



TOWN OF COLONIE

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

Peter G. Crumme
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 August 20, 2025

Chairman Peter R. Crouse called the meeting of the Town of Colonie Zoning Board of Appeals to order on **August 20, 2025**, at **7:03 p.m.** at the Public Operations Center, 347 Old Niskayuna Road, Latham, New York.

Present:	Chairman	Peter R. Crouse	Absent:	None
	Member	P.J. Blanchfield		
	Member	James Campbell		
	Member	Steven Girvin		
	Member	Christopher Rueckert		
	Member	George Vogt IV		
	Member	Frederick Weinraub		
	Counsel	Michael Paulsen, Esq.		

The meeting minutes of **August 6, 2025**, were reviewed. Member Weinraub made a motion to approve the minutes. Member Girvin seconded the motion. Upon roll call, the minutes were unanimously approved by the members present at the August 6, 2025, Zoning Board of Appeals meeting.

A public hearing was held on the application of **David Kaufman** for the premises located at **9 Edenfield Street**. David Kaufman made a presentation to the Board. Member Vogt made a motion to approve the variance as presented. Member Campbell seconded the motion. Upon calling the vote, the motion to approve the variance passed unanimously.

A public hearing was held on the application of **Deborah Shank** for the premises located at **28 Arcadia Court**. Deborah Shank made a presentation to the Board. Member Campbell made a motion to approve the variance as presented. Member Rueckert seconded the motion. Upon calling the vote, the motion to approve the variance passed with 6 for and 1 against.

A public hearing was held on the application of **Jim Fuller** for the premises located at **18 Western Avenue**. Jim Fuller made a presentation to the Board. Member Blanchfield made a motion to approve the variance as presented. Member Girvin seconded the motion. Upon calling the vote, the motion to approve the variance passed unanimously.

A public hearing was held on the application of **Whitman Holdings, LLC** for the premises located at **435 New Karner Road**. Brian Whitman made a presentation to the Board. Chairman Crouse made a motion to adjourn the hearing to the September 17, 2025, Zoning Board of Appeals meeting. Member Vogt seconded the motion. Upon calling the vote, the motion to adjourn the hearing passed unanimously.

MINUTES OF MEETING
ZONING BOARD OF APPEALS
August 20, 2025
Page 2 of 2

There being no more business, Member Campbell made a motion to close the meeting at 7:52 p.m. Member Weinraub 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: August 18, 2025
To: Members of the Zoning Board of Appeals
From: Chretien T. Voerg, P.E., Director
Subject: **Zoning Board of Appeals Agenda – September 3, 2025**

New Hearings:

25-027 1 Sharon Court – Lance & Cassandre Rowe
25-028 2 Lindbergh Drive – Aqeel Abbas Mughal
25-029 1338 Loudon Road – Kings Motors, LLC

Adjourned Hearings:

25-022 302 Troy Schenectady Road – Woodhaven Land Partners #2, LLC



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Zoning Board of Appeals
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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 **3rd day of September 2025, at 7:00 p.m.** to hear the appeal of **Lance & Cassandre Rowe** from the decision of the Building Department Director for the Town of Colonie denying the applicant a Building Permit for the premises located at **1 Sharon Court**. The proposed construction of an 8-foot by 12-foot shed in a front yard on a corner lot with a 50-foot front yard setback (Meadowbrook Road) is 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, Sections 190-24, 190-26(C)(4), and 190 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://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 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 August 18, 2025

Application for Zoning Verification and Building/Zoning Permit

RECEIVED
BH

JUN 10 2025

T.O.C.
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. _____

2 202500625

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: 1 Sharon Ct

Waterloft NY 12109
City State Zip

Property Owner's Name: Lance Dewe
(Applicant) Caroline Dewe

Address: 1 Sharon Ct
Waterloft NY 12109
City State Zip

Phone W _____ H/Cell (518) 795-5143

Property Owner's Email: lanceclarkdewe@gmail.com

Contractor's Business Name: _____
(insurance must match business name)

Address: _____

City State Zip
Phone W _____ Cell _____

ESTIMATED COST \$ 2,500 Flr. Area 96 SF

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 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) 270-0568.

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

Describe the proposed use or construction in detail: 12' x 8' shed

c) Gross Floor Area: Existing: 84 square feet
Proposed: 96 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 _____ 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>31.5</u>	feet <u>42' 2"</u>
Left Side Yard:	feet <u>N/A</u>	feet <u>N/A</u>
Right Side Yard:	feet <u>N/A</u>	feet <u>N/A</u>
Rear/Front Yard Depth:	feet <u>58</u>	feet <u>50' 2"</u>
Existing Building Height (at peak):	feet _____	stories <u>2</u>
Proposed Height (at peak):	feet <u>10</u>	stories <u>1</u>

APPROVAL DISAPPROVAL
DISAPPROVED
 BY TOWN OF COLONIE BUILDING DEPT.
 APPROVAL IS VALID FOR 1 YEAR

SIGNATURE: _____

PRINT NAME: LANCE RONE DATED: 6/18/25

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, U.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: 6/25/25

[Signature]
SIGNATURE OF ZONING OFFICER

The proposed construction of an 8-foot by 12-foot shed in a front yard on a corner lot with a 50-foot front yard setback (Meadowbrook Road) is 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, Sections 190-24, 190-26(C)(4), and 190 Attachment #3 - Dimensional Table for Prior Established Lots.

