

TOWN OF NISKAYUNA
ZONING BOARD OF APPEALS
One Niskayuna Circle
Niskayuna, New York 12309

The Zoning Board of Appeals of the Town of Niskayuna will conduct a regular meeting on WEDNESDAY, June 14, 2023 at 7:00 P.M. in the Town Board Meeting Room, Town Hall, One Niskayuna Circle, Niskayuna, New York to consider the following:

1. Appeal by Benjamin Twait for a variance from Section 220-25 B (1) (a) of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 2041 Morrow Avenue, Niskayuna, New York, located in the R-2: Medium Density Residential Zoning District, to construct a six (6) foot fence which exceeds the height limit in the side yard. Section 220-25 B (1) (a) permits the maximum height for fences located in the front and side yards, to be four (4) feet. As proposed, a six (6) foot high fence will be located in the side yard; therefore, a two (2) foot fence height variance is required.
2. Appeal by John and Karen Splendido for a variance from Section 220-25 B (1) (a) of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 930 St Davids Lane, Niskayuna, New York, located in the R-1: Low Density Residential Zoning District, to construct a five (5) foot high fence which exceeds the height limit in the front and side yard. Section 220-25 B (1) (a) permits the maximum height for fences located in the front and side yards, to be four (4) feet. As proposed, a five (5) foot high fence is located in the front yard, along St. David's Lane, and the side yard; therefore, a one (1) foot fence height variance is required.
3. Appeal by Todd Birmingham for a variance from Section 220-4, Section 220-13, Schedule I-B and Section 220-15 D of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 2260 Pinehaven Drive, Niskayuna, New York, located in the R-1: Low Density Residential Zoning District, to construct a 12' x 14' deck partially within the rear yard setback. Section 220-4 defines a corner lot as a lot at the intersection of two streets. The property is a corner lot at the intersection of Pinehaven Drive and Fernwood Drive. Also, "Each street line shall be considered a front lot line. The interior lot line most nearly parallel to the rear of the principal structure shall be deemed to be the rear lot line. The other interior lot line shall be deemed to be the side line and the rear and side yard requirements shall be calculated accordingly. Section 220-13, Schedule I-B requires a twenty (20) foot minimum side yard setback. Section 220-15 D states for corner lots, "front yard minimums shall be required of both yards facing a street on a corner lot. Side yard minimums shall be required of the remaining two yards for properties located in the R-1 and R-2 Zoning Districts." As proposed, the deck would be located fifteen (15) feet from the property line; therefore, a five (5) foot setback variance is required.
4. Appeal by Don and Molly Anthony for a variance from Section 220-18 B (3) (b) and Section 220-13 Schedule I-B of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 918 Birchwood Lane, Niskayuna, New York, located in the R-1: Low Density Residential Zoning District, to construct an addition to an existing shed partially within the side and rear yard setbacks. Section 220-18 B (3) (b) states that "the required side and rear yard dimensions for major accessory structures shall be the same as applies to the principal building." As defined, major accessory structures are "detached accessory buildings or other structures in excess of 120 square feet." The shed, with the proposed addition, will measure 258 square feet, and is a major accessory structure. Section 220-13 Schedule I-B establishes a side setback minimum of twenty (20) feet and rear setback minimum is twenty five (25) feet. As proposed, the shed will be located seven (7) feet from the side property line and ten (10) feet from the rear property line. Therefore; a thirteen (13) foot side yard setback variance and a fifteen (15) foot rear setback variance are required.
5. Appeal by Steven and Katie McCutcheon for a variance from Section 220-53 B and Section 220-13, Schedule I-C of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 1461 Clifton Park Road, Niskayuna, New York, located in the R-2: Medium Density Residential Zoning District, to construct an addition partially within the side yard setback. Section 220-53 B allows an addition to a nonconforming residential structure which brings the addition into a nonconforming side or rear yard no nearer to a side or rear property line than the existing structure and no nearer than half the distance specified in a particular residential zoning district. Section 220-13, Schedule I-C requires a side yard setback of fifteen (15) feet. The existing house is 6' 6" from the side line; therefore, 7' 6" becomes the minimum required side setback. As proposed, the addition will be 6' 6" from the side property line; therefore, a one (1) foot side yard setback variance is required.

NEXT MEETING: July 19, 2023 at 7 PM

**TOWN OF NISKAYUNA
ZONING BOARD OF APPEALS
One Niskayuna Circle
Niskayuna, New York 12309
(518) 386-4530**

June 2, 2023

TO WHOM IT MAY CONCERN:

A regular meeting of the Zoning Board of Appeals will be held on:

DATE: June 14, 2023

TIME: 7:00 P.M.

PLACE: Town Hall, One Niskayuna Circle, Niskayuna, New York

AT THIS TIME THE BOARD WILL CONSIDER THE REQUEST OF:

Appeal by Benjamin Twait for a variance from Section 220-25 B (1) (a) of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 2041 Morrow Avenue, Niskayuna, New York, located in the R-2: Medium Density Residential Zoning District, to construct a six (6) foot fence which exceeds the height limit in the side yard.

Section 220-25 B (1) (a) permits the maximum height for fences located in the front and side yards, to be four (4) feet. As proposed, a six (6) foot high fence will be located in the side yard; therefore, a two (2) foot fence height variance is required.

A copy of the permit application and appeal is available for inspection at the Niskayuna Building Department in the Niskayuna Town Office Building and will be available at the public hearing. A copy of the agenda packet for the above referenced meeting date, which will include information for this variance request, will be available online after 5pm the Friday before the meeting at <https://www.niskayuna.org/node/1606/agenda/2023>.

IF YOU WISH TO EXPRESS AN OPINION REGARDING THE PROPOSED CHANGE, YOU MAY DO SO AT THE ABOVE-MENTIONED TIME AND PLACE. IF YOU CANNOT BE PRESENT, YOU MAY REQUEST A VIRTUAL LOGIN TO THE MEETING BY EMAILING LRobertson@Niskayuna.org OR CALLING 518-386-4530 OR YOU MAY SET FORTH YOUR APPROVAL OR OBJECTION IN A LETTER WHICH WILL BE MADE PART OF THE PERMANENT RECORD.

ZONING BOARD OF APPEALS

TOWN OF NISKAYUNA
ZONING BOARD OF APPEALS
One Niskayuna Circle
Niskayuna, NY 12309
(518) 386-4530

May 19, 2023

Benjamin Twait
2041 Morrow Ave
Niskayuna, NY 12309

Dear Mr. Twait,

At its regularly scheduled meeting held on May 17, 2023, the Zoning Board of Appeals ("the Board") reviewed the following case:

Appeal by Benjamin Twait for a variance from Section 220-25 B (1) (a) of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 2041 Morrow Avenue, Niskayuna, New York, located in the R-2: Medium Density Residential Zoning District, to construct a six (6) foot fence which exceeds the height limit in the side yard. Section 220-25 B (1) (a) permits the maximum height for fences located in the front and side yards, to be four (4) feet. As proposed, a six (6) foot high fence will be located in the side yard; therefore, a two (2) foot fence height variance is required.

It was the decision of the Board to adjourn this case until the next meeting of the Board to be held on June 14, 2022 at 7:00 p.m.

The Board based its decision on the findings of fact set forth in the applicant's appeal and the discussion between the applicant (or the applicant's representative) and the Board members during the meeting. You can view a video of the meeting at <https://www.youtube.com/watch?v=bs8mgYmfOQE&list=PLfof9Ej2RfcNoJbueLoRmi35Si39n5hVl&index=33>.

Sincerely,

Keith Frary / LMS

Keith Frary
Chairperson

cc: Town Clerk
Building Department
ZBA File

**TOWN OF NISKAYUNA
ZONING BOARD OF APPEALS
One Niskayuna Circle
Niskayuna, New York 12309
(518) 386-4530**

May 5, 2023

TO WHOM IT MAY CONCERN:

A regular meeting of the Zoning Board of Appeals will be held on:

DATE: May 17, 2023

TIME: 7:00 P.M.

PLACE: Town Hall, One Niskayuna Circle, Niskayuna, New York

AT THIS TIME THE BOARD WILL CONSIDER THE REQUEST OF:

Appeal by Benjamin Twait for a variance from Section 220-25 B (1) (a) of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 2041 Morrow Avenue, Niskayuna, New York, located in the R-2: Medium Density Residential Zoning District, to construct a six (6) foot fence which exceeds the height limit in the side yard.

Section 220-25 B (1) (a) permits the maximum height for fences located in the front and side yards, to be four (4) feet. As proposed, a six (6) foot high fence will be located in the side yard; therefore, a two (2) foot fence height variance is required.

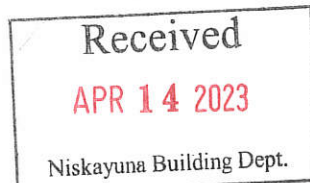
A copy of the permit application and appeal is available for inspection at the Niskayuna Building Department in the Niskayuna Town Office Building and will be available at the public hearing. A copy of the agenda packet for the above referenced meeting date, which will include information for this variance request, will be available online after 5pm the Friday before the meeting at <https://www.niskayuna.org/node/1606/agenda/2023>.

