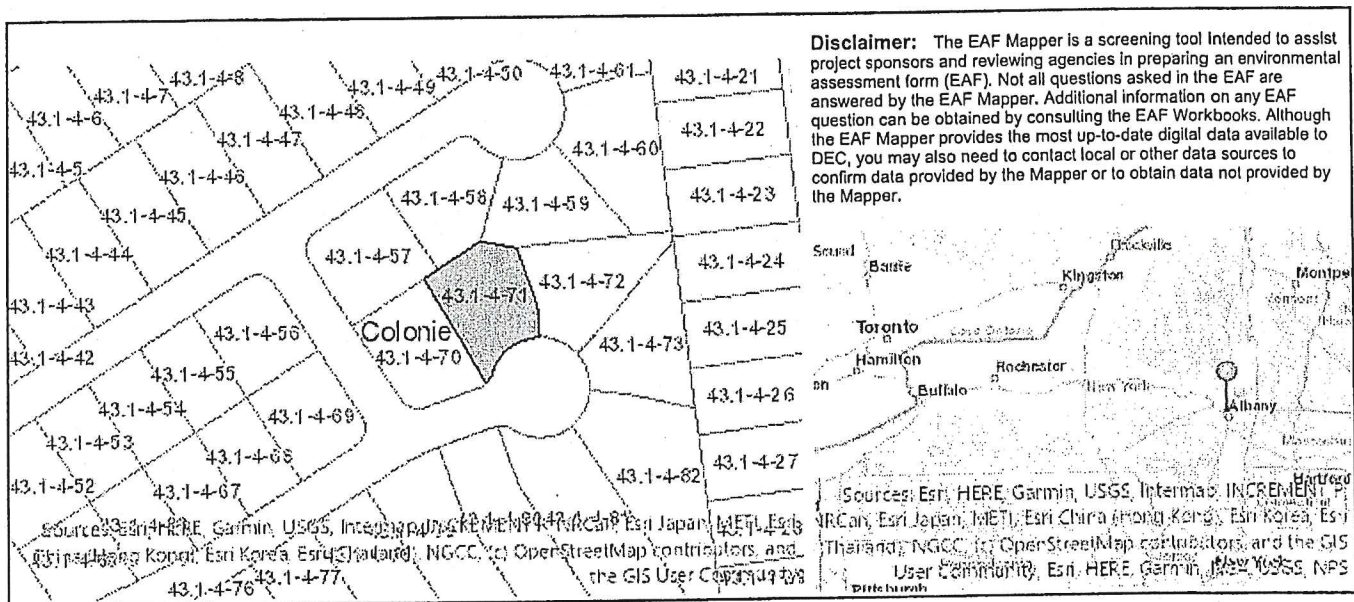
Part 1 – Project and Sponsor Information			
Alejandra Bachus			
Name of Action or Project: Deck at 14 Delia st			
Project Location (describe, and attach a location map): 14 Delia St Loudonville 12211			
Brief Description of Proposed Action: We would like to build a deck 18' x 40'			
Name of Applicant or Sponsor: Alejandra Bachus		Telephone: 5188132135 E-Mail: abachus90@gmail.com	
Address: 14 Delia St			
City/PO: Loudonville		State: New York	Zip Code: 12211
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		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:		NO ☒	YES ☐
3. a. Total acreage of the site of the proposed action?		.308 acres	
b. Total acreage to be physically disturbed?		0.017 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.308 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: <u>Alexandra M Bachus</u> Date: <u>05/19/2028</u>		
Signature: <u>Alexandra M Bachus</u> Title: _____		

EAF Mapper Summary Report

Wednesday, May 14, 2025 4:22 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]	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

DEED REFERENCE

CONVEYANCE TO STARLIGHT DEVELOPMENT CO., LLC BY DEED DATED AUG. 3, 2018 AND RECORDED IN THE ALBANY COUNTY CLERK'S OFFICE AS INSTRUMENT NO. 82018-1809.

MAP REFERENCE

MAP ENTITLED "COLD SPRINGS PROPOSED CLUSTER SUBDIVISION" WAS PREPARED BY GILBERT VAN GUILDER, LAND SURVEYOR, AND RECORDED IN THE ALBANY COUNTY CLERK'S OFFICE AS MAP 14330 & 14331.

EXEMPTIONS, COVENANTS & RESTRICTIONS

1. EASEMENT GRANTED TO NIAGARA MOHAWK POWER CORPORATION AND VEZON NEW YORK INC. BY DEED DATED APRIL 24, 2021 AND RECORDED IN THE ALBANY COUNTY CLERK'S OFFICE AS INSTRUMENT NO. 82021-15104.

