



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 November 5, 2025

Chairman Peter R. Crouse called the meeting of the Town of Colonie Zoning Board of Appeals to order on **November 5, 2025**, at **7:00 p.m.** at the Public Operations Center, 347 Old Niskayuna Road, Latham, New York.

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

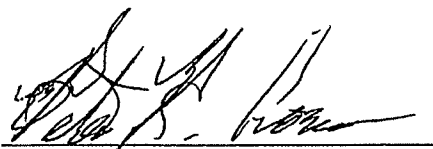
The meeting minutes of **October 15, 2025**, were reviewed. Member Girvin made a motion to approve the minutes. Member Campbell seconded the motion. Upon roll call, the minutes were unanimously approved.

A public hearing was held on the application of **F & D Builders** for the premises located at **3975 Albany Street**. Ted DeLucia made a presentation to the Board. Member Rueckert made a motion to approve the variance with the condition that a swale must be installed on the property. Member Vogt seconded the motion. Upon calling the vote, the motion to conditionally approve the variance passed unanimously.

A public hearing was held on the application of **Shahad Ali** for the premises located at **4 Kirkner Lane**. Jafar Ali made a presentation to the Board. Chairman Crouse made a motion to adjourn the hearing to the November 19, 2025, Zoning Board of Appeals meeting. Member Campbell seconded the motion. Upon calling the vote, the motion to adjourn the hearing passed unanimously.

A public hearing was held on the application of **Saima Yaqoob** for the premises located at **31 Taft Avenue**. David Kimmer (of ABD Engineers, LLP), representing Saima Yaqoob, made a presentation to the Board. Chairman Crouse made a motion to deny the variance. Member Campbell seconded the motion. Upon calling the vote, the motion to deny the variance passed unanimously.

There being no more business, Member Campbell made a motion to close the meeting at 7:49 p.m. Member Girvin seconded the motion and, upon roll call, the motion to close passed unanimously.

Approved: 
Chairman Peter R. Crouse

Date: 11-19-25

FILED

NOV 25 2025

Julie L. Gansle
Colonie Town Clerk



Peter G. Crummev
Town Supervisor

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FILED
NOV 25 2025
Julie L. Gansle
Colonie Town Clerk
Peter R. Crouse
Chairman

DECISION OF ZONING BOARD OF APPEALS:

IN THE MATTER OF: 3975 Albany Street; ZBA #25-031 (Z202500735)

F & D Builders gave notice of appeal from the decision of the Building Department Director for the Town of Colonie, which refused to issue a Building and Zoning Permit for 3975 Albany Street on the grounds that such would be in violation of the Town of Colonie Land Use Law for the following reason(s):

The proposed construction of a 2,148-square-foot two-story single-family dwelling on an 8,704±-square-foot lot with a 21-foot front yard setback on a corner lot (Arrow Street) is not compliant with the 12,000-square-foot minimum lot size and 30-foot minimum front yard setback required in a Single Family Residential (SFR) zoning district as stated in the Town of Colonie Land Use Law, Article VI, Section 190-24, 190-26(A), and Attachment #3 – Dimensional Table for Prior Established Lots.

F & D Builders has petitioned the Zoning Board of Appeals for a variance from the strict application of said provisions, specifically an area variance as set forth above.

Whereas, said Board, on the 5th day of November 2025, and after due notice, held a public hearing on said appeal, at which hearing any and all persons interested in said appeal were given an opportunity to appear and be heard thereon; and

Whereas, said Board has examined the application for the aforesaid permit and the aforesaid petition for variance in relation to the circumstances and conditions affecting said property and those applying in the neighborhood of the same;

Now, Therefore, Be it Resolved, BASED ON THE ENTIRE RECORD BEFORE THE BOARD, THE REQUESTED VARIANCE IS:

APPROVED CONDITIONALLY APPROVED DENIED WITHDRAWN

CONDITIONS: A swale must be installed on the property.

