



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

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: _____ Date: _____
Chairman Peter R. Crouse



Peter G. Crumme
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: November 5, 2025
To: Members of the Zoning Board of Appeals
From: Chretien T. Voerg, P.E., Director
Subject: **Zoning Board of Appeals Agenda – November 19, 2025**

Adjourned Hearing(s):

25-035 4 Kirkner Lane – Shahad Ali

New Hearing(s):

25-037 14 Grenada Terrace – Ryan Manning

25-038 3 Ellendale Drive – Cellco Partnership dba Verizon Wireless



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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 **5th day of November 2025, at 7:00 p.m.** to hear the appeal of **Shahad Ali** from the decision of the Building Department Director for the Town of Colonie denying the applicant a Building Permit for the premises located at **4 Kirkner Lane**. The proposed subdivision of a 12,135±-square-foot lot (4 Kirkner Lane) into two lots: Lot A – a 5,649-square-foot lot with a 61.42-foot front lot line and a 61.42-foot lot width at the front building setback line with an existing single-family dwelling, and Lot B – a 6,486-square-foot lot with a 72.58-foot front lot line and 72.58-foot lot width at the front building setback line with an existing detached Accessory Dwelling Unit (ADU), is not compliant with the 20,000-square-foot minimum lot size, 100-foot minimum front lot line, and 100-foot minimum lot width at the front building setback line in an Industrial (IND) 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. 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.igq2.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 October 20, 2025



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 **19th day of November 2025, at 7:00 p.m.** to hear the appeal of **Ryan Manning** from the decision of the Building Department Director for the Town of Colonie denying the applicant a Building Permit for the premises located at **14 Grenada Terrace**. The proposed construction of a 1,328±-square-foot, one-story, single-family dwelling on a 5,250±-square-foot corner lot with a 20-foot front yard setback (Grenada Terrace) and an 11.2-foot front yard setback (Franklin 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, Sections 190-24, 190-26(A), 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 November 5, 2025

Application for Zoning Verification and Building/Zoning Permit



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

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

Permit No. Z202501121

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 signer and/or owner agrees to comply with all applicable laws, ordinances, and regulations, as well as any conditions expressed on this application, and will allow all inspectors to enter the premises for required inspections.

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

Address of Site: 14 Grenada Terrace
Watervliet NY 12189
City State Zip

Property Owner's Name: Ryan Manning
(Applicant)
Address: 155 Maston Avenue
Cohoes NY 12047
City State Zip

Phone W _____ H/Cell 518-337-7260

Property Owner's Email: rmanningventures@gmail.com

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

Address: _____
City State Zip

Phone W _____ Cell _____ Zip _____

ESTIMATED COST \$ _____ Flr. Area 5250± 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 SF-12 CE-200

Contractor's General Liability

Insured's Name: _____
(must match business name)

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

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

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

FOR OFFICIAL USE ONLY

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

Reason for approval (refusal) of permit: _____

Proposed use: _____

Variance Granted # _____

Dated: _____, 20____

PROPOSED ACTION:

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

b) Is the proposed action a: New Building Addition Renovation
 Accessory Structure Garage Shed Deck Pool Other

Describe the proposed use or construction in detail: SINGLE FAMILY DWELLING, 27'8" x 48'0", ONE STORY

c) Gross Floor Area: Existing: _____ square feet
Proposed: 1328 ± 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 5250 sq. ft.

Is this a corner lot? Yes No If yes, corner lot: feet 50 Through lot? Yes No

Does the parcel front upon a developed public street? Yes No If yes, length of frontage on street: feet 105

| Building Setbacks: | Existing | Proposed |
|--|-------------|--------------------|
| Front Yard Depth: (GRENADA) feet | — | feet <u>20 ±</u> |
| Left Side Yard: feet | — | feet <u>11.2 ±</u> |
| Right Side Yard: feet | — | feet <u>37 ±</u> |
| Front/Back Yard Depth: (FRANKLIN) feet | — | feet <u>11.2 ±</u> |
| Existing Building Height (at peak): feet | — | stories <u>—</u> |
| Proposed Height (at peak): feet | <u>16 ±</u> | stories <u>1</u> |

APPROVAL DISAPPROVAL

DISAPPROVED

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

SIGNATURE: [Signature]

PRINT NAME: Ryan Manning DATED: 9/2/2025

TITLE IN COMPANY: _____

If DISAPPROVED, an appeal must be taken within sixty days after the filing in the Town Clerk's office of any order, requirement, decision, interpretation or determination, from which the appeal is taken.