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 # 204-4-36

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

To the Zoning Board of Appeals
Town of Colonie

Date: July 24, 2025

1. The undersigned, Lance / Cassandre Rowe of 1 Sharon Court (S.B.L. # 20.1-4-36), 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 12-foot shed in a front yard on a corner lot with a 50-foot front yard setback (Meadowbrook Road) is 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, Sections 190-24, 190-26(C)(4), and 190 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:

There is an existing 8'x12' shed on the proposed construction location. The proposed location is behind a 6' stockade fence and is 42' off of Meadowbrook Rd and 52' off of Sharon Ct. Furthermore, there is a 16' x 32' inground pool in the front yard that has an approved variance from 1989.

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:

Replacement/upgrade of existing shed not possible. Existing shed is not in good repair and is visually unappealing. Previous development of this site (lot) does not allow for an alternative location for proposed shed. Shed provides needed storage capacity as home does not have attic or basement for storage.

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:

allow the construction of an 8' x 12' shed at the location of the existing 8' x 12' shed.

Attached hereto is a plot plan of said property, showing Proposed location, setbacks, pool, and lack of other suitable location for shed.

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 aesthetically unappealing shed that currently exists will be replaced with a brand new shed that will enhance our property and be a welcome change for all neighbors and any who pass by 1 Sharon Ct.

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 Lance Rowe

Print Name Lance Rowe

Address 1 Sharon Ct

Waterlot, NY 12189

Owner or lessee if other than above

STATE OF New York
COUNTY OF Albany SS:

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

Patricia Killebee

Name _____

Mailing _____

Address _____

#4988004
PATRICIA L. MCFEE
Notary Public, State of New York
Qualified in Washington County
Reg. No 1883004
Commission Expires _____

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: Shed construction			
Project Location (describe, and attach a location map): 1 Sharon Ct, Watervliet, NY 12189			
Brief Description of Proposed Action: Construct an 8' x 12' shed in the location of the already existing shed.			
Name of Applicant or Sponsor: Lance C. Rowe		Telephone: (518)_ 795-5143	
Address: 1 Sharon Ct		E-Mail: lanceclarkrowe@gmail.com	
City/PO: Watervliet		State: NY	Zip Code: 12189
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 <input type="checkbox"/>
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. Building Permit			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 0.002 acres			
b. Total acreage to be physically disturbed? _____ 0.002 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 0.002 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES
	<input type="checkbox"/>		<input checked="" type="checkbox"/>
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: _____	<input checked="" type="checkbox"/>		<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>		<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>		<input type="checkbox"/>
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: _____ _____	<input type="checkbox"/>		<input checked="" type="checkbox"/>
10: Will the proposed action connect to an existing public/private water supply?		NO	YES
If No, describe method for providing potable water: _____ _____	<input checked="" type="checkbox"/>		<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities?		NO	YES
If No, describe method for providing wastewater treatment: _____ _____	<input checked="" type="checkbox"/>		<input type="checkbox"/>
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
	<input checked="" type="checkbox"/>		<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>		<input type="checkbox"/>
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
	<input type="checkbox"/>		<input checked="" type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>		<input type="checkbox"/>
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			



Peter G. Crummey
Town Supervisor

TOWN OF COLONIE

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Public Operations Center
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Latham, New York 12110

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<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 **3rd day of September 2025, at 7:00 p.m.** to hear the appeal of **Aqeel Abbas Mughal** from the decision of the Building Department Director for the Town of Colonie denying the applicant a Building Permit for the premises located at **2 Lindbergh Drive**. The proposed subdivision of a 17,136±-square-foot lot into two lots: lot 1 – an 8,568±-square-foot lot for the future construction of a single-family dwelling with a 21-foot front yard setback; and lot 2 – an 8,568±-square-foot lot with a 68.78-foot front lot line for the future construction of a single-family dwelling with a 21-foot front yard setback, is not complaint with the 18,000±-square-foot minimum lot size, 40-foot minimum front yard setback, and 80-foot minimum front lot 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 190 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 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 August 18, 2025



BUILDING AND FIRE SERVICES DEPARTMENT

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

(518) 783-2706
Z 2625 00480

RECEIVED
99
MAY 14 2009
TOWN OF COLONIE
BUILDING DEPARTMENT

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:

2 Lindbergh Drive Latham NY 12110
Number Street City State Zip Code

Name of Applicant: Aqeelabbas Mughal

Address of Applicant:

21 Arcadia Avenue Latham NY 12110
Number Street City State Zip Code

Applicant's telephone numbers: W _____ Cell 518-596-4018

Contact Person Robert Davis

Contact Person's Address

411 Union Street Schenectady NY 12305
Number Street City State Zip Code

Contact Person's telephone numbers: W 518-377-0315 Cell _____

Property Owner(s): Mary Huban Trust (under contract to Aqeelabbas Mughal)

Address of Property Owner:

120 Bridgewood Lane Watervliet NY 12189
Number Street City State Zip Code

Property Owner's telephone numbers: W _____ H _____

2. FEE

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

Minor Subdivision / Merger (1 - 4 lots) \$240.00 Check # _____ Cash _____
Major Subdivision / Merger (over 4 lots) \$390.00 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: Residential

Describe the proposed subdivision / merger in detail: Proposed 2-lot subdivision, 17,136 sq ft lot with 21-foot front yard setback and 80-foot minimum front lot 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 190 Attachment #2 - Dimensional Table.