2. DECLARATION OF COVENANTS & RESTRICTIONS BY DEED DATED JAN. 31, 2023 AND RECORDED IN THE ALBANY COUNTY CLERK'S OFFICE AS INSTRUMENT NO. 82023-7180.

NOTES

1. NO ATTEMPT WAS MADE TO SHOW UNDERGROUND IMPROVEMENTS IN THE PREPARATION OF THIS SURVEY.
2. ONLY BOUNDARY SURVEY MAPS WITH THE SURVEYOR'S EMBOSSED SEAL ARE GENUINE TRUE AND CORRECT COPIES OF THE SURVEYOR'S ORIGINAL WORK AND OPINION.
3. COPYRIGHT © 2023 BY GILBERT VAN GUILDER, LAND SURVEYOR. ALL RIGHTS RESERVED. REPRODUCTION OR COPYING OF THIS DOCUMENT MAY BE A VIOLATION OF COPYRIGHT LAW UNLESS PERMISSION OF THE AUTHOR AND/OR COPYRIGHT HOLDER IS OBTAINED.

4. CERTIFICATIONS HEREIN ARE NOT TRANSFERABLE, UNLESS OTHERWISE NOTED.

5. THE LOCATION OF UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS ARE NOT ALWAYS KNOWN AND OFTEN MUST BE DETERMINED BY THE SURVEYOR'S INVESTIGATION. ENCROACHMENTS EXIST OR ARE SHOWN. THE IMPROVEMENTS OR ENCROACHMENTS ARE NOT COVERED BY THIS CERTIFICATE.

6. OFFERS OR PROPOSITIONS FROM THE PROPERTY LINE TO STRUCTURES OR IMPROVEMENTS ARE SHOWN FOR THE PURPOSE TO POSITION IT RELATIVE TO THE PROPERTY LINE AND/OR COMPLIANCE WITH ZONING. AND ARE NOT INTENDED TO MONUMENT THE PROPERTY LINE OR GUIDE IN THE ERECTION OF FENCES OR OTHER IMPROVEMENTS TO THE LAND.

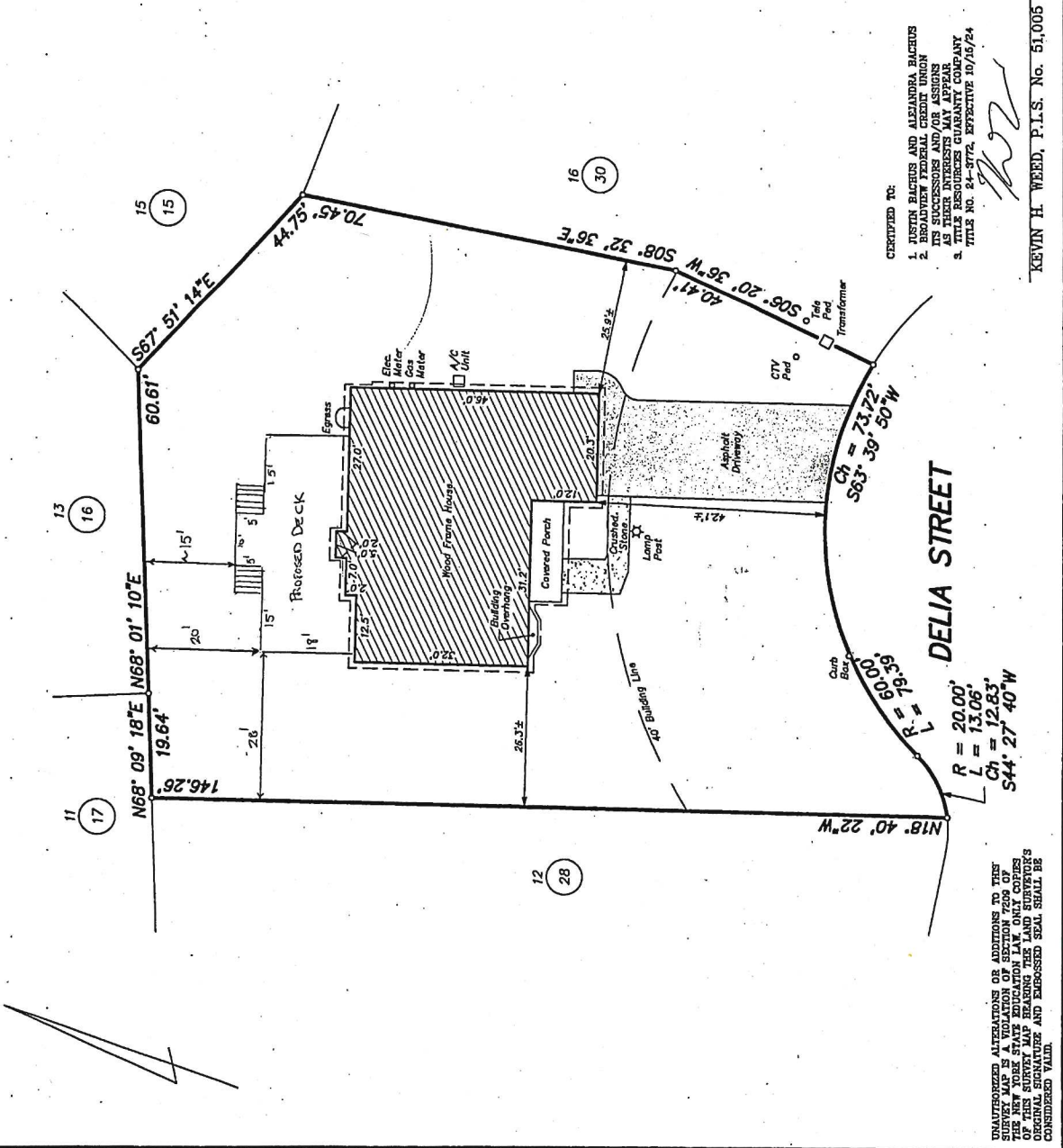
CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THE SURVEY WAS PREPARED BY THE SURVEYOR IN ACCORDANCE WITH THE CERTIFICATES FOR PROFESSIONAL LAND SURVEYORS. SAID CERTIFICATIONS SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON THEIR BEHALF TO THEIR SUCCESSORS, ASSIGNEES, HEIRS, AND TO THE SURVEYOR AND/OR ASSIGNEES OF THE LENDING INSTITUTION. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS, OTHER THAN THE ABOVE LISTED.