IF YOU WISH TO EXPRESS AN OPINION REGARDING THE PROPOSED CHANGE, YOU MAY DO SO AT THE ABOVE-MENTIONED TIME AND PLACE. IF YOU CANNOT BE PRESENT, YOU MAY REQUEST A VIRTUAL LOGIN TO THE MEETING BY EMAILING LRobertson@Niskayuna.org OR CALLING 518-386-4530 OR YOU MAY SET FORTH YOUR APPROVAL OR OBJECTION IN A LETTER WHICH WILL BE MADE PART OF THE PERMANENT RECORD.

ZONING BOARD OF APPEALS

ZONING BOARD OF APPEALS
Application and Procedures For A Variance

Case No.	_____
Date Rece'd BA	_____
Date Hearing	_____
Date Action	_____
Ref.P.B.	_____ Date _____
Ref. County	_____ Date _____



TO: ZONING BOARD OF APPEALS

FROM: Benjamin Twait

RE: Property at 2041 Morrow Ave, Schenectady NY 12309

I, Benjamin Twait, the (owner) (agent of the owner) of the property located at 2041 Morrow Ave, Schenectady NY 12309 in the Town of Niskayuna, New York, hereby petition the Zoning Board of Appeals to review the decision of the Zoning Enforcement Officer on the above-referenced application and to grant a variance from Section(s) of the Zoning Ordinance in order to permit the proposed construction shown on the accompanying drawings.

I, also certify that I have provided the items listed below as required documents in my application for a variance before the Zoning Board of Appeals. I further acknowledge that omission of any of these items may result in delay in the Board's hearing of my application.

CHECKLIST OF REQUIRED ITEMS

- ☒ One (1) copy of plot plans
- ☒ N/A One (1) copy of construction plans, if applicable
- ☒ Appeal fee (see application procedures for details)
- ☒ Appeal statement (see application procedures for details)
- ☐ Short Environmental Assessment Form, Project Information, as applicable for use variance
- ☒ Additional information as specified by the Zoning Enforcement Officer

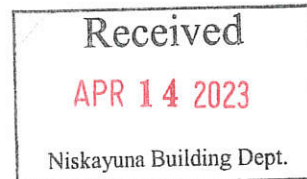
Signature of Agent: [Signature] Date 4/13/23

Signature of Owner (if different from Agent) _____

Telephone Number: 585-690-4395

Email Address: Benjamin.twait@gmail.com

For an area variance: Before an area variance can be granted, State Law requires that the ZBA take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.



To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

A transition from 6^{ft} to 4^{ft} could be done but there is a 6^{ft} privacy fence of my neighbors that ties into the fence. I feel it would ~~look~~ not be a uniform look if a 6^{ft} fence ties into a 4^{ft} fence.

2. Whether the granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

I am trying to replace an existing fence that is falling apart. The fence is currently 6 feet tall from start to end. My neighbor has a 6^{ft} privacy fence that ties into the fence that is in my side yard. I feel that a 6^{ft} fence that ties into a 4^{ft} high fence would be an undesirable change. That is why I am seeking a 2^{ft} variance to the 24^{ft} section of fence that will be located in my side yard. Please see attached photo

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

This is not substantial because the fence is perpendicular to the road and it is blocked by shrubs so it is not easily visible from the road

Received

APR 14 2023

Niskayuna Building Dept.

4. Whether the variance will have adverse physical or environmental effects on the neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

- Requesting a 2nd variance to fence in side yard would not have an adverse physical or environmental effect on the neighborhood.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance.) Explain whether the alleged difficulty was or was not self-created:

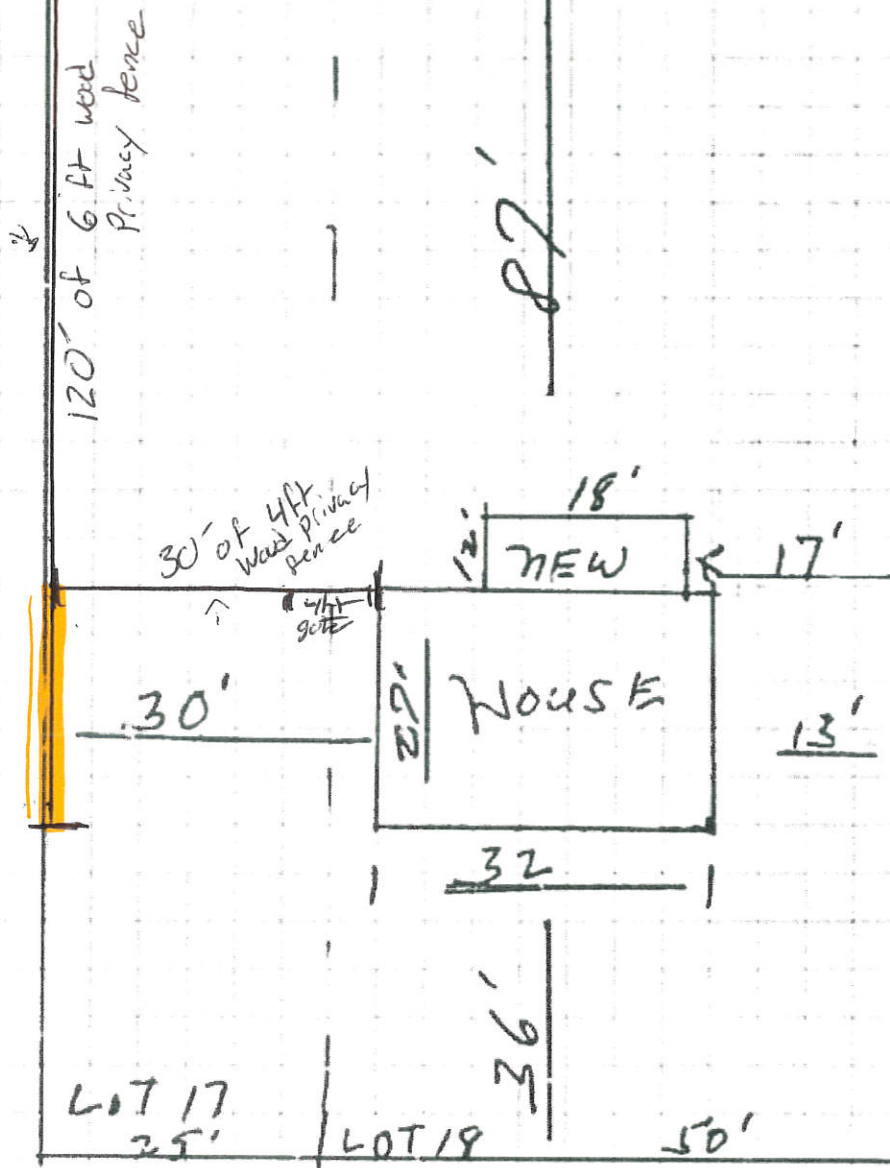
This was not self-created. The fence was part of the property when purchased. Just looking to replace fence as is.

75'

Received

APR 14 2023

Niskayuna Building Dept.



RECEIVED

MAY 27 1980

BUILDING DEPT.
TOWN OF NISKAYUNA

Mark Tubbano

2041 Morrow Ave.

Niskayuna

Subject: [EXTERNAL] 2041 Morrow Ave Fence variance 5/17 hearing date
From: benjamin.twait@gmail.com
Sent: 4/28/2023 9:41:31 AM
To: building@niskayuna.org;
Attachments: image0.jpeg; image1.jpeg; image4.jpeg; image5.jpeg

To whom it may concern,

I have attached some photos of the section of fence I am requesting a 2 foot variance for. These photos show the existing fence that I am replacing, my neighbors fence that ties into the existing fence and view of the fence from the street to support my claim the the variance would not be substantial. Please let me know if there is any other information that you require.

Best,

Benjamin Twait
Benjamin.twait@gmail.com
585-690-4395
2041 Morrow Ave











Thomas J. Cannizzo
Building Inspector

TOWN OF NISKAYUNA BUILDING DEPARTMENT

One Niskayuna Circle
Niskayuna, New York 12309-4381
(518) 386-4522
FAX: (518) 386-4556
EMAIL: building@niskayuna.org

Kenneth P. Hassett
Building Inspector

Building and Zoning Permit Denial

Address: 2041 Morrow Ave.

Application Date: 4/5/23

Benjamin Twait
2041 Morrow Ave.
Niskayuna, NY 12309

Dear Sir:


You are hereby notified, as required by Section 220-67 F of the Zoning Ordinance of the Town of Niskayuna, that your application to construct a six (6) foot fence on the property noted above has been denied by reason of Section 220-25 B (1) (a) of the Zoning Ordinance. The property is located in the R-2: Medium Density Residential Zoning District.