FOR OFFICIAL USE ONLY

I, J.S. 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: 10/16/25 [Signature]
SIGNATURE OF ZONING OFFICER

The proposed construction of a 1,328±-square-foot, one-story, single-family dwelling on a 5,250±-square-foot corner lot with a 20-foot front yard setback (Grenada Terrace) and an 11.2-foot front yard setback (Franklin 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, Sections 190-24, 190-26(A), and 190 Attachment #3 – Dimensional Table for Prior Established Lots.

- | | | | |
|-------------------------------------|---|--|---|
| Are there easements on the property | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | Is existing use nonconforming | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Parcel in/near a floodplain | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | Variance granted on property | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Parcel in/near a wetland | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | Subdivision of record on file | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| On/near a protected watercourse | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | Does the Grandfather Provision apply | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| Copy of assessor's card(s) attached | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | If yes, Pre-1987 <input checked="" type="checkbox"/> 1987 to 2006 <input type="checkbox"/> | |
| Copy of County tax map attached | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | Existing Violation or outstanding permit | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
- S. B. L.# 44.C-2-43

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: October 22, 2025

1. The undersigned, Ryan Manning representing 14 Grenada Terrace (S.B.L. # 44.6-2-43), hereby gives notice of appeal from the decision of the Building Department Director made on the 16th day of October, 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 a 1,328±-square-foot, one-story, single-family dwelling on a 5,250±-square-foot corner lot with a 20-foot front yard setback (Grenada Terrace) and an 11.2-foot front yard setback (Franklin 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, Sections 190-24, 190-26(A), 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:

The subject property's exterior can not be changed to meet current zoning standards. The neighboring properties have existing structures/similar structures on the same size lot w/ the same dimensions

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:

stated above, the dimensions of the lot cannot be changed. The neighboring properties have the same dimensions with existing structures. The proposed plans do not create

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:

to allow proposing to build a home on an existing underused lot.

Attached hereto is a plot plan of said property, showing the proposed lot with the neighboring properties

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):

This home will fit the standards and/or enhance the neighbor without negatively the neighborhood properties.

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: [Signature]
Print Name: Ryan Manning
Address: 155 Masten Avenue
Cohoes, NY 12047

STATE OF
COUNTY OF

SS:

Owner or lessee if other than above

Subscribed and sworn to before me this 22nd
day of October, 2025

Name _____
Mailing _____
Address _____

Victoria Normandin
Notary Public State of New York
Qualified in Albany County #01NO6190776
Commission Expires 08/04/2025

**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: Single Family Residential Build - 14 Grenada Terrace | | |
| Project Location (describe, and attach a general location map): 14 Grenada Terrace Watervliet, NY 12189 | | |
| Brief Description of Proposed Action (include purpose or need): Development of Single Family "Ranch" Modular home | | |
| Name of Applicant/Sponsor: Ryan M. Manning | | Telephone: 518-337-7260 E-Mail: RManningventures@gmail.com |
| Address: 155 Masten Avenue | | |
| City/PO: Cohoes | State: NY | Zip Code: 12047 |
| Project Contact (if not same as sponsor; give name and title/role): Erik M Smith | | Telephone: 518-414-7901 E-Mail: eriksmith365@gmail.com |
| Address: | | |
| City/PO: | State: | Zip Code: |
| Property Owner (if not same as sponsor): Jake Hill | | Telephone: E-Mail: |
| Address: 24 Franklin Street | | |
| City/PO: Watervliet | State: NY | Zip Code: 12189 |

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 Counsel, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees | | |
| b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| 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 checked="" 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 | |
| <hr/> <hr/> <hr/> | |
| 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): | |
| <hr/> <hr/> <hr/> | |

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?
Residential

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? North Colonie

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

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

d. What parks serve the project site?
Allegheny Park

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)? Residential

b. a. Total acreage of the site of the proposed action? .12 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? .12 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)? % 20 Units: 1