5. SITE STATISTICS:

How many existing parcels comprise the project site? _____
 Total number of parcels after subdivision or merger? 2
 The project site is located in what zoning district(s)? SFR
 (Refer to Town of Colonie Zoning Map/Laws)
 Total area of existing parcel(s): acres 0.39, and square feet 17,136

Proposed Lots:

Maximum lot size: square feet _____
 Minimum lot size: square feet _____

Proposed Streets:

Streets proposed to be constructed? Yes _____ No
 If no; is the parcel on a dedicated street? Yes No _____
 What is the minimum right-of-way width proposed? 30 ft.
 What is the minimum frontage on a street a proposed lot will have 68.78 ft?

Buildings:

How many units are proposed? _____ What are the proposed uses? Residential
 What is the density (units per acre)? _____ What is the maximum height of any building to be constructed? 40 feet
 Stories (If known at this time)? _____ stories

SIGNATURE OF APPLICANT: [Signature]

PRINTED OR TYPED COPY OF SIGNATURE: JOEE ABBAS MURVAL DATE 05/01/2025

XXXXXXXXXXXX ZONING OFFICERS DECISION BELOW XXXXXXXXXXXXXXX

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

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 5/21/25

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

The proposed subdivision of a 17,136±-square-foot lot into two lots: lot 1 - an 8,568±-square-foot lot for the future construction of a single-family dwelling with a 21-foot front yard setback; and lot 2 - an 8,568±-square-foot lot with a 68.78-foot front lot line for the future construction of a single-family dwelling with a 21-foot front yard setback, is not compliant with the 18,000±-square-foot minimum lot size, 40-foot minimum front yard setback, and 80-foot minimum front lot 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 190 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: June 12, 2025

1. The undersigned, Aqeel Abbas Mughal, of 2 Lindbergh Dive (S.B.L. # 19.19-5-1), hereby gives notice of appeal from the decision of the Building Department Director made on the 21st 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 subdivision of a 17,136±-square-foot lot into two lots: lot 1 – an 8,568±-square-foot lot for the future construction of a single-family dwelling with a 21-foot front yard setback; and lot 2 – an 8,568±-square-foot lot with a 68.78-foot front lot line for the future construction of a single-family dwelling with a 21-foot front yard setback, is not complaint with the 18,000±-square-foot minimum lot size, 40-foot minimum front yard setback, and 80-foot minimum front lot 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 190 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:

THE PROPOSED SUBDIVISION OF LOT WITH HOUSES MAINTAINS CONSISTENCY WITH EXISTING LAND USE PATTERNS AND ARCHITECTURAL STYLES IN THE AREA. IT DOES NOT INTRODUCE EXCESSIVE DENSITY OR DIMINISH PRIVACY FOR ADJACENT PROPERTIES.

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:

EXISTING LOT IS 17136± PROPOSED LOTS ARE 8568± EACH BECAUSE MOST LOTS IN NEIGHBORHOOD AREAS ARE EVEN SMALLER TO PROPOSED SIZE OF EACH LOT.

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:

EXISTING LOT IS ZONED FOR RESIDENTIAL SINGLE FAMILY.

I AM REQUESTING TO SUBDIVIDE LOT TO 2 LOTS TO BUILD SINGLE FAMILY HOUSE ON EACH LOT ALSO ASKING FOR 20 FOOT FRONT SETBACK

Attached hereto is a plot plan of said property, showing FOR EACH LOT TO MATCH THE NEIGHBORHOOD SURVEY PLUS PROPOSED LOTS WITH PROPOSED

together with HOUSES ARE ATTACHED TO THE APPLICATION.

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 VARIANCE IS IN HARMONY WITH THE OVERALL CHARACTER OF THE NEIGHBORHOOD AND DOES NOT COMPROMISE PROPERTY VALUES, PUBLIC SAFETY OR LOCAL AESTHETICS. FUTURE HOUSES WILL HAVE OFF ROAD PARKING.

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 W B A

Print Name AQEEL ABBAS MUGHAL

Address 21 ARCADIA AVE LATHAM

NY 12110

Owner or lessee if other than above

STATE OF
COUNTY OF

SS:

Subscribed and sworn to before me this 3rd
day of July, 2025

Victoria Normandin
Notary Public State of New York
Qualified in Albany County #01906190776
Commission Expires 08/04/2025

Name _____

Mailing _____

Address _____

**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: 2 LINDBERGH DR		
Project Location (describe, and attach a general location map): 2 LINDBERGH DR LATHAM NY 12110		
Brief Description of Proposed Action (include purpose or need): PLANING TO SUBDIVIDE LOT TO 2 LOTS TO BUILD 2 RESIDENDIAL HOUSES.		
Name of Applicant/Sponsor: AQEEL ABBAS MUGHAL		Telephone: 5185964018
		E-Mail: SABOOKHCONSTRUCTION@GMAIL.COM
Address: 21 ARCADIA AVE		
City/PO: LATHAM	State: NY	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 Council, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Planning Board or Commission		
c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> • 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input type="checkbox"/> Yes <input type="checkbox"/> 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?)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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. Yes No
 If Yes, what is the zoning classification(s) including any applicable overlay district?