Fence: Section 220-25 B (1) (a) permits the maximum height for fences located in the front and side yards, to be four (4) feet. As proposed, a six (6) foot high fence will be located in the side yard; therefore, a two (2) foot fence height variance is required.

Under the provisions of Section 220-69 of the Zoning Ordinance of the Town of Niskayuna you may appeal this decision to the Zoning Board of Appeals and the undersigned within 60 days.

4-5-23

Date


Zoning Enforcement Officer



TOWN OF NISKAYUNA

APPLICATION FOR BUILDING AND ZONING PERMIT

One Niskayuna Circle

Niskayuna, New York 12309

Phone: 518-386-4522 Fax: 518-386-4592

Email: building@niskayuna.org

Application # B23-127

Received

APR - 5 2023

APPLICATION IS HEREBY MADE to the Town of Niskayuna Building Department for the issuance of a building and zoning permit pursuant to Town Code and the New York State Uniform Fire Prevention and Building Code. Application is hereby made for the construction of new buildings and accessory structures, additions and alterations to all buildings and structures, signage installation, drainage, excavation, fill and grading work, and replacement, removal and demolition projects, as herein described. The Applicant or Owner agrees to comply with all applicable laws, ordinances, regulations and all conditions expressed on this application which are part of these requirements, and will also allow or arrange for inspectors to enter the premises for inspections.

BUILDING SITE ADDRESS 2041 Morrow Ave, Niskayuna NY 12309

DESCRIBE WORK APPLIED FOR Replace existing Fence and adding fence to complete fence in the back yard

ESTIMATED VALUE OF ALL WORK (labor and materials):

TOTAL \$ 2,000.00

Please submit three sets of plans with this application.

APPLICANT Benjamin Twait

DAY PHONE (585) 690-4395

CHECK ONE:



CONTRACTOR



HOMEOWNER



OTHER (explain) _____

ADDRESS 2041 Morrow Ave

CITY Niskayuna

STATE NY

ZIP 12309

EMAIL ADDRESS benjamin.tawit@gmail.com

CONTRACTOR _____

DAY PHONE _____

ADDRESS _____

CITY _____

STATE _____

ZIP _____

Note: Proof of insurance is required. Please review our **Insurance Requirements** document to ensure contractors and homeowners have filed all appropriate documents with the Building Department.

PROPERTY OWNER Benjamin Twait

DAY PHONE 585-690-4395
(585) 609-4395

ADDRESS (if different than above) _____

CITY _____

STATE _____

ZIP _____

PLEASE SIGN Page 2

The applicant has reviewed and fully understands the requirements and conditions listed on this application. Article II, Section 75.5B of the Code of the Town of Niskayuna requires that where such application is made by a person other than the owner, it shall be accompanied by an affidavit of the owner or applicant that the proposed work is authorized by the owner and that the applicant is authorized to make such application.

Applicants who are the owners of the property DO NOT need to have this application notarized.

The undersigned hereby swears that the information provided on this application is true, correct and accurate.

Sworn to me on this _____ day of _____, _____


Signature of Applicant

Benjamin Twark
Printed Name

4/5/23
Date

Notary Public, State of New York

(FOR OFFICE USE ONLY BELOW)

BUILDING SITE ADDRESS 2041 Morrow Ave, Niskayuna NY 12309

KNOWN EASEMENTS: _____ WATER _____ SEWER _____ DRAINAGE _____ OTHER

PERMIT FEE DUE \$ _____ BASED ON _____

COMMENTS _____

ZONING DISTRICT _____ SECTION-BLOCK-LOT _____

REQUIRED INSPECTIONS:

- _____ 1. FOOTING FORMS AND REINFORCING PRIOR TO POURING OF CONCRETE
- _____ 2. FOUNDATION LOCATION PROVIDED AND STONE DRIVEWAY BASE INSTALLED PRIOR TO FOUNDATION INSPECTION
- _____ 3. FOUNDATION WALL AND DRAIN TILE INCLUDING LATERAL PRIOR TO BACKFILLING
- _____ 4. FIREPLACE INSPECTION AT BOX AND AT HALF STACK
- _____ 5. ROUGH PLUMBING
- _____ 6. ROUGH ELECTRICAL
- _____ 7. ROUGH FRAMING INSPECTION INCLUDING TRUSS CERTIFICATES AND ROUGH GRADING ESTABLISHED
- _____ 8. INSULATION INCLUDING PROPER VENTILATION
- _____ 9. FINAL PLUMBING
- _____ 10. FINAL ELECTRICAL
- _____ 11. FINAL BUILDING INSPECTION
- _____ 12. FINAL GRADING AND SOIL EROSION CONTROL
- _____ 13. (ADDITIONAL INSPECTIONS) _____

APPROVED BY _____

DATE _____

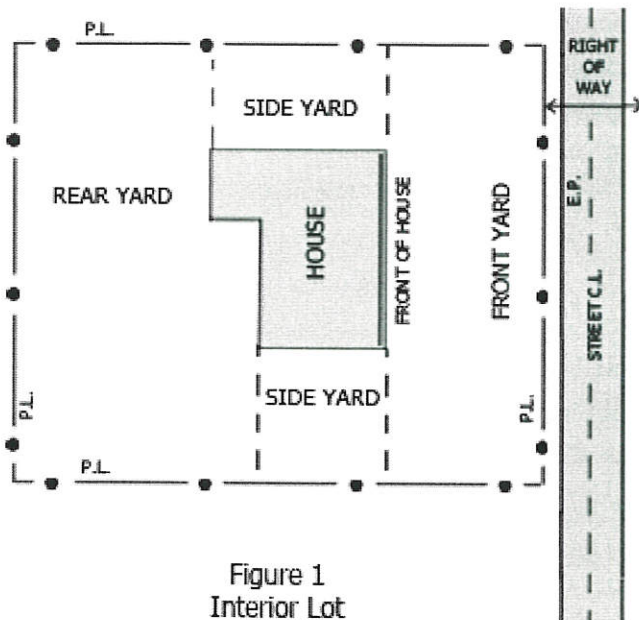


Figure 1
Interior Lot

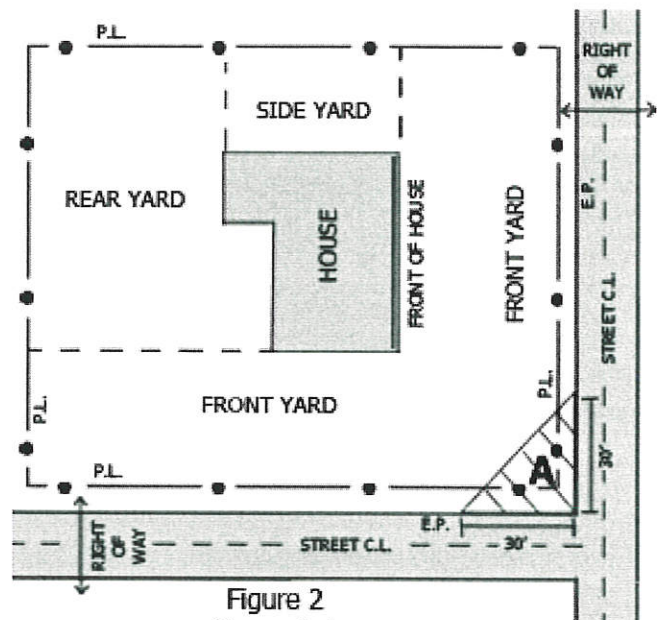


Figure 2
Corner Lot

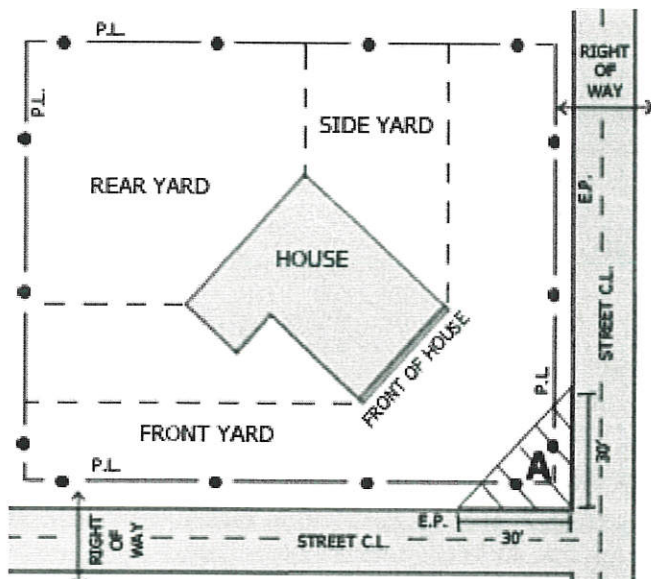


Figure 3
Corner Lot

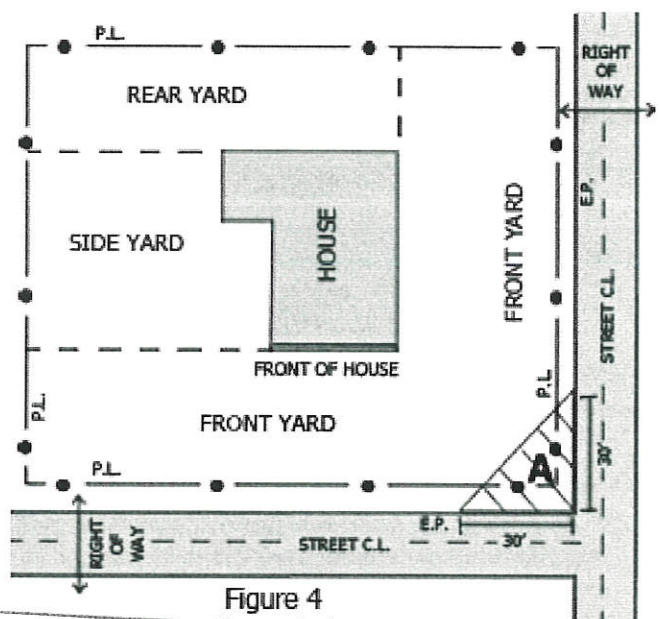


Figure 4
Corner Lot

Received
APR - 5 2023
Niskayuna Building Dept.