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) _____

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: 6 months

ii. If Yes:
• Total number of phases anticipated 4
• Anticipated commencement date of phase 1 (including demolition) 12 month 2025 year
• Anticipated completion date of final phase 5 month 2026 year
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

Site prep, foundation, set, finish

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 | 1 | | | |
| At completion of all phases | 1 | | | |

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: _____ avg 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: _____
 Connect water lines to the home
- Source(s) of supply for the district: Public

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: _____ avg 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): _____
 sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No
 If Yes:

- Name of wastewater treatment plant to be used: Local
- Name of district: Town of Colonie
- 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

• Do existing sewer lines serve the project site? Yes No
 • Will a line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____
 Sewer lines connecting to the proposed home _____

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: _____ |
|--|---|

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: Some tree's/ brush needs to be removed but should not create noise pollution

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 Covertype | 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): 401034A, 401069, 401003A, C401082
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: _____ N/A 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

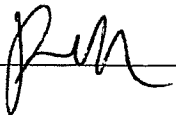
Attach any additional information which may be needed to clarify your project.

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 Ryan Manning Date 10/29/2015

Signature  Title _____

| | |
|--|--|
| E.2.k. [500 Year Floodplain] | No |
| E.2.l. [Aquifers] | No |
| E.2.n. [Natural Communities] | No |
| 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] | Yes |
| E.3.i. [Designated River Corridor] | No |



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 **19th day of November 2025, at 7:00 p.m.** to hear the appeal of **Cellco Partnership dba Verizon Wireless** from the decision of the Building Department Director for the Town of Colonie denying the applicant a Building Permit for the premises located at **3 Ellendale Drive**. The proposed replacement of an existing utility pole (NM 1 - NYT1) with a new 38.5-foot utility pole (42.3 feet to the top of the antenna) in the public right of way adjacent to 3 Ellendale Drive is not compliant with the prohibition of increasing utility pole height in excess of 110% of the height of the existing pole for a small cell wireless facility as stated in the Code of the Town of Colonie, Section 189A-5(E)(4)(c). 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 SEQOR 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 November 5, 2025



Peter G. Crumme
Town Supervisor

Commercial Zoning Verification

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

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



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

Any proposal which requires a Town of Colonie Building and Zoning Permit or an approval issued by the Town of Colonie Planning Board/Department must first be reviewed by the zoning enforcement officer of the Town of Colonie to determine whether the proposal violates any provision(s) of the Town of Colonie Zoning Laws. The Officer's determination is based solely upon the information submitted on 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 202500894

Address of site of proposed action:

| | | | |
|--|------------------------|----------------|-----------|
| ROW Adjacent to 3 Ellendale Dr. | Albany | NY | 12205 |
| Number | Street | City | State Zip |
| Name of applicant <u>Celco Partnership d/b/a Verizon</u> | | | |
| Address 1275 | John Street, Suite 100 | West Henrietta | NY 14586 |
| Number | Street | City | State Zip |

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

Email Address _____

Contact person David C. Brennan, Esq.

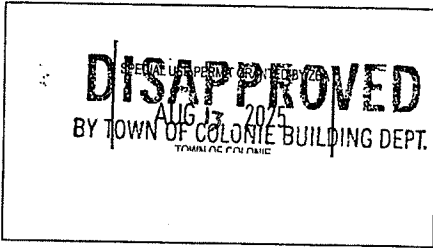
Email Address dbrennan@youngsommer.com

Phone number (W) 518-438-9907 x 224 (Cell) 518-229-8699

Property owner(s) _____

Address _____

| | | | | |
|--------|--------|------|-------|-----|
| Number | Street | City | State | Zip |
|--------|--------|------|-------|-----|



2. Describe the present use of the building and property. (If vacant, so note and list last prior use & tenant).
Town Road right of way and existing wooden utility pole.