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? Yes No
 If Yes,
 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? _____

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

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

d. What parks serve the project site?

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)?

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? _____ 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)? % _____ 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)
 residential,
 ii. Is a cluster/conservation layout proposed? Yes No
 iii. Number of lots proposed? 2
 iv. Minimum and maximum proposed lot sizes? Minimum 8568 Maximum _____

e. Will the proposed action be constructed in multiple phases? Yes No
 i. If No, anticipated period of construction: _____ 12 months
 ii. If Yes:
 • Total number of phases anticipated _____
 • Anticipated commencement date of phase 1 (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.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
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? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 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: TOWN OF 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

Yes No
 Yes No

Do existing sewer lines serve the project site?
 Will a line extension within an existing district be necessary to serve the project?
 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 1/2 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.

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
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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 Coverture	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: _____

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: _____

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

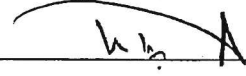
Attach any additional information which may be needed to clarify your project.

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 AOEEL ABBAS MOGHAL Date 6/12/2025

Signature  Title _____

PRINT FORM

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]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No



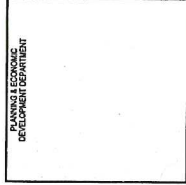
SITE LOCATION / ZONING MAP
N.T.S.

SURVEY NOTES:

1. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING AND MAPPING ACT OF 1980 AND THE RULES AND REGULATIONS THEREUNDER.
2. THE SURVEY WAS CONDUCTED ON APRIL 20, 2015.
3. THE SURVEY WAS CONDUCTED BY THE SURVEYOR AND HIS ASSISTANTS.
4. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING AND MAPPING ACT OF 1980 AND THE RULES AND REGULATIONS THEREUNDER.
5. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING AND MAPPING ACT OF 1980 AND THE RULES AND REGULATIONS THEREUNDER.
6. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING AND MAPPING ACT OF 1980 AND THE RULES AND REGULATIONS THEREUNDER.
7. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING AND MAPPING ACT OF 1980 AND THE RULES AND REGULATIONS THEREUNDER.
8. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING AND MAPPING ACT OF 1980 AND THE RULES AND REGULATIONS THEREUNDER.

MAP REFERENCES:

1. LINDBERGH DRIVE FROM THE TOWN OF ALBANY, NEW YORK COUNTY, N.Y.
2. TROY-SCHENECTADY ROAD FROM THE TOWN OF ALBANY, NEW YORK COUNTY, N.Y.
3. ALBANY COUNTY, N.Y. TAX MAPS, 1980, 1985, 1990, 1995, 2000, 2005, 2010, 2015.
4. ALBANY COUNTY, N.Y. TAX MAPS, 1980, 1985, 1990, 1995, 2000, 2005, 2010, 2015.
5. ALBANY COUNTY, N.Y. TAX MAPS, 1980, 1985, 1990, 1995, 2000, 2005, 2010, 2015.
6. ALBANY COUNTY, N.Y. TAX MAPS, 1980, 1985, 1990, 1995, 2000, 2005, 2010, 2015.
7. ALBANY COUNTY, N.Y. TAX MAPS, 1980, 1985, 1990, 1995, 2000, 2005, 2010, 2015.
8. ALBANY COUNTY, N.Y. TAX MAPS, 1980, 1985, 1990, 1995, 2000, 2005, 2010, 2015.