Property Address 2041 Morrow Ave Schenectady NY 12309

Are there any other accessory structures on the Property?

Fence	yes <input checked="" type="radio"/>	no <input type="radio"/>	height <u>6 ft</u>
Shed	yes <input type="radio"/>	no <input type="radio"/>	size _____
Swimming Pool	yes <input type="radio"/>	no <input type="radio"/>	size _____
Other	yes <input type="radio"/>	no <input type="radio"/>	size _____

Signature: [Signature]

—

Edge of pavement (E.P.)

Yard delineation runs parallel to edge of pavement

—●—

Property Line (P.L.)/Edge of Right of Way

A

Area A: No obstruction to vision exceeding 30 inches in height above the established grade of the street shall be maintained in this area. Trees where foliage is at least eight feet above grade are exceptions.

C.L. = Center Line of street

4-2016

2

75'

Received

APR - 5 2023

Niskayuna Building Dept.

120' of wood
privacy fence

87'

30' of 4x4 picket
wood

4' or 4x4
picket

18'

NEW

17'

30'

29'

HOUSE

13'

32'

36'

LOT 17
25'

LOT 18

50'

75'

RECEIVED

MAY 27 1980

BUILDING DEPT.
TOWN OF NISKAYUNA

Mark Tetham

2041 Morrow Ave.

Tiskayuna

**TOWN OF NISKAYUNA
ZONING BOARD OF APPEALS
One Niskayuna Circle
Niskayuna, New York 12309
(518) 386-4530**

June 2, 2023

TO WHOM IT MAY CONCERN:

A regular meeting of the Zoning Board of Appeals will be held on:

DATE: June 14, 2023

TIME: 7:00 P.M.

PLACE: Town Hall, One Niskayuna Circle, Niskayuna, New York

AT THIS TIME THE BOARD WILL CONSIDER THE REQUEST OF:

Appeal by John and Karen Splendido for a variance from Section 220-25 B (1) (a) of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 930 St Davids Lane, Niskayuna, New York, located in the R-1: Low Density Residential Zoning District, to construct a five (5) foot high fence which exceeds the height limit in the front and side yards.

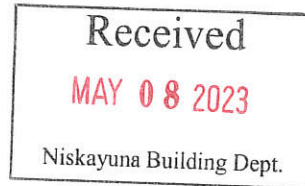
Section 220-25 B (1) (a) permits the maximum height for fences located in the front and side yards, to be four (4) feet. As proposed, a five (5) foot high fence is located in the front yard, along St. Davids Lane, and the side yard; therefore, a one (1) foot fence height variance is required.

A copy of the permit application and appeal is available for inspection at the Niskayuna Building Department in the Niskayuna Town Office Building and will be available at the public hearing. A copy of the agenda packet for the above referenced meeting date, which will include information for this variance request, will be available online after 5pm the Friday before the meeting at <https://www.niskayuna.org/node/1606/agenda/2023>.

IF YOU WISH TO EXPRESS AN OPINION REGARDING THE PROPOSED CHANGE, YOU MAY DO SO AT THE ABOVE-MENTIONED TIME AND PLACE. IF YOU CANNOT BE PRESENT, YOU MAY REQUEST A VIRTUAL LOGIN TO THE MEETING BY EMAILING LRobertson@Niskayuna.org OR CALLING 518-386-4530 OR YOU MAY SET FORTH YOUR APPROVAL OR OBJECTION IN A LETTER WHICH WILL BE MADE PART OF THE PERMANENT RECORD.

ZONING BOARD OF APPEALS

ZONING BOARD OF APPEALS
Application and Procedures For A Variance



Case No.	_____
Date Rece'd BA	_____
Date Hearing	_____
Date Action	_____
Ref.P.B.	Date _____
Ref. County	Date _____

TO: ZONING BOARD OF APPEALS

FROM: John & Karen Splendido

RE: Property at 930 St Davids Lane

I, John Splendido, the (owner) (agent of the owner) of the property located at 930 St Davids Lane

in the Town of Niskayuna, New York, hereby petition the Zoning Board of Appeals to review the decision of the Zoning Enforcement Officer on the above-referenced application and to grant a variance from Section(s) of the Zoning Ordinance in order to permit the proposed construction shown on the accompanying drawings.

I, also certify that I have provided the items listed below as required documents in my application for a variance before the Zoning Board of Appeals. I further acknowledge that omission of any of these items may result in delay in the Board's hearing of my application.

CHECKLIST OF REQUIRED ITEMS

- ☒ One (1) copy of plot plans
- ☒ One (1) copy of construction plans, if applicable
- ☒ Appeal fee (see application procedures for details)
- ☒ Appeal statement (see application procedures for details)
- ☒ Short Environmental Assessment Form, Project Information, as applicable for use variance
- ☒ Additional information as specified by the Zoning Enforcement Officer

Signature of Agent:  Date 05/08/23

Signature of Owner (if different from Agent) _____

Telephone Number: 518-496-3323

Email Address: jsplendido@rjmurray.com

For an area variance: Before an area variance can be granted, State Law requires that the ZBA take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

We wanted to have the fence come straight off the back of the house,
and remain 100% in our backyard (sideyard), but there are two large
healthy matured trees in the way (see picture) that we do not want to remove.

We are requesting a 5 foot fence to balance: 1) keeping our dogs safe along with 2) to
be reasonably close to the town code. Most rescue organizations and breeders
now require you to have a fenced in area before they will adopt/sell you a dog.
They suggest 6 ft, but 5 foot will keep our two dogs. 4ft is too easy to for dogs to jump.

2. Whether the granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

The fence we selected matches fencing in use on many other homes in and around the
Hexam Garden neighborhoods. It is a 3 rail black aluminum fence. It does not provide privacy.
It blends into the surroundings and is mostly see through, therefore will not change the aesthetic
of the neighborhood. My home is set far back (~120ft) from St Davids Lane. I technically have no backyard. The
proposed fence would be in the area we consider our backyard. If my house was situated in the usual location on a
parcel the whole fence would be in my backyard. The portion that is considered to be in my sideyard butts up
against my neighbors backyards. My neighbors could install a 6 foot fence along the same property line without
obtaining a variance. The fence will be a very long distance from the back of my neighbors homes. See images provided.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

This request is not substantial. I am requesting a 5ft see-through fence to be installed 108 ft from the St Davids Lane.

St Davids Lane is a busy double yellow line road. 6ft high fence variances along double yellow line roads in Niskayuna

is not unheard of. I am only requesting 5 ft., not the 6ft max. The portion that is considered in my side yard property butts

up against my neighbors' back yards. My neighbors could install a 6 foot fence without a variance along the same property line.

The variance I am requesting is unique to my property due to 1) the placement and orientation of my home on

the property and 2) the orientation of my neighbors homes and their homes distance from the property line.