3. APPLICANT'S PROPOSED ACTION:

A. Is the proposed action a:

Small Cell Wireless Facility on replacement

- New building
- Addition
- Renovation
- Accessory Structure
- Other wooden utility pole.
- New tenant (business name)
- 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):

- | | | | | |
|---------------------------------|---|--|---|---|
| <input type="checkbox"/> Office | <input type="checkbox"/> Warehouse / Storage | <input type="checkbox"/> Motor Vehicle Repair Shop | <input type="checkbox"/> Supermarket | <input type="checkbox"/> Massage |
| <input type="checkbox"/> Bank | <input type="checkbox"/> Fast Food Establishment | <input type="checkbox"/> Motor Vehicle Service Station | <input type="checkbox"/> Wholesale | <input type="checkbox"/> Messer |
| <input type="checkbox"/> Retail | <input type="checkbox"/> Restaurant / Bar | <input type="checkbox"/> Motor Vehicle Sales | <input type="checkbox"/> Industrial | <input type="checkbox"/> Police Handout |
| <input type="checkbox"/> Bakery | <input type="checkbox"/> Convenience Food Store | <input type="checkbox"/> Mini Mart | <input type="checkbox"/> Day Care Child/Adult | |
| <input type="checkbox"/> Hotel | <input type="checkbox"/> Personal Service Business | <input type="checkbox"/> Multifamily Dwelling | <input type="checkbox"/> Nightclub | |
| <input type="checkbox"/> School | <input checked="" type="checkbox"/> Wireless Telecom Facility | <input type="checkbox"/> Place of Worship | <input checked="" type="checkbox"/> Other <u>Small Cell</u> | |

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

Replacement of utility pole in the public right-of-way with a 45' wooden utility pole with wireless communications equipment attached and all appurtenances relocated to the proposed pole.

**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

October 23, 2023

(being) _____ (owner)
1. The undersigned, (representing) the (lessee) of (Identify property by lot and block or otherwise) Right-of-Way located at 3 Ellendale Dr. (Nearest to) hereby gives notice of appeal from the decision of the (Bldg. Dept. Manager) made on the _____ day of _____, in refusing to issue a Building and Zoning Permit on the ground 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 to replace an existing utility pole with a 37.2 Ft. utility pole for purposes of installing small cell wireless communications equipment, located in the Single Family residential (SFR) zoning District, exceeds the 110% height allowed to replace the existing utility pole, as stated in the Town of Colonie Land Use Law, Sections 189A-5 E (4)(C) and 189-A-5 E (5)

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 Town Code provisions require a height limitation that cannot be met while also adhering to National Grid's pole installation requirements. More specifically, when a pole is replaced, National Grid requires it to be of size to comply with modern standards.

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 above.

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:
VZW seeks approval of the plans submitted which show the existing 32.8 ft. pole replaced with a top of pole at 38.5 ft. with top of antenna at 42.3 ft.

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): _____

The proposed installation will look comparable to other existing utility poles in the neighborhood and Town. It is consistent with the other small cell installations that have been approved by both the Highway Department and this Zoning Board.

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 _____
Print Name PAUL C BRENNAN
Address 500 Federal St
Troy NY 12180

Owner or lessee if other than above

STATE OF Ny
COUNTY OF Rensselaer SS:

Subscribed and sworn to before me this 23rd day of October 2023

Name _____
Mailing _____
Address _____

12/10/14
LISA GORMAN
Notary Public, State of New York
Qualified in Rensselaer County
No. 01GO6057069
Commission Expires April 9, 2026