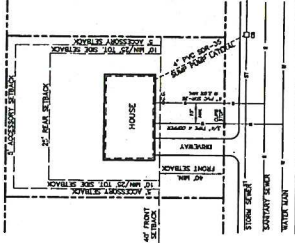
APPLICANT:
ACEELABBAS MUGHAL
27 LINDBERGH AVENUE
ALBANY, NY 12210

CONCEPT SUBDIVISION PLAN
LANDS UNDER CONTRACT TO
ACEELABBAS MUGHAL
STREET No. 2 LINDBERGH DRIVE

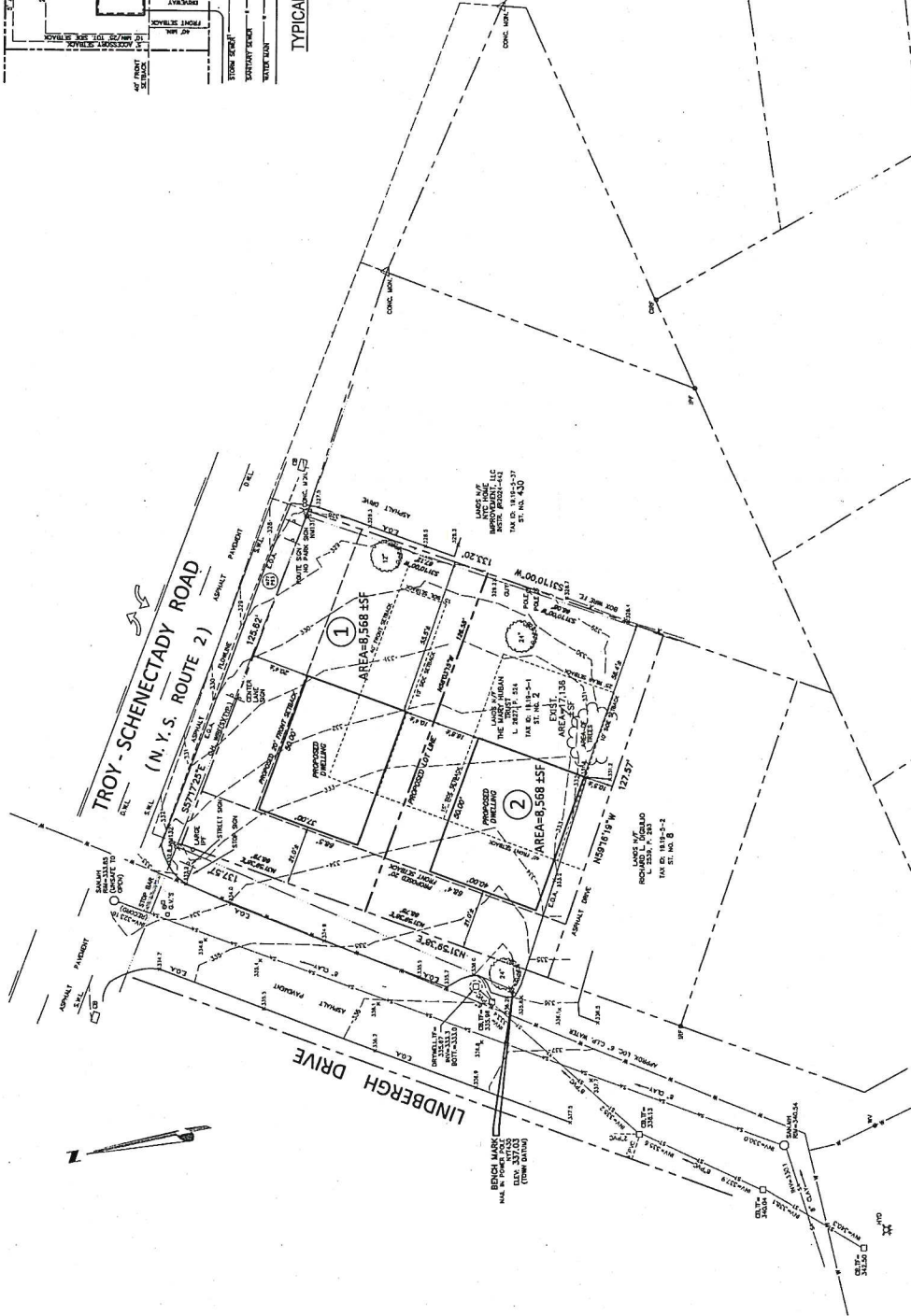
TOWN OF ALBANY
COUNTY OF ALBANY
STATE OF NEW YORK

AB ENGINEERS
SURVEYORS
111 State Street
Albany, NY 12208
518-486-1000
www.abengineers.com

DATE: APRIL 20, 2015
SCALE: 1" = 20'
SHEET 1 OF 1



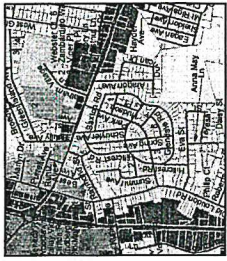
TYPICAL LOT LAYOUT
N.T.S.



ZONING DATA:

- ZONING DISTRICT: SINGLE FAMILY RESIDENTIAL
- MAX. HEIGHT: 40 FT.
- MAX. BLDG. FOOTPRINT: 30% OF LOT AREA
- MAX. LOT AREA: 10,000 SF
- MAX. LOT WIDTH & DEPTH: 60 FT.
- MAX. GREEN SPACE: 30%
- BASE RES. FRONT: 2 UNITS/ACRE
- MAX. FRONT SETBACK: 40 FT.
- MAX. SIDE SETBACK: 10 FT. / 25 FT. TOTAL
- MAX. REAR SETBACK: 25 FT.





SITE LOCATION/ZONING MAP

N.T.S.

ZONING DATA:

- ZONE: SFR - SINGLE FAMILY RESIDENTIAL
- MAX. HEIGHT: 40 FT.
- MAX. BLDG. FOOTPRINT: 50% OF LOT AREA
- MIN. LOT AREA: 18,000 SF
- MIN. LOT WIDTH & FRONTAGE: 80 FT.
- MIN. GREEN SPACE: 33%
- BASE RES. DENSITY: 2 UNITS/ACRE
- MIN. FRONT SETBACK: 40 FT.
- MIN. SIDE SETBACK: 10 FT./25 FT. TOTAL
- MIN. REAR SETBACK: 25 FT.