4. Whether the variance will have adverse physical or environmental effects on the neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

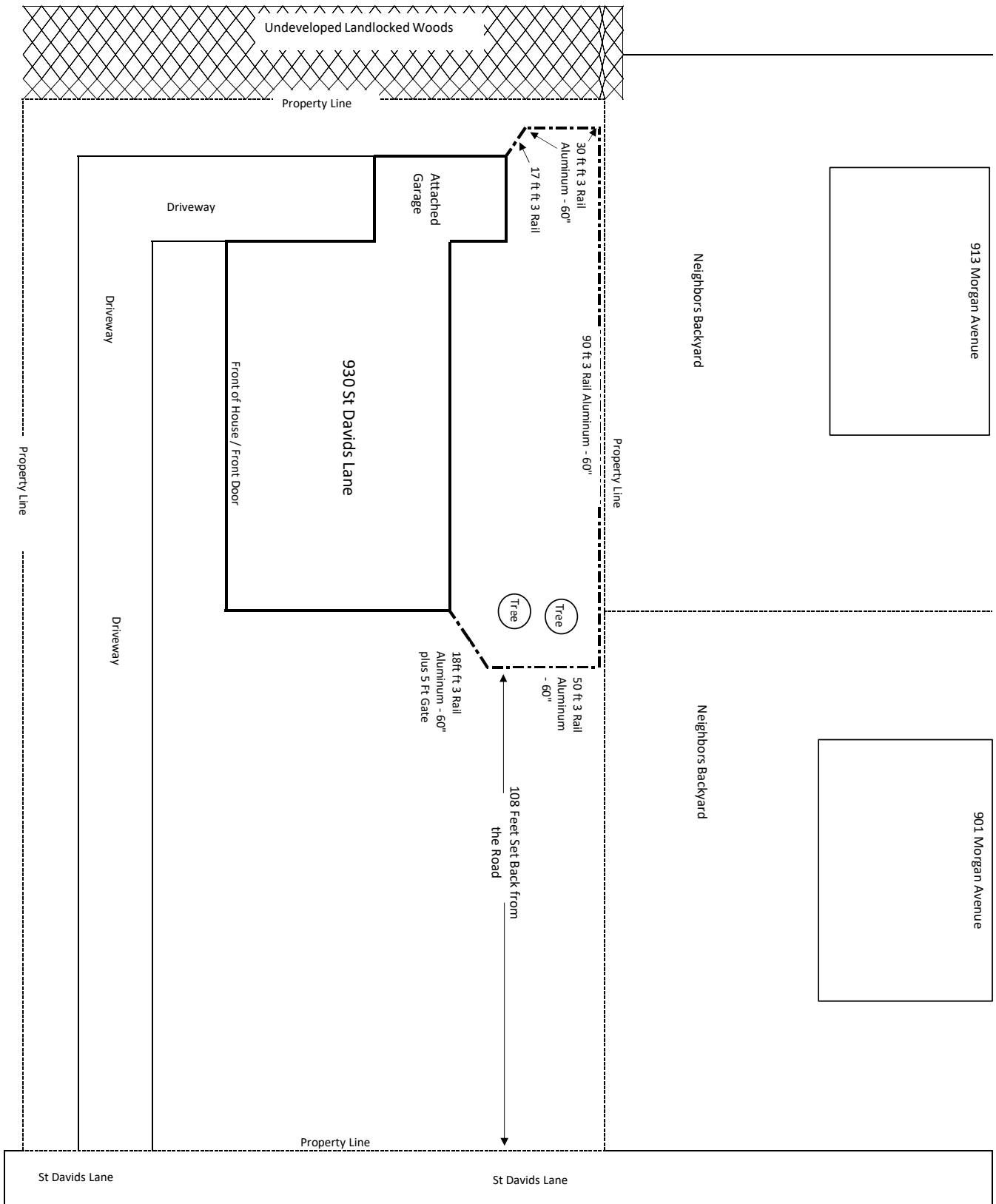
We are requesting a variance for the height. The allowance of a fence is not

in question. It does not pose an adverse physical or environmental effect.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance.) Explain whether the alleged difficulty was or was not self-created:

The alleged difficulty is not self-created. There are two trees keeping me from coming straight off the back (side) of my home thus the front yard variance request.

The sideyard variance request results from the placement and orientation of my home on my parcel of land back in 1933. A normal placement on my parcel would have this whole fence in my backyard.





In Red Rectangle = My 15 Year Old Daughter Holding up 2 sections of Fence 108ft from St Davids Lane.

The Front Yard Fence is Very Far Away from Road, and is See-Through. You can barely see it in the picture. You can see the hammock behind it.



Distance from
Fence to
neighbor at 901
Morgan Ave

That is the back or
their house. They
could install a 6 foot
fence along this
same property line
without a variance.

Distance from
Fence to
neighbor at 913
Morgan Ave

That is the back or
their house. They
could install a 6 foot
fence along this
same property line
without a variance.





If the fence came straight off the back (or side) of our house it would hit these 2 trees. Thus why the fence turns into our front yard.



The 2 family members this variance will help keep safe.



Thomas J. Cannizzo
Building Inspector

TOWN OF NISKAYUNA BUILDING DEPARTMENT

One Niskayuna Circle
Niskayuna, New York 12309-4381
(518) 386-4522
FAX: (518) 386-4556
building@niskayuna.org

Kenneth P. Hassett
Building Inspector

Building and Zoning Permit Denial

Address: 930 St. David's Lane

Application Date: 5/3/23

Mr. John Splendido
930 St. David's Lane
Niskayuna, NY 12309

Dear Sir:

You are hereby notified, as required by Section 220-67 F of the Zoning Ordinance of the Town of Niskayuna, that your application for the installation of a fence on the property noted above has been denied by reason of Section 220-25 B (1) (a) of the Zoning Ordinance. The property is located in the R-1: Low Density Residential Zoning District.


Section 220-25 B (1) (a) permits the maximum height for fences located in the front and side yards, to be four (4) feet. As proposed, a five (5) foot high fence is located in the front, along St. David's Lane, and the side yard, therefore, a one (1) foot fence height variance is required.

Under the provisions of Section 220-69 of the Zoning Ordinance of the Town of Niskayuna you may appeal this decision to the Zoning Board of Appeals and the undersigned within 60 days.

5.4.23

Date

AS AMENDED


Ken Hassett
Zoning Enforcement Officer



TOWN OF NISKAYUNA

APPLICATION FOR BUILDING AND ZONING PERMIT

One Niskayuna Circle
Niskayuna, New York 12309
Phone: 518-386-4522 Fax: 518-386-4592
Email: building@niskayuna.org

Application # B23-218



APPLICATION IS HEREBY MADE to the Town of Niskayuna Building Department for the issuance of a building and zoning permit pursuant to Town Code and the New York State Uniform Fire Prevention and Building Code. Application is hereby made for the construction of new buildings and accessory structures, additions and alterations to all buildings and structures, signage installation, drainage, excavation, fill and grading work, and replacement, removal and demolition projects, as herein described. The Applicant or Owner agrees to comply with all applicable laws, ordinances, regulations and all conditions expressed on this application which are part of these requirements, and will also allow or arrange for inspectors to enter the premises for inspections.

BUILDING SITE ADDRESS 930 ST DAVIDS LANE
DESCRIBE WORK APPLIED FOR 200 FT FENCE - 5' FENCE

ESTIMATED VALUE OF ALL WORK (labor and materials):

TOTAL \$ 8500-

Please submit three sets of plans with this application.

APPLICANT JOHN SPLENDIDO DAY PHONE 518 496 3323

CHECK ONE: ☐ CONTRACTOR

☒ HOMEOWNER

☐ OTHER (explain) _____

ADDRESS 930 ST DAVIDS LANE

CITY NISKAYUNA STATE NY ZIP 12309

EMAIL ADDRESS JSPLENDIDO@RTSMURRAY.COM

CONTRACTOR _____ DAY PHONE _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

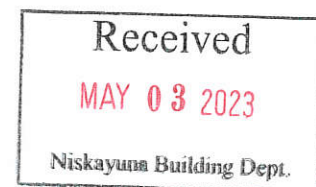
Note: Proof of insurance is required. Please review our **Insurance Requirements** document to ensure contractors and homeowners have filed all appropriate documents with the Building Department.

PROPERTY OWNER JOHN SPLENDIDO DAY PHONE 518 496 3323

ADDRESS (if different than above) _____

CITY _____ STATE _____ ZIP _____

PLEASE SIGN Page 2



The applicant has reviewed and fully understands the requirements and conditions listed on this application. Article II, Section 75.5B of the Code of the Town of Niskayuna requires that where such application is made by a person other than the owner, it shall be accompanied by an affidavit of the owner or applicant that the proposed work is authorized by the owner and that the applicant is authorized to make such application.

Applicants who are the owners of the property DO NOT need to have this application notarized.

The undersigned hereby swears that the information provided on this application is true, correct and accurate.

