



TOWN OF COLONIE

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

Peter G. Crumney
Town Supervisor

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

Peter R. Crouse
Chairman

MINUTES OF MEETING ZONING BOARD OF APPEALS July 16, 2025

Chairman Peter R. Crouse called the meeting of the Town of Colonie Zoning Board of Appeals to order on **July 16, 2025**, at **7:00 p.m.** at the Public Operations Center, 347 Old Niskayuna Road, Latham, New York.

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

The meeting minutes of **July 2, 2025**, were reviewed. Member Vogt made a motion to approve the minutes. Member Rueckert seconded the motion. Upon roll call, the minutes were unanimously approved.

The application of **Robert & Donna Ensign** for the premises located at **237 Forts Ferry Road** was withdrawn by the applicant.

A public hearing was held on the application of **Chigozie Nwosu** for the premises located at **15 Edenfield Road**. Chigozie Nwosu made a presentation to the Board. At request of the Applicant, the hearing was adjourned to a future date.

A public hearing was held on the application of **Bryan Diliberto** for the premises located at **350 Watervliet Shaker Road**. Victor Caponera made a presentation to the Board. Member Rueckert made a motion to approve the variance with the following conditions:

1. This variance supersedes all previous variances approved for this property.
2. The current approved use as a Personal Service Business (beauty salon) is replaced by the use as a Health Club limited to one-on-one personal training.
3. A maximum of two trainers will be permitted to provide services at any given time.
4. The hours of operation shall not extend beyond:
 - a. Monday, Tuesday, Wednesday, Thursday, and Friday – 6:00 a.m. until 7:30 p.m.
 - b. Saturday – 6:00 a.m. until 11:15 a.m.
 - c. Sunday – Closed

MINUTES OF MEETING
ZONING BOARD OF APPEALS
July 16, 2025
Page 2 of 2

5. The addition and occupancy of one single family residential dwelling unit (apartment) on the second floor for the sole occupancy by the individual property owner and their immediate family, or in the event such property is owned by a business entity, an individual member / shareholder of the business entity and their immediate family.

Member Blanchfield seconded the motion. Upon calling the vote, the motion to approve the variance with the above stated conditions passed unanimously.

There being no more business, Member Vogt made a motion to close the meeting at 8:10 p.m. Member Girvin seconded the motion and, upon roll call, the motion to close passed unanimously.

Approved: _____ Date: _____
Chairman Peter R. Crouse



Peter G. Crummey
Town Supervisor

TOWN OF COLONIE

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

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

Chretien T. Voerg, P.E.
Director

Date: July 16, 2025
To: Members of the Zoning Board of Appeals
From: Chretien T. Voerg, P.E., Director
Subject: **Zoning Board of Appeals Agenda – August 6, 2025**

New Hearings:

25-021 25 Grounds Place – Lisa Zeoli
25-022 302 Troy Schenectady Road – Woodhaven Land Partners #2, LLC



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Public Operations Center
347 Old Niskayuna Road
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Town Supervisor

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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 **6th day of August 2025, at 7:00 p.m.** to hear the appeal of **Lisa Zeoli** from the decision of the Building Department Director for the Town of Colonie denying the applicant a Building Permit for the premises located at **25 Grounds Place**. The proposed construction of an 8-foot by 8-foot shed in the rear yard with 5-foot side and rear yard setbacks in a Single Family Residential (SFR) zoning district is not compliant with the previous Zoning Board of Appeals decision (#99-108) prohibiting accessory structures in the rear yard. 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 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 July 16, 2025

Application for Zoning Verification and Building/Zoning Permit

RECEIVED

MAY 17 2015

TO CPD
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. _____

2202500 465

INSTRUCTIONS

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

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

SITE PLAN REQUIRED

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

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

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

Address of Site: 25 Grounds Pl.