APPLICANT:
 AQEELABAS MUGHAL
 21 ARCADIA AVENUE
 LINDENHURGH, N.Y. 11750

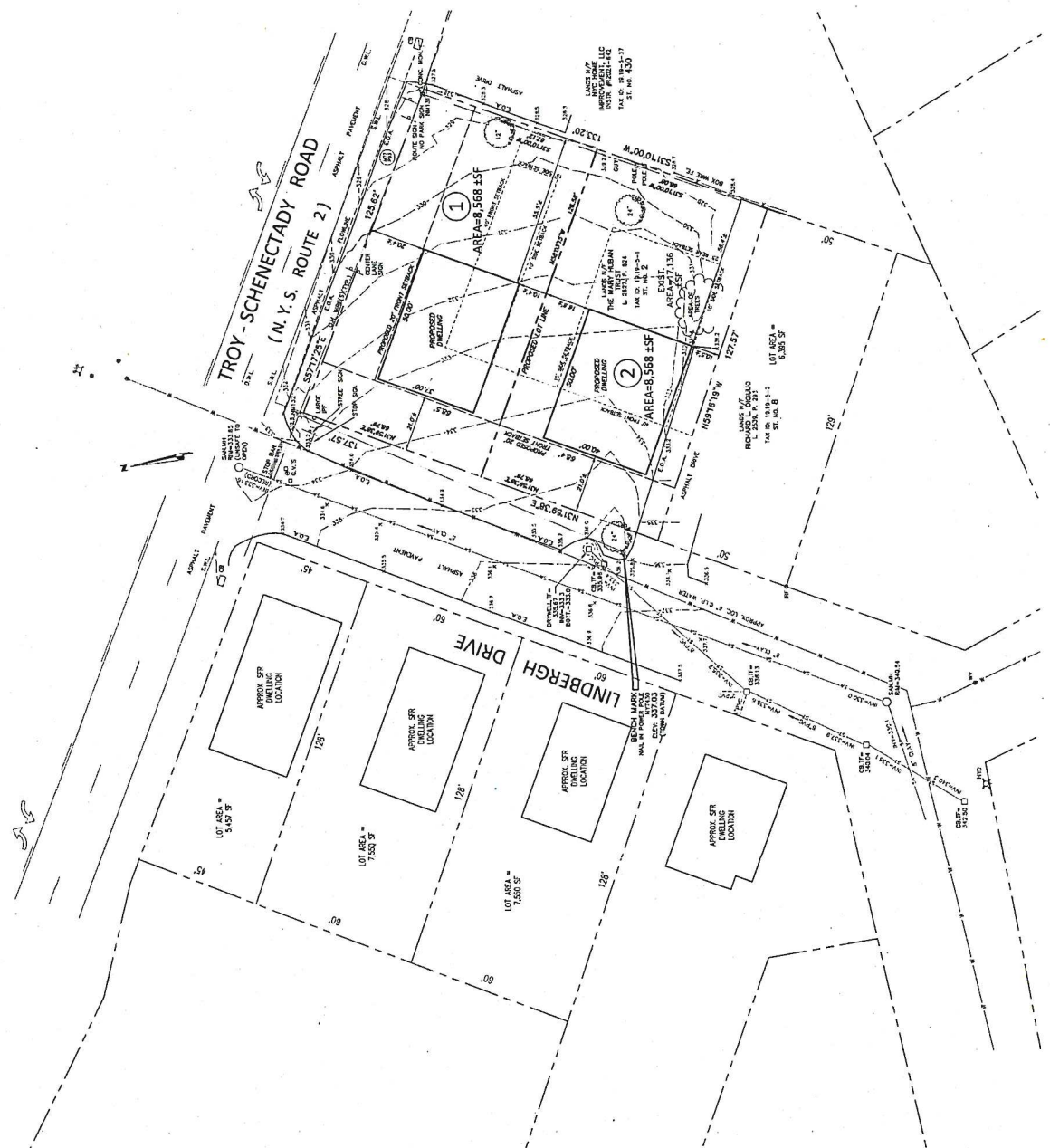
NEIGHBORING DWELLINGS EXHIBIT
 PREPARED FOR
AQEELABAS MUGHAL
 STREET No. 2 LINDENBERGH DRIVE

TOWN OF COCAUSE, STATE OF NEW YORK, COUNTY OF ALBANY

A B D ENGINEERS & SURVEYORS
 111 Main Street
 Schoharie, NY 12858
 518-337-0313 FAX: 518-337-0379

DATE: JUNE 24, 2015 SCALE: 1" = 20' DWG. 71434-SUB2 SHEET OF 1

NO.	REV.	DATE	REASON







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

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 **3rd day of September 2025, at 7:00 p.m.** to hear the appeal of **Kings Motors, 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 **1338 Loudon Road**. The proposal of an automobile repair shop and automobile sales center located within the Neighborhood Commercial Office Residential (NCOR) zoning district is not compliant with the Town of Colonie Land Use Law Article VI, Sections 190-18 and 190, Attachment #1 - Table of Permitted Uses. 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 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 August 18, 2025

Contact for pick up: 646-7170111
Mohammad



Peter G. Crummey
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



**THIS APPLICATION IS FOR ZONING VERIFICATION FOR ANY COMMERCIAL PROJECTS
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 #Z 202500599

Address of site of proposed action:

1338 New Loudon Road Colonie NY 12047
Number Street City State Zip

Name of applicant Kings Motors, LLC

Address 8 Oxford Drive Apt 2 Latham NY 12110
Number Street City State Zip

Applicant's phone (W) _____ (Cell) 646717011

Email Address lapplenemt@gmail.com

Contact person Stefanie DiLallo Bitter

Email Address sdb@bpsrlaw.com

Phone number (W) 518-832-6419 (Cell) _____

Property owner(s) Salma Nabi

Address 14 Fiore Circle Latham NY _____
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).
The property maintains a 1154 square foot structure and a 5 bay garage structure. Both structures are currently vacant and have been for approximately 3 years.