Sworn to me on this _____ day of _____, _____


Signature of Applicant

Tom Spencio
Printed Name

5/3/23
Date

Notary Public, State of New York

(FOR OFFICE USE ONLY BELOW)

BUILDING SITE ADDRESS _____

KNOWN EASEMENTS: _____ WATER _____ SEWER _____ DRAINAGE _____ OTHER

PERMIT FEE DUE \$ _____ BASED ON _____

COMMENTS _____

ZONING DISTRICT _____ SECTION-BLOCK-LOT _____

REQUIRED INSPECTIONS:

- ____ 1. FOOTING FORMS AND REINFORCING PRIOR TO POURING OF CONCRETE
- ____ 2. FOUNDATION LOCATION PROVIDED AND STONE DRIVEWAY BASE INSTALLED PRIOR TO FOUNDATION INSPECTION
- ____ 3. FOUNDATION WALL AND DRAIN TILE INCLUDING LATERAL PRIOR TO BACKFILLING
- ____ 4. FIREPLACE INSPECTION AT BOX AND AT HALF STACK
- ____ 5. ROUGH PLUMBING
- ____ 6. ROUGH ELECTRICAL
- ____ 7. ROUGH FRAMING INSPECTION INCLUDING TRUSS CERTIFICATES AND ROUGH GRADING ESTABLISHED
- ____ 8. INSULATION INCLUDING PROPER VENTILATION
- ____ 9. FINAL PLUMBING
- ____ 10. FINAL ELECTRICAL
- ____ 11. FINAL BUILDING INSPECTION
- ____ 12. FINAL GRADING AND SOIL EROSION CONTROL
- ____ 13. (ADDITIONAL INSPECTIONS) _____

APPROVED BY _____

DATE _____

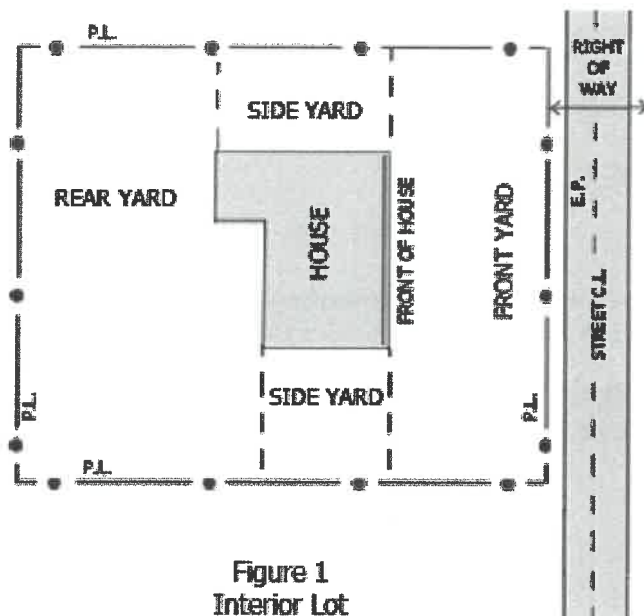


Figure 1
Interior Lot

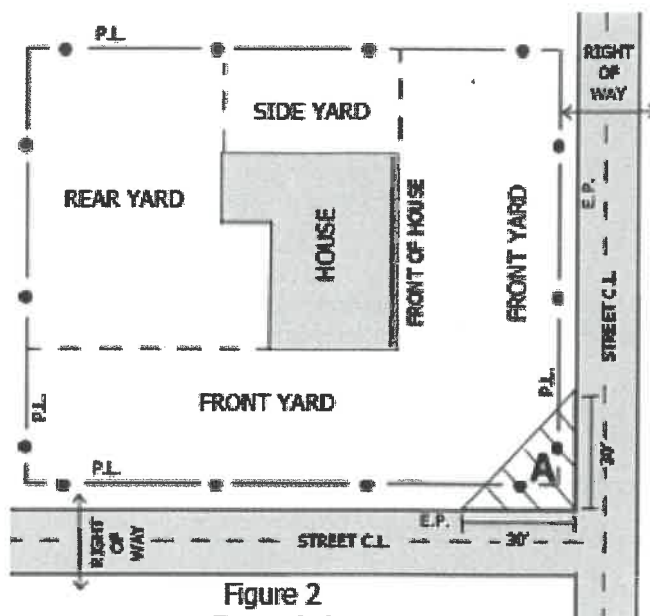


Figure 2
Corner Lot

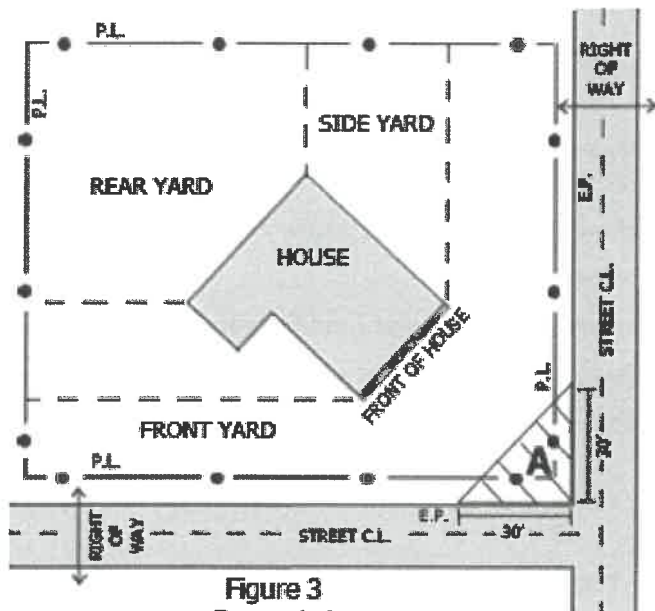


Figure 3
Corner Lot

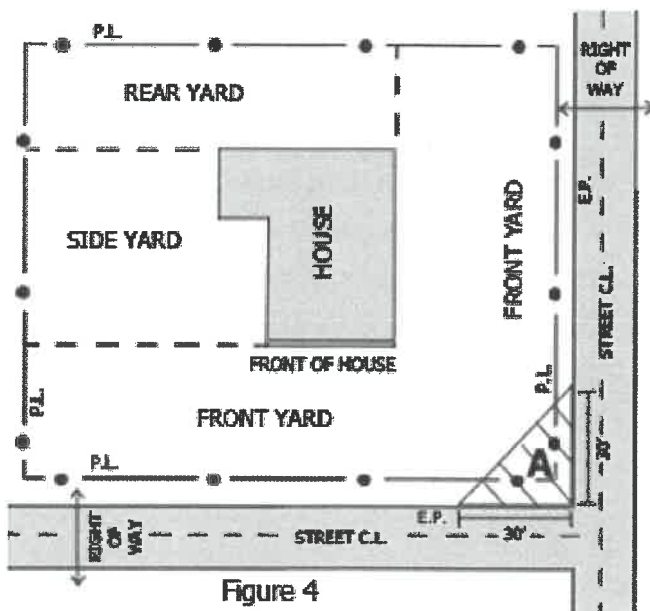


Figure 4
Corner Lot

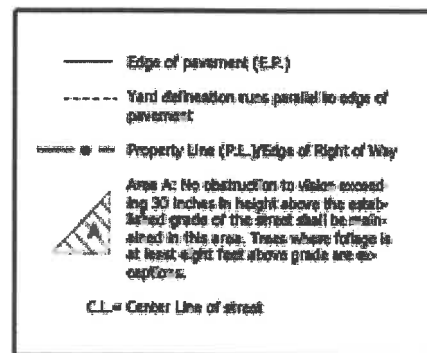
Property Address 930 ST DAVIDS LANE

Are there any other accessory structures on the Property?

Fence	yes	<input type="radio"/>	no	<input checked="" type="radio"/>	height	_____
Shed	yes	<input type="radio"/>	no	<input checked="" type="radio"/>	size	_____
Swimming Pool	yes	<input type="radio"/>	no	<input checked="" type="radio"/>	size	_____
Other	yes	<input type="radio"/>	no	<input checked="" type="radio"/>	size	_____

Signature: _____

[Handwritten Signature]



ACCESSORY STRUCTURE SUPPLEMENT TO PERMIT APPLICATION

Plans (three sets) and all of the following information are required with accessory structure permit applications.

- a. Address of property 930 ST DAVIDS LANE
- b. Size of accessory structure 200 FT FENCE
- c. Distance to property lines:
- Side 1 _____
- Side 2 _____
- Rear _____
- Other _____
- d. Are there any other accessory structures on the property?
- Fence yes ☐ no ☒ height _____
- Shed yes ☐ no ☒ size _____
- Swimming Pool yes ☐ no ☒ size _____
- Other yes ☐ no ☒ size _____
- e. Height of accessory structure 54" - 60"
- f. Type of foundation for structure (if any) N/A

Zoning District	maximum total coverage of accessory structures	side & rear setback if 120 sq. ft. or less	side setback	rear setback	setback to a street
R-R	NA	5 feet	35 feet	40 feet	no closer than wall of house
<u>R-1</u>	2,250 sq. ft. or less if lot is less than 18,000 sq. ft.	5 feet	20 feet	25 feet	no closer than wall of house
R-2, R-3 or R-P	1,350 sq. ft. or less if lot is less than 9,000 sq. ft.	5 feet	15 feet	20 feet	no closer than wall of house

Applicant's Signature: _____

Date: 5/3/23

(For office use only)

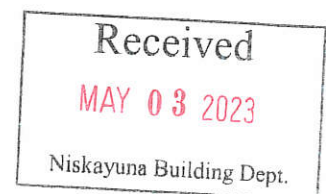
Area of lot _____

Maximum accessory structure coverage allowed _____

Total accessory structure coverage actual _____

Maximum lot coverage allowed _____

Total lot coverage actual _____





Undeveloped Landlocked Woods

Property Line

Neighbors Backyard

Neighbors Backyard

Property Line

90 ft 3 Rail Aluminum - 60"

30 ft 3 Rail Aluminum - 60"

17 ft 3 Rail Aluminum - 60"

Attached Garage

House

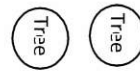
Front of House / Front Door

Driveway

Driveway

Driveway

Property Line



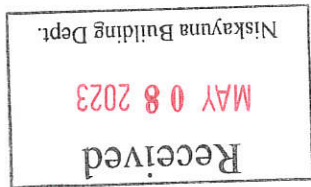
Tree

Tree

50 ft 3 Rail Aluminum - 60"

18ft ft 3 Rail Aluminum - 60" plus 5 Ft Gate

108 Feet Set Back from the Road



Property Line

St Davids Lane

St Davids Lane

**TOWN OF NISKAYUNA
ZONING BOARD OF APPEALS
One Niskayuna Circle
Niskayuna, New York 12309
(518) 386-4530**

June 2, 2023

TO WHOM IT MAY CONCERN:

A regular meeting of the Zoning Board of Appeals will be held on:

DATE: June 14, 2023

TIME: 7:00 P.M.