Albany NY 12205

Property Owner's Name: Lisa A Zeoli

(Applicant)

Address: Same

City State Zip

Phone W: H Cell 518 312 753

Property Owner's Email: lisa.zeoli47@gmail.com

Contractor's Business Name: Butcher Top LLC

(Insurance must match business name)

Address: 2084 Central Ave

Schenectady NY 12304

City State Zip

Phone W: 518 377 4251 Cell

ESTIMATED COST \$ 6,000⁰⁰ Fir. Area 8x8

PERMIT FEE \$ 70.00

(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 SIGNER, 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: 8' x 8' SHED

c) Gross Floor Area: Existing: _____ square feet
 Proposed: 548 square feet
 Total: _____ square feet

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

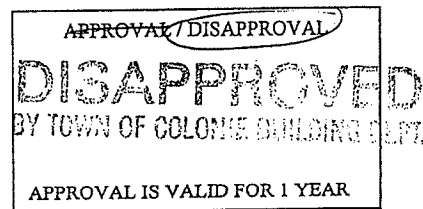
SITE INFORMATION: (DO NOT COMPLETE THIS SECTION IF THERE WILL BE NO EXTERIOR ALTERATION OF THE STRUCTURE/SITE)

Size of lot: _____ acre 8,700 ± 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 100.73 ±

Building Setbacks:	Existing	Proposed
Front Yard Depth:	feet _____	feet <u>N/A</u>
Left Side Yard:	feet _____	feet <u>8' ±</u>
Right Side Yard:	feet _____	feet <u>5' (MIN.)</u>
Rear/Front Yard Depth:	feet _____	feet <u>5' (MIN.)</u>
Existing Building Height (at peak):	feet _____	stories <u>1</u>
Proposed Height (at peak):	feet <u>12 ±</u>	stories <u>1</u>

SIGNATURE: Lisa ZeoliPRINT NAME: Lisa ZeoliDATED: 5/12/25TITLE IN COMPANY: 5

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. MAMAN, 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: 6/25/25

SIGNATURE OF ZONING OFFICER

The proposed construction of an 8-foot by 8-foot shed in the rear yard with 5-foot side and rear yard setbacks in a Single Family Residential (SFR) zoning district is not compliant with the previous Zoning Board of Appeals decision (#99-108) prohibiting accessory structures in the rear yard.

Are there easements on the property Yes ☐ No ☒
 Parcel in/near a floodplain Yes ☐ No ☒
 Parcel in/near a wetland Yes ☐ No ☒
 On/near a protected watercourse Yes ☐ No ☒
 Copy of assessor's card(s) attached Yes ☐ No ☒
 Copy of County tax map attached Yes ☐ No ☒
 S. B. L. # 53.6-4-12.2

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

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

You may now file for a:

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

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

APPEAL FROM DECISION OF ADMINISTRATIVE OFFICIAL
APPLICATION FOR INTERPRETATION/VARIANCE

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

RECEIVED
JUL 14 2025
Date: July 14, 2025
TOC
BUILDING DEPT

To the Zoning Board of Appeals
Town of Colonie

1. The undersigned, Lisa Zeoli, of 25 Grounds Place (S.B.L. # 53.6-4-12.2), hereby gives notice of appeal from the decision of the Building Department Director made on the 25th day of June, 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 8-foot by 8-foot shed in the rear yard with 5-foot side and rear yard setbacks in a Single Family Residential (SFR) zoning district is not compliant with the previous Zoning Board of Appeals decision (#99-108) prohibiting accessory structures in the rear yard.

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:

Variance #99-108 prohibits Accessory Structures

- 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:

Without zoning board approval I can not build any structures on property

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:

I am requesting to construct a shed 8x8 in my rear yard as shown on site plan

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):

Installing in a shrouded 8x8 shed, neutral grey matches the house ... should imperceptible visual of property ... most neighbors already have sheds

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 Lisa A. Zeoli

Print Name Lisa A. Zeoli

Address 25 Grounds Pl.