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

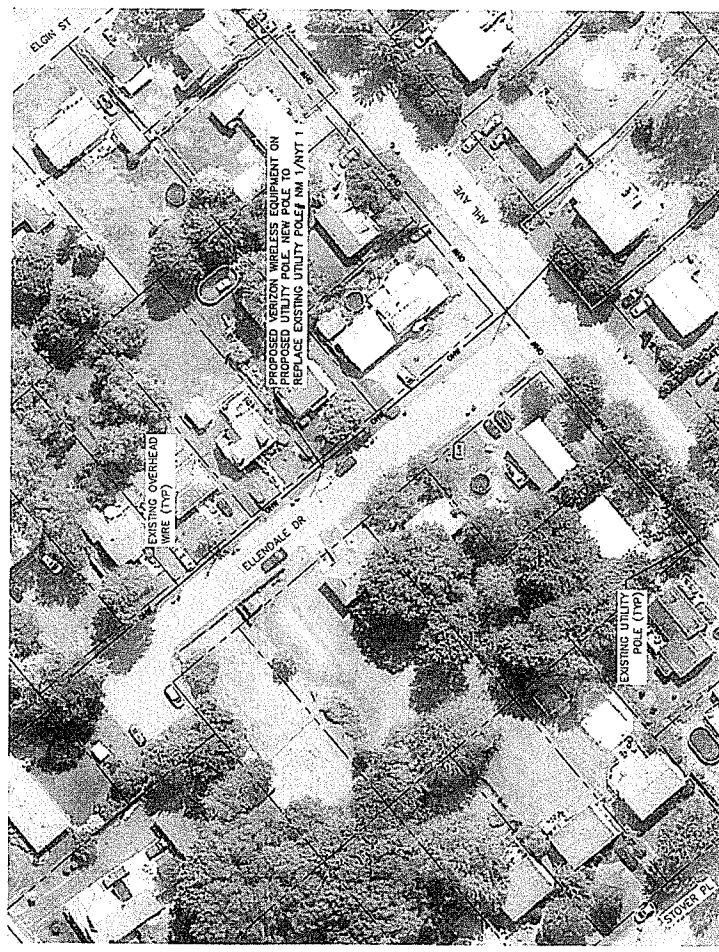
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available.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

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

| Part 1 – Project and Sponsor Information | | | |
|--|--|----------------------------------|--|
| Cellco Partnership d/b/a Verizon Wireless | | | |
| Name of Action or Project: Ahl and Ellendale - Small Wireless Facility | | | |
| Project Location (describe, and attach a location map): On replacement telephone pole adjacent to 3 Ellendale Ave (pole NM 1/ NYT 1) | | | |
| Brief Description of Proposed Action: The Applicant proposes to install on a replacement utility pole: a single, cylindrical antenna (approximately 24" tall x 14.6" in diameter) mounted at the top of the pole at a tip height of 42.3± feet) along with the installation of electric and telecommunications equipment on the utility pole at a minimum height of 8' above grade. | | | |
| Name of Applicant or Sponsor: Cellco Partnership d/b/a Verizon Wireless | | Telephone: 518-714-9282 | |
| Address: Young/Sommer LLC, 500 Federal Street, 5th Floor | | E-Mail: dbrennan@youngsommer.com | |
| City/PO: Troy | | State: NY | Zip Code: 12180 |
| 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: Colonie DPW | | | NO <input type="checkbox"/> |
| | | | YES <input checked="" type="checkbox"/> |
| 3. a. Total acreage of the site of the proposed action? | | 5 s.f. acres | |
| b. Total acreage to be physically disturbed? | | 5 s.f. acres | |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? | | 5 s.f. 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, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan? | NO | YES | N/A |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | <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? If Yes, identify: _____ | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action? | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____ | NO | YES | |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____ | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____ | NO | YES | |
| | <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? 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? | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| | <input type="checkbox"/> | <input checked="" 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? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____ | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| | | | |

NORTH ORIENTATION
 1. NORTH ORIENTATION ESTABLISHED BY COMPASS OBSERVATION.

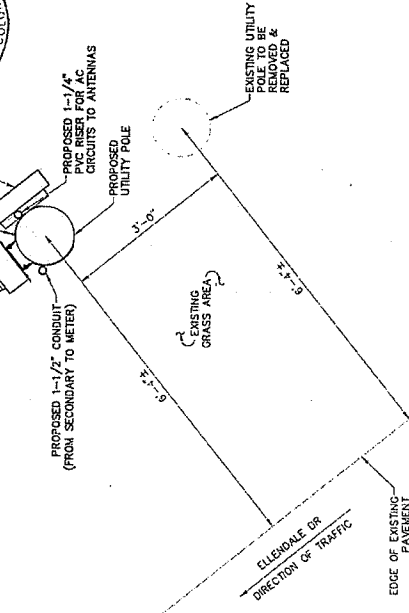


NOTE:
 SITE INFORMATION BASED ON A SITE VISIT PERFORMED BY TECTONIC ENGINEERING CONSULTANTS, GEOLOGISTS & LAND SURVEYORS D.P.C., ON 10/29/24.