PLACE: Town Hall, One Niskayuna Circle, Niskayuna, New York

AT THIS TIME THE BOARD WILL CONSIDER THE REQUEST OF:

Appeal by Todd Birmingham for a variance from Section 220-4, Section 220-13, Schedule I-B and Section 220-15 D of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 2260 Pinehaven Drive, Niskayuna, New York, located in the R-1: Low Density Residential Zoning District, to construct a 12' x 14' deck partially within the rear yard setback.

Section 220-4 defines a corner lot as a lot at the intersection of two streets. The property is a corner lot at the intersection of Pinehaven Drive and Fernwood Drive. Also, "Each street line shall be considered a front lot line. The interior lot line most nearly parallel to the rear of the principal structure shall be deemed to be the rear lot line. The other interior lot line shall be deemed to be the side line and the rear and side yard requirements shall be calculated accordingly.

Section 220-13, Schedule I-B requires a twenty (20) foot minimum side yard setback.

Section 220-15 D states for corner lots, "front yard minimums shall be required of both yards facing a street on a corner lot. Side yard minimums shall be required of the remaining two yards for properties located in the R-1 and R-2 Zoning Districts."

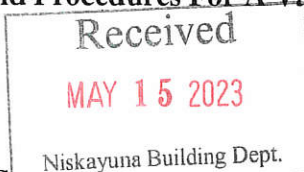
As proposed, the deck would be located fifteen (15) feet from the property line; therefore, a five (5) foot setback variance is required.

A copy of the permit application and appeal is available for inspection at the Niskayuna Building Department in the Niskayuna Town Office Building and will be available at the public hearing. A copy of the agenda packet for the above referenced meeting date, which will include information for this variance request, will be available online after 5pm the Friday before the meeting at <https://www.niskayuna.org/node/1606/agenda/2023>.

IF YOU WISH TO EXPRESS AN OPINION REGARDING THE PROPOSED CHANGE, YOU MAY DO SO AT THE ABOVE-MENTIONED TIME AND PLACE. IF YOU CANNOT BE PRESENT, YOU MAY REQUEST A VIRTUAL LOGIN TO THE MEETING BY EMAILING LRobertson@Niskayuna.org OR CALLING 518-386-4530 OR YOU MAY SET FORTH YOUR APPROVAL OR OBJECTION IN A LETTER WHICH WILL BE MADE PART OF THE PERMANENT RECORD.

ZONING BOARD OF APPEALS

ZONING BOARD OF APPEALS
Application and Procedures For A Variance



Case No.	_____
Date Rece'd BA	_____
Date Hearing	_____
Date Action	_____
Ref.P.B.	_____ Date _____
Ref. County	_____ Date _____

TO: ZONING BOARD OF APPEALS

FROM: Todd Birmingham

RE: Property at 2260 Pinehaven Drive

I, Todd Birmingham, the (owner) (agent of the owner) of the property located at 2260 Pinehaven Drive in the Town of Niskayuna, New York, hereby petition the Zoning Board of Appeals to review the decision of the Zoning Enforcement Officer on the above-referenced application and to grant a variance from Section(s) of the Zoning Ordinance in order to permit the proposed construction shown on the accompanying drawings.

I, also certify that I have provided the items listed below as required documents in my application for a variance before the Zoning Board of Appeals. I further acknowledge that omission of any of these items may result in delay in the Board's hearing of my application.

CHECKLIST OF REQUIRED ITEMS

- ☒ One (1) copy of plot plans
- ☒ One (1) copy of construction plans, if applicable
- ☒ Appeal fee (see application procedures for details)
- ☒ Appeal statement (see application procedures for details)
- _____ Short Environmental Assessment Form, Project Information, as applicable for use variance
- _____ Additional information as specified by the Zoning Enforcement Officer

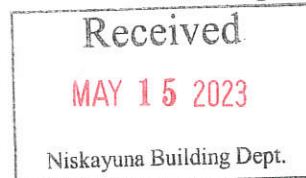
Signature of Agent: _____ Date _____

Signature of Owner (if different from Agent) Todd Birmingham

Telephone Number: 518-225-9812

Email Address: birmmy@live.com

For an area variance: Before an area variance can be granted, State Law requires that the ZBA take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.



To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

There are no other alternatives that are available to my wife and I as we would like to be able to enjoy an outside eating and gathering location in the form of a deck. We have lived in this home since December 2001 and feel the timing is right to enjoy the outdoors more so.

2. Whether the granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

1- There will still be a solid 15 feet between the deck and our neighbor's home on Fernwood drive.
2- There's trees and plants that already separates our properties boundaries and provides privacy and a deck won't change that.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

1- There's still a solid 15 feet from the outermost edge of the deck to the property line.
2- A deck is a reasonable thing to build and will be done with fine craftsmanship keeping the neighborhood appeal and charm.

4. Whether the variance will have adverse physical or environmental effects on the neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

1 - Many homes in our neighborhood have a deck.
2 - A 12x14 deck is an average or below average sized deck so I believe it will be consistent with the size on other homes in neighborhood.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance.) Explain whether the alleged difficulty was or was not self-created:

The deck is a means to an end and will allow our family to be outdoors more so with each other.

The question is not applicable to our situation it appears.

Received

MAY 15 2023

Niskayuna Building Dept.

Dads' fax # - 758-2621

Received

MAY 15 2023

Niskayuna Building Dept.

Lot 134

PINEHAVEN DRIVE
(60' R.O.W.)

55-3
final
Minto C.O.

S. 7° 26' W.

115.99'

C = 56.82'
N. 85° 12' - 15"E
L = 97.30'
T = 74.94' L = 145.29'

S. 82° - 32' E.

R = 50'
T = 30'
L = 78.54'

N. 7° - 28' E.

100.42'

FERNWOOD DRIVE

(60' R.O.W.)

N. 82° - 32' W.

Lot 132

156.35'

40' Building
Line

50.42'

estimate

LOT 133 - PINEHAVEN DRIVE
ROSENDALE ESTATES - SECTION 6

TOWN OF NISKAYUNA

COUNTY: SCHENECTADY, N.Y.

SCALE: 1" = 30'

DATE: FEBRUARY 22, 1968

C. T. MALE ASSOCIATES
3010 TROY ROAD
SCHENECTADY, NEW YORK

MAP BY:

John S. Hay

LIC. NO.:

L.S. 41,014

DATE	Prop. Bldg. Loc./LEWANDOWSKI
2/22/88	
2/27/68	Foundation Location/LEWANDOWSKI

K-E ALBANY, N.Y.



Thomas J. Cannizzo
Building Inspector

TOWN OF NISKAYUNA BUILDING DEPARTMENT

One Niskayuna Circle
Niskayuna, New York 12309-4381
(518) 386-4522
FAX: (518) 386-4556
building@niskayuna.org

Kenneth P. Hassett
Building Inspector

Building and Zoning Permit Denial

Address: 2260 Pinehaven Drive

Application Date: 5-12-23

**TO: Todd Birmingham
2260 Pinehaven Drive
Niskayuna, NY 12309**

Dear Sir:

You are hereby notified, as required by Section 220-67 F of the Zoning Ordinance of the Town of Niskayuna, that your application for construction of a 12' x 14' deck on the property, has been denied by reason of Section 220-4, Section 220-13, Schedule I-B and Section 220-15 D of the Town of Niskayuna Zoning Ordinance. The property is located in the R-1: Low Density Residential Zoning District.

Section 220-4 defines a corner lot as a lot at the intersection of two streets. The property is a corner lot at the intersection of Pinehaven Drive and Fernwood Drive. Also, "Each street line shall be considered a front lot line. The interior lot line most nearly parallel to the rear of the principal structure shall be deemed to be the rear lot line. The other interior lot line shall be deemed to be the side line and the rear and side yard requirements shall be calculated accordingly.

Section 220-13, Schedule I-B requires a twenty (20) foot minimum side yard setback.

Section 220-15 D states for corner lots, "front yard minimums shall be required of both yards facing a street on a corner lot. Side yard minimums shall be required of the remaining two yards for properties located in the R-1 and R-2 Zoning Districts."

As proposed, the deck would be located fifteen (15) feet from the rear property line; therefore, a five (5) foot rear yard setback variance is required.