Albany NY 12205

Owner or lessee if other than above

STATE OF
COUNTY OF

SS:

Subscribed and sworn to before me this 14th
day of July, 2025

Name

Mailing

Address

Victoria Normandin
Notary Public State of New York
Qualified in Albany County #01NO6190776
Commission Expires 08/04/2028

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
25 Grounds Place Shed			
Name of Action or Project:			
Shed			
Project Location (describe, and attach a location map):			
25 Grounds Place, Albany, NY 12205			
Brief Description of Proposed Action:			
Construct an 8' x 8' shed on a single family residential lot			
Name of Applicant or Sponsor:		Telephone: 518-312-1753	
Lisa Zeoli		E-Mail: lisazeoli47@gmail.com	
Address:			
25 Grounds Place			
City/PO:		State:	Zip Code:
Albany		NY	12205
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: Town of Colonie Building Permit		☐	☒
3. a. Total acreage of the site of the proposed action?		0.2 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.2 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: _____ Yes box was populated by Environmental Resource Manager			

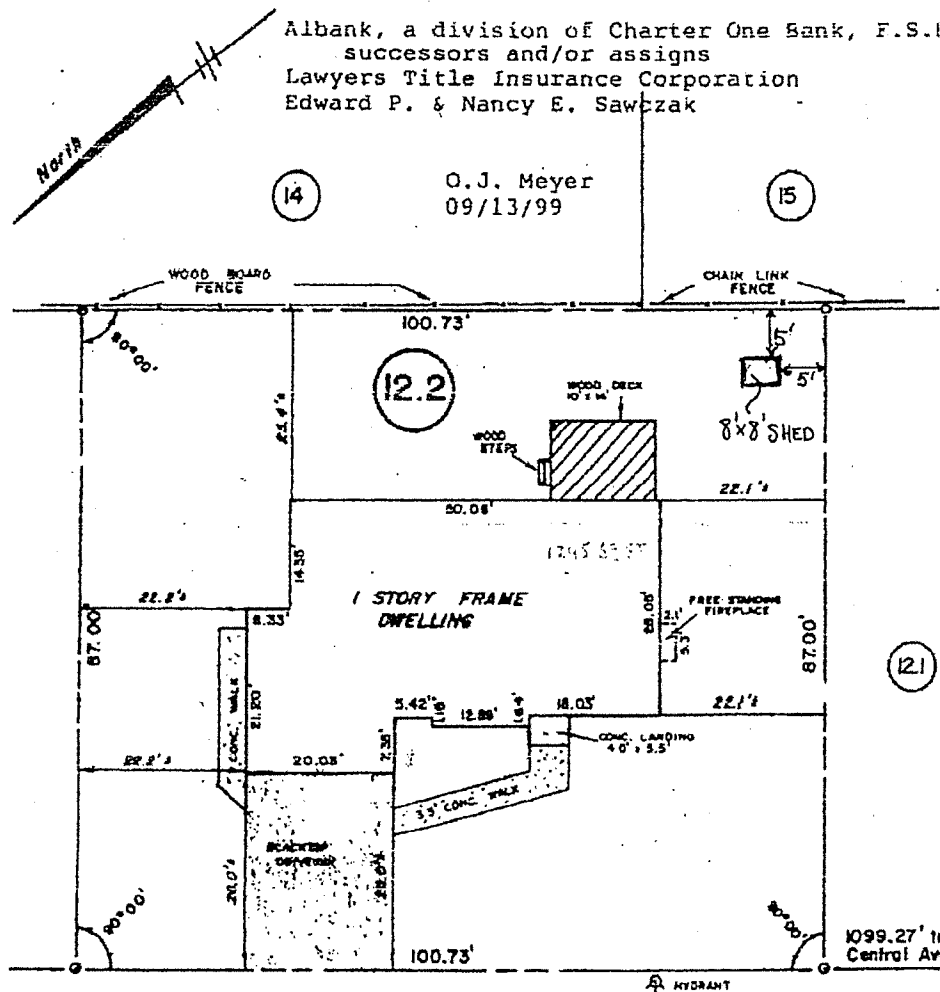
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☒ Suburban		
15. Does the site of the proposed action contain any species of animal, or 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, 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:	NO	YES
	☒	☐
	☒	☐
	☒	☐
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
	☐	☒
Unknown. Yes box was populated by Environmental Resource Mapper		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Lisa Zeoli</u> Date: <u>July 14, 2025</u>		
Signature: <u><i>Lisa Zeoli</i></u> Title: <u>Owner</u> <u>7/14/25</u>		