NOTE: Unless otherwise specified, any decision of the Zoning Board of Appeals shall expire and become null and void one year after the filing of such decision if the applicant has not exercised such authorized activity within such period. Issuance of a building permit in accordance with, and within one year of, such decision, shall be deemed prima facie evidence that such activity has been exercised. ZBA Rules and Procedures Article 8.6.

Certificate

I, Peter Crouse, Chairman of the Zoning Board of Appeals of the Town of Colonie, do hereby certify that the foregoing is a true copy of a decision of the Zoning Board of Appeals made at a meeting thereof duly called and held on the 5th day of November 2025.

Date: Nov. 25, 2025

Peter R. Crouse, Chairman
Zoning Board of Appeals



Peter G. Crummey
Town Supervisor

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FILED
NOV 25 2025
Julie L. Gansle
Colonia Clerk
Peter R. Crouse
Chairman

DECISION OF ZONING BOARD OF APPEALS:

IN THE MATTER OF: 31 Taft Avenue; ZBA #25-036 (Z202500738)

Saima Yaqoob gave notice of appeal from the decision of the Building Department Director for the Town of Colonie, which refused to issue a Building and Zoning Permit for 31 Taft Avenue on the grounds that such would be in violation of the Town of Colonie Land Use Law for the following reason(s):

The proposed subdivision of a 10,800±-square-foot lot into two lots: lot 1 – a 4,954±-square-foot lot with a 60-foot front lot line and a 60-foot width at the front building setback line with an existing single-family dwelling with an existing 10-foot front yard setback, and lot 2 – a 5,846±-square-foot lot with a 60-foot front lot line and a 60-foot width at the front building setback line for the future construction of a single-family dwelling with a 20-foot front yard setback and 20-foot total side yard setbacks is not compliant with the 18,000-square-foot minimum lot size, 80-foot minimum width at the front building setback line, 40-foot minimum front yard setback, and 25-foot minimum total side yard setbacks required in a Single Family Residential (SFR) zoning district as stated in the Town of Colonie Land Use Law, Article VI, Section 190-24, 190-25, and 190 Attachment #2 – Dimensional Table.

Saima Yaqoob has petitioned the Zoning Board of Appeals for a variance from the strict application of said provisions, specifically an area variance as set forth above.

Whereas, said Board, on the 5th day of November 2025, and after due notice, held a public hearing on said appeal, at which hearing any and all persons interested in said appeal were given an opportunity to appear and be heard thereon; and

Whereas, said Board has examined the application for the aforesaid permit and the aforesaid petition for variance in relation to the circumstances and conditions affecting said property and those applying in the neighborhood of the same;

Now, Therefore, Be it Resolved, BASED ON THE ENTIRE RECORD BEFORE THE BOARD, THE REQUESTED VARIANCE IS:

_____ APPROVED _____ CONDITIONALLY APPROVED X DENIED _____ WITHDRAWN

REASON FOR DENIAL: The requested subdivision is in excess of the minimal relief necessary and would result in the creation of two substantially undersized, nonconforming lots, thereby exacerbating an existing nonconformity and resulting in an undesirable change to the character of the neighborhood. The proposal is contrary to the intent of zoning code (to gradually reduce rather than increase nonconforming lots) and fails to demonstrate that reasonable use of the property cannot be achieved without the subdivision.

NOTE: Unless otherwise specified, any decision of the Zoning Board of Appeals shall expire and become null and void one year after the filing of such decision if the applicant has not exercised such authorized activity within such period. Issuance of a building permit in accordance with, and within one year of, such decision, shall be deemed prima facie evidence that such activity has been exercised. ZBA Rules and Procedures Article 8.6.

Certificate

I, Peter Crouse, Chairman of the Zoning Board of Appeals of the Town of Colonie, do hereby certify that the foregoing is a true copy of a decision of the Zoning Board of Appeals made at a meeting thereof duly called and held on the 5th day of November 2025.

Date: Nov-25, 2025.

Peter R. Crouse, Chairman
Zoning Board of Appeals