3. APPLICANT'S PROPOSED ACTION:

A. Is the proposed action a:

- New building Addition Renovation Accessory Structure Other
- New tenant (business name) Kings Motors (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. DESCRIBED THE PROPOSED USE IN DETAIL IN A COMPLETE DESCRIPTIVE NARRATIVE.

The Applicants wish to restore this property to its historic use of Auto Body and Auto Sales, and Office

**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: June 13, 2025

1. The undersigned, **Mohammad Rehman**, representing **Kings Motors, LLC** for **Salma Nabi** of **1338 Loudon Road (S.B.L. # 2.3-1-37)**, hereby gives notice of appeal from the decision of the Building Department Director made on the 12th 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 proposal of an automobile repair shop and automobile sales center located within the Neighborhood Commercial Office Residential (NCOR) zoning district is not compliant with the Town of Colonie Land Use Law Article VI, Sections 190-18 and 190, Attachment #1 - Table of Permitted Uses.

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

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

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

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

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)

RENATA JOSEPH
NOTARY PUBLIC - STATE OF NEW YORK
Registration No. 01J06299068
Qualified in Saratoga County
Commission Expires March 17, 2026

The undersigned, being duly sworn, deposes and says that he has read the foregoing document and knows the contents thereof and that the facts herein are true to the best of his knowledge, information and belief

Signed _____

Print Name Stefanie DiLallo Bitter, Esq.

Address One Washington Street PO Box 2168
Glens Falls NY 12801

Owner or lessee if other than above

Name See authorization from both Ownre and Lessee

Mailing _____

Address _____

STATE OF NEW YORK
COUNTY OF WARREN SS:

Subscribed and sworn to before me this _____ day of _____, 2025

24th
JUNE
Renata Joseph

Authorization

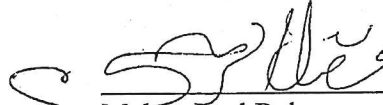
I, Salma Nabi, as owner of 1338 New Loudon Road hereby authorize Kings Motors, LLC and Stefanie DiLallo Bitter of Bartlett Pontiff Stewart and Rhodes, PC to submit a zoning application for the proposed use of the existing buildings for auto sales and auto repair.

Salma Nabi


Salma Nabi

Authorization

I, Mohammad Rehman and Shahzad Bhatti, as members of Kings Motors, LLC hereby authorize Stefanie DiLallo Bitter of Bartlett Pontiff Stewart and Rhodes, PC to submit a zoning application for the proposed use of the existing buildings located at 1338 New Loudon Road in the Town of Colonie for auto sales and auto repair.



Mohammad Rehman



Shahzad Bhatti

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:

This property is located on NYS Route 9 and immediately across from the town's landfill. This property has no buffer to the landfill and would not be able to be used by a number of the permitted uses due to its close proximity to a landfill. In addition, the property maintains a five car garage which has in the past been used for automotive repairs. The applicant is seeking to use that historic use as well as auto sales, which would allow a currently vacant property to be restored and used for a purpose that would be in harmony with the adjacent uses.

- 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 existing buildings were constructed for auto repair use. This use was grandfathered, but such use was discontinued and the use was no longer protected by the historical activity. To use it in a manner which is permitted in the code would require demolition of the buildings and site work which would be an investment which the not provide an adequate return. Since as mentioned before, the adjacent uses make the property unattractive to potential users of a permitted use.

3. Because of the aforesaid alleged facts, appellant petitions that 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 follow specific extent:

To allow for an automobile repair shop and automobile sales center in the NCOR due to the permitted uses in the zone being difficult to adhere to as a result of the existing buildings and existing adjacent uses.

Attached hereto is a plot plan of said property showing- the existing buildings demonstrating that there is a five bay garage existing on the property which was constructed for the purpose of being used for auto repair.

Together with pictures which show the adjacent uses and existing buildings which restrict the availability to easily market the property for permitted uses.

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 variances for the following reasons:

This use has been done on this site on the past. The roadway is a four way public right of way, and traffic for this use would not result in any negative impact. The adjacent uses would not be detrimental for this use being completed and will in fact revitalize the site. This use would be more in harmony with the existing uses due to the landfill being immediately across the street.

5. FOR APPLICATIONS FOR INTERPRETATION ONLY. State grounds upon which appellant asserts that order, requirement, decision, interpretation or determination of the Building Department Manager as stated in Paragraph I above is incorrect. (Attach additional pages if necessary).

The Building Department has determined that the proposal of an automobile repair shop and automobile sales center on this property is not compliant with the Town Land Use Law due to this property being in the NCOR. It remains unclear how the business has continued since 1985, was the use permitted at the time that the garage was constructed?