Surveys v

Done

CERTIFIED TO:

Albank, a division of Charter One Bank, F.S.
successors and/or assigns
Lawyers Title Insurance Corporation
Edward P. & Nancy E. Sawczak



GROUNDS PLACE

Update : September 8, 1999
Foundation Located: July 21, 1999





Peter G. Crumme
Town Supervisor

TOWN OF COLONIE

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

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

Peter R. Crouse
Chairman

TAKE NOTICE that the Town of Colonie Zoning Board of Appeals will hold a public hearing at the Public Operations Center, 347 Old Niskayuna Road, Latham, in the Town of Colonie, on the **6th day of August 2025, at 7:00 p.m.** to hear the appeal of **Woodhaven Land Partners #2, LLC** from the decision of the Building Department Director for the Town of Colonie denying the applicant a Building Permit for the premises located at **302 Troy Schenectady Road**. The proposed construction of an 11,200-square-foot mixed-use commercial/residential building, located in the Commercial Office Residential (COR) zoning district, with 24,000 square feet in proposed density exceeds the 11,340 square foot maximum allowable density and exceeds the maximum number of allowable residential units (proposed 6 units where 3 are permitted) as stated in the Town of Colonie Land Use Law, Article VI, Sections 190-24, 190-25, and 190 Attachment #2 - Dimensional Table, Note 9. 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 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 July 16, 2025

RECEIVED

MAY 19 2025



Peter G. Crumme
Town Supervisor

Commercial Zoning Verification

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

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

TOC
BUILDING DEPT

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

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

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

1. GENERAL INFORMATION:

CASE # 202500513

Address of site of proposed action:

302 Troy Schenectady Road Colonie New York 12110
Number Street City State Zip

Name of applicant Woodhaven Land Partners #2, LLC

Address 13 Knollwood Drive Glenville New York 12302
Number Street City State Zip

Applicant's phone (W) 518-376-5903 (Cell) 518-376-5903

Email Address schlansker@lacrosse@gmail.com

Contact person Dick Schlansker

Email Address schlansker@lacrosse@gmail.com

Phone number (W) 518-376-5903 (Cell) 518-376-5903

Property owner(s) Woodhaven Land Partners #2, LLC

Address 13 Knollwood Drive Glenville New York 12302
Number Street City State Zip

DISAPPROVED
BY TOWN OF COLONIE BUILDING DEPT

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

Vacant - Residential

3. APPLICANT'S PROPOSED ACTION:

A. Is the proposed action a:

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

B. Proposed use (check where applicable):

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

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

A two story 5,600 sq ft footprint building for a total of 10,050 sq ft. The building is designed with two commercial spaces totaling 2,512.5 sq ft and six apartments.

11,100 sq ft per Site Plan

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

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

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

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

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

C. Area of Property: 0.63 acres and 27,443 square feet Lot Size width 130 depth 172
Length of property on a developed street 130 feet
Is this a corner lot? Yes No xx Frontage on each street ft. ft.
Is this a through lot? Yes xx No Frontage on each street 130 ft. 243 ft.

Building setbacks:	Existing	Proposed	Existing	Proposed
Front yard	NA ft.	21 ft.	Right side yard	NA ft. 51 ft.
Rear/Front yard	NA ft.	91 ft.	Left side yard	NA ft. 17 ft.