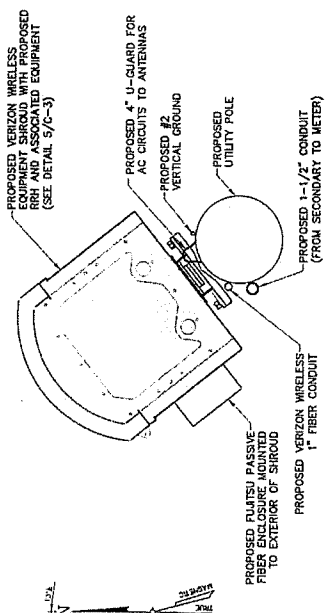
2. SITE PLAN
 SCALE: 1" = 40' (UTMA 980)

RECEIVED
 5 AUG 2025
 BUILDING & FIRE SERVICE DIST. #1
 CITY OF COLONIA

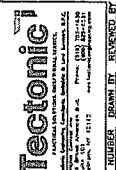
PROPOSED #2 VERTICAL GROUND RISE FOR AC CIRCUITS TO ANTENNAS
 PROPOSED 1-1/2" CONDUIT (FROM SECONDARY TO METER)
 PROPOSED METER
 PROPOSED UTILITY POLE



3. EQUIPMENT PLAN
 SCALE: 1" = 4'-0" (UTMA 980)



3. SHROUD PLAN VIEW
 SCALE: 1" = 4'-0" (UTMA 980)



| NO. | DATE | ISSUE | BY | SM |
|-----|----------|--------------|----|----|
| 1 | 12/27/23 | FOR REVISION | | |
| 2 | 01/24/24 | FOR REVISION | | |
| 3 | 02/27/24 | FOR REVISION | | |
| 4 | 03/27/24 | FOR REVISION | | |
| 5 | 04/27/24 | FOR REVISION | | |
| 6 | 05/27/24 | FOR REVISION | | |
| 7 | 06/27/24 | FOR REVISION | | |
| 8 | 07/27/24 | FOR REVISION | | |
| 9 | 08/27/24 | FOR REVISION | | |
| 10 | 09/27/24 | FOR REVISION | | |
| 11 | 10/27/24 | FOR REVISION | | |
| 12 | 11/27/24 | FOR REVISION | | |
| 13 | 12/27/24 | FOR REVISION | | |
| 14 | 01/27/25 | FOR REVISION | | |
| 15 | 02/27/25 | FOR REVISION | | |
| 16 | 03/27/25 | FOR REVISION | | |
| 17 | 04/27/25 | FOR REVISION | | |
| 18 | 05/27/25 | FOR REVISION | | |
| 19 | 06/27/25 | FOR REVISION | | |
| 20 | 07/27/25 | FOR REVISION | | |
| 21 | 08/27/25 | FOR REVISION | | |
| 22 | 09/27/25 | FOR REVISION | | |
| 23 | 10/27/25 | FOR REVISION | | |
| 24 | 11/27/25 | FOR REVISION | | |
| 25 | 12/27/25 | FOR REVISION | | |



UNLICENSED PERSONS OR EMPLOYEES OF THIS FIRM ARE NOT TO BE PERMITTED TO SIGN OR SEAL ANY DRAWINGS OR SPECIFICATIONS FOR CONSTRUCTION OF ANY PROJECT OR TO TAKE ANY ACTION THAT WOULD BE CONSIDERED AS THE ACT OF AN ENGINEER OR ARCHITECT UNDER THE PROFESSIONAL ENGINEERING AND ARCHITECTURE ACT OF THE STATE OF NEW YORK. ANY SUCH ACTION SHALL BE CONSIDERED AS THE ACT OF THE FIRM AND NOT OF THE UNLICENSED PERSON OR EMPLOYEE.

ORIGINAL SIZE IN INCHES (22x34 FORMAT)
 ORIGINAL SIZE IN INCHES (11x17 FORMAT)

SITE INFORMATION
 AHL AND ELLENDALE DR
 FUZE ID#: 2496338
 MDG#: 5000268995

SITE ADDRESS
 UTILITY POLE# NM 1/NT 1
 ADD TO 3 ELLENDALE DR
 CITY OF ALBANY
 ALBANY COUNTY
 NY, 12205

SHEET TITLE
 SITE PLAN & EQUIPMENT PLAN

SHEET NUMBER

C-1