Short Environmental Assessment Form

Part I - Project Information

Instructions for Completing

Part I – Project Information. The applicant or project sponsor is responsible for the completion of Part I. 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 I. 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 I – Project and Sponsor Information			
Kings Motors, LLC			
Name of Action or Project: Kings Motors, LLC			
Project Location (describe, and attach a location map): 1338 Loudon Road			
Brief Description of Proposed Action: Applicant is seeking a Use Variance so that it is able to utilize the existing structures for automobile repair shop and automobile sales center.			
Name of Applicant or Sponsor: Kings MOtors, LLC		Telephone: 518-832-6419	
		E-Mail: sdb@bpsrlaw.com	
Address: 8 Oxford Dr. Apt 2			
City/PO: Latham		State: NY	Zip Code: 12110
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 <input type="checkbox"/>
			YES <input type="checkbox"/>
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 <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 1 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? _____ 1 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			


5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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:			
The action will meet state energy code requirements. _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> 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
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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)?	NO	YES
If Yes, explain the purpose and size of the impoundment:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:	<input type="checkbox"/>	<input checked="" type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:	<input type="checkbox"/>	<input checked="" type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Stimmed Better</u> Date: <u>7/16/25</u> Signature:  Title: <u>Attorney</u>		

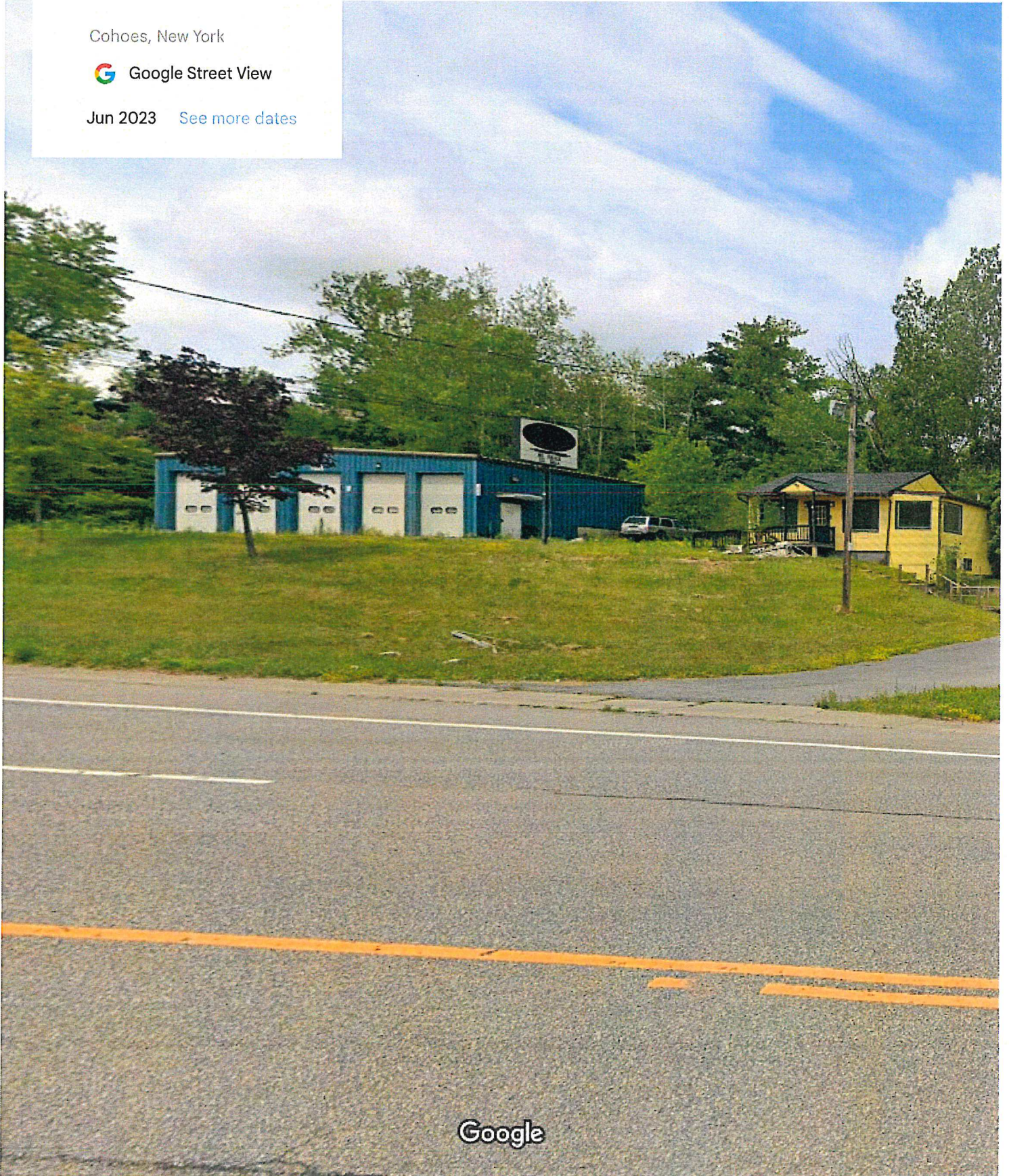
Google Maps

1338 Loudon Rd

Cohoes, New York

 Google Street View

Jun 2023 [See more dates](#)



Google

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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 **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://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 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