Existing Building Height (at peak) NA ft. stories New Building Size: Length 75 ft. Width 67 ft.
Proposed Building Height (at peak) 23 ft. 2 stories Density Sq. Ft. per acre 15,452 Units per acre 12.69

Gross floor area: existing NA sq. ft. proposed 5,025 sq. ft. total 10,050 sq. ft.

6. SIGNATURE OF APPLICANT R. Schlensker - member
PRINTED OR TYPED APPLICANT NAME Woodhaven Land Partners #2, LLC DATE 05-18-2025
Dick Schlensker - Member

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

XXXXXXXXXXXXXXXXXXXXXXXXXXXX FOR OFFICIAL USE ONLY XXXXXXXXXXXXXXXXXXXXXXXXXXXX

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

IS IN ACCORDANCE [Signature] APPROVED DATE 5/20/25
IS NOT IN ACCORDANCE [Signature] DISAPPROVED DATE 5/20/25
SIGNATURE OF ZONING OFFICER

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

The proposed construction of an 11,200-square-foot mixed-use commercial/residential building, located in the Commercial Office Residential (COR) zoning district, with 24,000 square feet in proposed density exceeds the 11,340 square foot maximum allowable density and exceeds the maximum number of allowable residential units (proposed 6 units where 3 is permitted) as stated in the Town of Colonie Land Use Law, Article VI, Sections 190-24, 190-25, and 190 Attachment #2 - Dimensional Table, Note 9.

DISAPPROVED
BY TOWN OF COLONIE BUILDING DEPT.

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

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

Variance/SUP granted on property Yes ☒ No ☐ Parcel in/near a wetland Yes ☐ No ☒
Variance # 22-035 Parcel in/near a flood plain Yes ☐ No ☒
Is existing use nonconforming Yes ☒ No ☐ Watercourse on/near the property Yes ☒ No ☐

YES NO VIOLATION - CHAPTER 190-118 (BUILDING PERMITS REQUIRED)
☐ CONSTRUCTION STARTED WITHOUT OBTAINING BUILDING AND ZONING PERMIT

Major Zoning Verification ☒ Fee Paid CK #1065 #215 (RB) 5/23/25

Minor Zoning Verification ☐ Fee Paid _____

Other Zoning Verification ☐ Fee Paid _____

All fees are non-refundable

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

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

To the Zoning Board of Appeals
Town of Colonie

Date: May 30, 2025

1. The undersigned, Dick Schlansker, representing Woodhaven Land Partners #2, LLC of 302 Troy Schenectady Road (S.B.L. # 31.8-1-6), hereby gives notice of appeal from the decision of the Building Department Director made on the 20th day of May, 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 11,200-square-foot mixed-use commercial/residential building, located in the Commercial Office Residential (COR) zoning district, with 24,000 square feet in proposed density exceeds the 11,340 square foot maximum allowable density and exceeds the maximum number of allowable residential units (proposed 6 units where 3 is permitted) as stated in the Town of Colonie Land Use Law, Article VI, Sections 190-24, 190-25, and 190 Attachment #2 - Dimensional Table, Note 9.

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 property is severely restricted by two large utility easements. One for a Town of Colonie existing sanitary sewer main and the other for an existing 48 inch stormwater culvert.

- 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 practical difficulty is that other municipalities within the capital district allow residential densities in certain zoning districts of 10 units an acre or more. The more restrictive land density requirement creates a substantial financial hardship, especially on smaller parcels.

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:

The appellant is requesting an area variance from the maximum density requirement of 11,340 sf to 24,000 sf and a maximum number of residential units from 3 units to 6 units.

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

A two story mixed-use commercial/residential building

together with parking for 19 vehicles

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 building will be owner occupied and visually attractive.

The overall building and parking density is similar to the physical conditions that currently exists on other sites in the neighborhood.

The proposed building and parking locations meet all other minimum bulk and density requirements of the COR Zoning District.

Public water and sanitary sewer utilities are available at the site and the project proposes on-site stormwater management.