Final Survey - 11/13/24
Foundation Location - 6/27/24

LOT 29
COLD SPRINGS CLUSTER SUBDIVISION
STREET ADDRESS 14 DELIA STREET

TOWN OF COLONE	ALBANY COUNTY, NEW YORK
SCALE: 1" = 20'	DATE: MARCH 13, 2024
TELEPHONE NO.: (518) 383-0684	MAP NO.: 23 - 11 - 18X

Gilbert VanGuilder
Land Surveyor, PLLC
Professional Land Surveyors
988 Route 146, Clifton Park, New York 12065
gvylandsurveyors.com



CERTIFIED TO:
1. KEVIN H. WEED, P.L.S. No. 51,005
2. BROADVIEW FEDERAL CREDIT UNION
ITS SUCCESSORS AND/OR ASSIGNS
AS THEIR INTERESTS MAY APPEAR
3. TITLE RESOURCES GUARANTY COMPANY
FILE NO. 84-8774, EFFECTIVE 10/10/24

UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW. ONLY COPIES OF THE ORIGINAL SURVEY MAP, WITH THE SURVEYOR'S ORIGINAL SIGNATURE AND EMBOSSED SEAL SHALL BE CONSIDERED VALID.



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 **7th day of May 2025, at 7:00 p.m.** to hear the appeal of **Boght-Oakwood Veterinarian Clinic** from the decision of the Building Department Director for the Town of Colonie denying the applicant a Building Permit for the premises located at **1139 Loudon Road**. The proposed construction of a new 10,800-square-foot veterinary hospital, garage, animal grooming facility, 3-unit apartment building, dog park, and relocated residence with associated parking and driveways in the Commercial Office Residential (COR) zoning district, which is more than 300 feet in depth from the front property line, is not compliant with the requirement of 100-foot setbacks for buildings and 50-foot setbacks for parking lots from a Single Family Residential (SFR) zoning district as stated in the Town of Colonie Land Use Law, Article VI, Section 190-26 D (1). The proposed commercial building is 84 feet from the boundary line where a minimum 100-foot setback is required and the parking lot is 20 feet from the boundary line where a 50-foot setback is required. The proposed construction of a dumpster enclosure, which is 20 feet from a Single Family Residential (SFR) zoning district is not compliant with the required 100-foot setback from a Single Family Residential (SFR) zoning district as stated in the Town of Colonie Land Use Law, Article VI, Section 190-26 (2). The proposed construction of a new 4,500-square-foot dog park located 49 feet from the lot line is not compliant with the required 200-foot setback from a lot line or 300-foot setback from a Single Family Residential (SFR) zoning district as stated in the Town of Colonie Land Use Law, Article VI, Section 190-22 M (b). 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 April 24, 2025