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) N/A

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 R. Schlansker - member

Print Name Richard Schlansker

Address _____

8 VANDELWOOD DRIVE
Schenectady, NY 12302
Owner or lessee if other than above

Name ☐ SAME
Mailing _____
Address _____

STATE OF New York
COUNTY OF Schenectady SS:

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

Andrea G. Cortelyou

Andrea G. Cortelyou
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01CO6374979
Qualified in Albany County
Commission Expires 05/07/2026

Short Environmental Assessment Form

Part 1 - Project Information

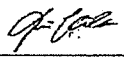
Instructions for Completing

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.

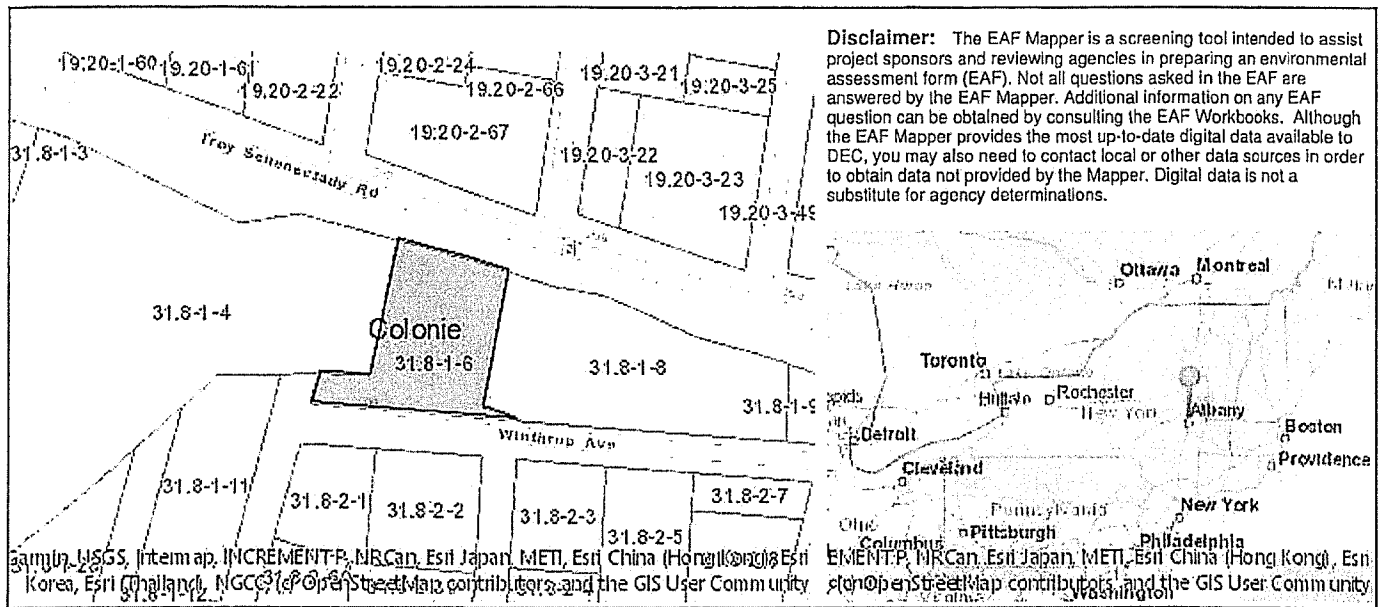
Part 1 – Project and Sponsor Information			
Name of Action or Project: Woodhaven Mixed Use Building			
Project Location (describe, and attach a location map): 302 Troy Schenectady Road			
Brief Description of Proposed Action: Applicant is proposing to construct a mixed-use building on .63 acres at 302 Troy Schenectady Road. The project will include a single full access driveway, 19 parking spaces, and on-site stormwater management. The 2-story building is approximately 11,200 sf and includes 6 apartment units and 1,800 sf of commercial space.			
Name of Applicant or Sponsor: Woodhaven Land Partners #2, LLC <i>DICK SCHLANSKER</i>		Telephone: 518-424-7026 <i>376-5903</i> E-Mail: <i>jeueolo@msn.com</i>	
Address: 13 Knollwood Drive		<i>Schlansker & Associates @ Gmail.com</i>	
City/PO: Glenville	State: NY	Zip Code: 12302	
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: NYSDOT (Driveway)		NO ☐	YES ☒
3. a. Total acreage of the site of the proposed action?		.63 acres	
b. Total acreage to be physically disturbed?		.63 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.63 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>Gavin Vuillaume (sponsor)</u> Date: <u>6-3-2025</u>		
Signature: <u></u> Title: <u>Landscape Architect</u>		

EAF Mapper Summary Report

Tuesday, January 4, 2022 11:31 AM



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]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be 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



ALBANY COUNTY PLANNING BOARD
NOTIFICATION

RECOMMENDATION DATE: July 17th, 2025

Case #: **07-2507040719**
Project Name: **Mixed-Use Commercial/Residential Building**
Project Location: 302 Troy Schenectady Road, Latham
Tax Map Number: 31.8-1-6
Referring Agency: Town of Colonie Zoning Board of Appeals
Considerations: Area variance for the proposed construction of an 11,200 SF mixed use commercial/residential building with six residential units.

ACPB
Recommendation: Defer to local consideration

1. This board has found that the proposed action will have no impact upon the jurisdictional determinant referring to this case, nor will it have significant countywide or intermunicipal impact.

Advisory: 1. The Town Zoning Board should consider the precedent setting nature of allowing significant area variances to the Town Code.

Gopika Muddappa, Deputy Director
Albany County Planning Board

NOTE:

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

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

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

LOCAL ACTION ON ACPB RECOMMENDATION:

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

LOCAL DECISION ON PROJECT:

- ☐ PROJECT APPROVED
- ☐ PROJECT DISAPPROVED

VOTE RECORDED: _____ DATE OF LOCAL ACTION: _____

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

SIGNED: _____ TITLE: _____

SITE STATISTICS	
EXISTING ZONING	CCR COMMERCIAL
PROPOSED PAVEL AREA	131+ ACRES
BUILDING AREA	10,000 SF.
BUILDING HEIGHT	24-2 FEET
PARKING	19 SPACES
GREEN SPACE	43%
MIN. BUILDING SETBACK	20 FT.
FRONT YARD	10 FT.
SIDE YARD	10 FT.
REAR YARD	10 FT.
STREET FRONTAGE	116 FT. (25 FT TOTAL)
WATER PROVISIONS	MUNICIPAL CONNECTION
SEWER PROVISIONS	MUNICIPAL CONNECTION
STORMWATER MANAGEMENT	ON-SITE

PARKING REQUIREMENTS

1900 SF GENERAL OFFICE (1 SPACE/225 SF)	8 SPACES
6 APARTMENT UNITS (2 SPACE/UNIT)	12 SPACES
TOTAL REQUIRED	20 SPACES

SEAMING NOTE:

AREA VARIANCE NOTE:
A WATERCOURSE AREA VARIANCE WAS GRANTED BY THE SIGNIFICANT ENVIRONMENTAL AREAS MANAGEMENT BOARD (SEIMAB) ON APRIL 13, 2022.

LIGHTING KEY

	Luxeon Lighting - KARI LED P4 40K 35 MIPRT HS PARTICULAR TEST RESULT= 35.3043P115 lumens(lm)=		
	Light Factor = 0.900, watts per luminaire = 150 mounting height= 15 ft. on house side sheds on all luminaires		
	number locations= 1, number luminaires= 3		
	Suzlo - PHOTOMETRIC TEST REPORT FOR VLT LED		
	Light Factor = 1.000, watts per luminaire = 25 mounting height= 12 ft. number locations= 5, number luminaires= 5		

LIGHTING NOTE:

EXTERIOR POLE LIGHT FEATURES SHALL BE EQUIPPED WITH CONTROL TIMERS.