Under the provisions of Section 220-69 of the Zoning Ordinance of the Town of Niskayuna you may appeal this decision to the Zoning Board of Appeals and the undersigned within 60 days.

5/16/23

Date



Zoning Enforcement Officer

How FR 78A

Application # 623-248



TOWN OF NISKAYUNA

APPLICATION FOR BUILDING AND ZONING PERMIT

One Niskayuna Circle
Niskayuna, New York 12309
Phone: 518-386-4522 Fax: 518-386-4592
Email: building@niskayuna.org

Received

MAY 12 2023

Niskayuna Building Dept.

APPLICATION IS HEREBY MADE to the Town of Niskayuna Building Department for the issuance of a building and zoning permit pursuant to Town Code and the New York State Uniform Fire Prevention and Building Code. Application is hereby made for the construction of new buildings and accessory structures, additions and alterations to all buildings and structures, signage installation, drainage, excavation, fill and grading work, and replacement, removal and demolition projects, as herein described. The Applicant or Owner agrees to comply with all applicable laws, ordinances, regulations and all conditions expressed on this application which are part of these requirements, and will also allow or arrange for inspectors to enter the premises for inspections.

BUILDING SITE ADDRESS 2260 Pinehaven Drive, Niskayuna, 12309
DESCRIBE WORK APPLIED FOR Deck in backyard (12 x 14)

ESTIMATED VALUE OF ALL WORK (labor and materials):

TOTAL \$ 9,975.00

Please submit three sets of plans with this application.

APPLICANT Todd Birmingham **DAY PHONE** 518-225-9812

CHECK ONE:
☒ **CONTRACTOR**
☐ **HOMEOWNER**
☐ **OTHER (explain)** _____

ADDRESS 2260 Pinehaven Drive
CITY Niskayuna **STATE** NY **ZIP** 12309
EMAIL ADDRESS birmy@live.com

CONTRACTOR JB's Landscaping + Firewood **DAY PHONE** 518-470-0142
ADDRESS 1791 Mariaville Scotch Church Road
CITY Pattersonville **STATE** NY **ZIP** 12137

Note: Proof of insurance is required. Please review our **Insurance Requirements** document to ensure contractors and homeowners have filed all appropriate documents with the Building Department.

PROPERTY OWNER _____ **DAY PHONE** _____

ADDRESS (if different than above) _____

CITY _____ **STATE** _____ **ZIP** _____

PLEASE SIGN Page 2

The applicant has reviewed and fully understands the requirements and conditions listed on this application. Article II, Section 75.5B of the Code of the Town of Niskayuna requires that where such application is made by a person other than the owner, it shall be accompanied by an affidavit of the owner or applicant that the proposed work is authorized by the owner and that the applicant is authorized to make such application.

Applicants who are the owners of the property DO NOT need to have this application notarized.

The undersigned hereby swears that the information provided on this application is true, correct and accurate.

Sworn to me on this 10 day of May, 23

Todd Byr
Signature of Applicant

Todd Birmingham
Printed Name

May 10, 23
Date

Notary Public, State of New York

(FOR OFFICE USE ONLY BELOW)

BUILDING SITE ADDRESS _____

KNOWN EASEMENTS: _____ WATER _____ SEWER _____ DRAINAGE _____ OTHER

PERMIT FEE DUE \$ _____ BASED ON _____

COMMENTS _____

ZONING DISTRICT _____ SECTION-BLOCK-LOT _____

REQUIRED INSPECTIONS:

- ____ 1. FOOTING FORMS AND REINFORCING PRIOR TO POURING OF CONCRETE
- ____ 2. FOUNDATION LOCATION PROVIDED AND STONE DRIVEWAY BASE INSTALLED PRIOR TO FOUNDATION INSPECTION
- ____ 3. FOUNDATION WALL AND DRAIN TILE INCLUDING LATERAL PRIOR TO BACKFILLING
- ____ 4. FIREPLACE INSPECTION AT BOX AND AT HALF STACK
- ____ 5. ROUGH PLUMBING
- ____ 6. ROUGH ELECTRICAL
- ____ 7. ROUGH FRAMING INSPECTION INCLUDING TRUSS CERTIFICATES AND ROUGH GRADING ESTABLISHED
- ____ 8. INSULATION INCLUDING PROPER VENTILATION
- ____ 9. FINAL PLUMBING
- ____ 10. FINAL ELECTRICAL
- ____ 11. FINAL BUILDING INSPECTION
- ____ 12. FINAL GRADING AND SOIL EROSION CONTROL
- ____ 13. (ADDITIONAL INSPECTIONS) _____

APPROVED BY _____

DATE _____

Please see attached design for more info.

DECK SUPPLEMENT TO PERMIT APPLICATION

While not all inclusive, the previous comments should be used as a general guide to code compliance. Complete and accurate information will expedite the plan review process.

Plans and all of the following information are required with deck permit applications.

Address of property 2260 Pinehaven Drive

a. Size and depth of footing _____

b. Type of footing forms (i.e. cardboard tubes) _____

c. Size and spacing of posts 6x6 posts w/ triple 2x8 corner beams

d. Type of lumber framing lumber will be pressure treated

e. Size of beams 2x8

f. Size and spacing of joists 2x8

g. Is the deck off a cantilever? Yes ☐ No ☒

If Yes, how will joists be supported? _____

h. Type of floor boards Trex composite

i. Height of deck off ground _____

j. Height and design of guardrail _____

k. Size of deck 12 x 14

Distance to property lines:

Side 1 15 feet

Side 2 _____

Rear home is 27 ft from Fernwood neighbor - once deck is built it will be 15 feet from property line

Other _____

Guidelines for allowable spans:

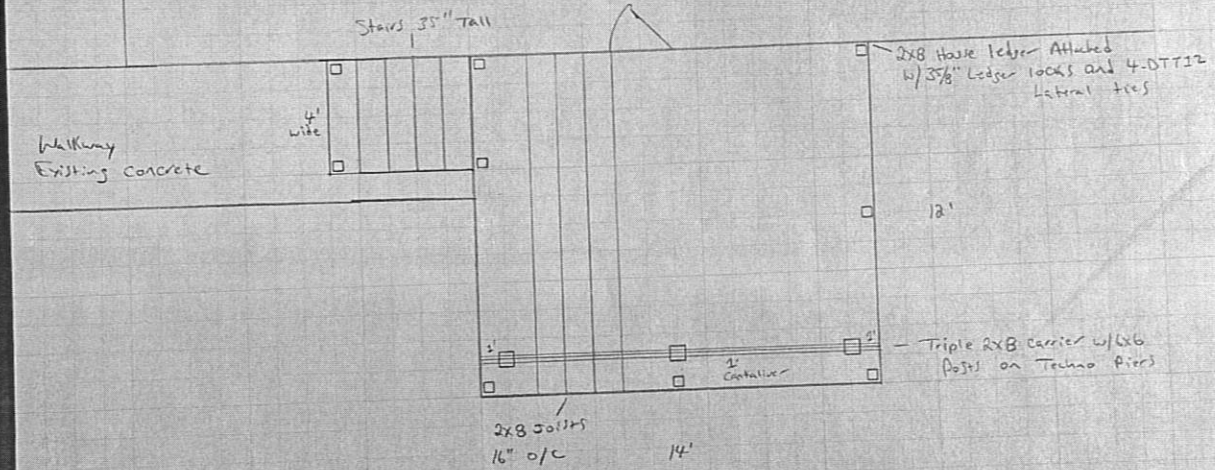
Flr	Allowable spans		Beams	Allowable loads per span (in pounds)			
				5 ft.	6 ft.	7 ft.	8 ft.
2	8' 1"	"	1-2 x 6	1010#	840#	721#	630#
			2-2 x 6	2020#	1680#	1442#	1260#
			3-2 x 6	3030#	2520#	2163#	1890#
			4-2 x 6	4040#	3360#	2884#	2520#
			5-2 x 6	5050#	4200#	3605#	3150#
			6-2 x 6	6060#	5040#	4326#	3780#
			7-2 x 6	7070#	5880#	5047#	4410#
			8-2 x 6	8080#	6720#	5768#	5040#
			9-2 x 6	9090#	7560#	6489#	5670#
			10-2 x 6	10100#	8400#	7210#	6300#
			11-2 x 6	11110#	9240#	7931#	6930#
			12-2 x 6	12120#	10080#	8652#	7560#
			13-2 x 6	13130#	10920#	9373#	8190#
			14-2 x 6	14140#	11760#	10094#	8820#
			15-2 x 6	15150#	12600#	10815#	9450#
			16-2 x 6	16160#	13440#	11536#	10080#
			17-2 x 6	17170#	14280#	12257#	10710#
			18-2 x 6	18180#	15120#	12978#	11340#
			19-2 x 6	19190#	15960#	13699#	11970#
			20-2 x 6	20200#	16800#	14420#	12600#
			21-2 x 6	21210#	17640#	15141#	13230#
			22-2 x 6	22220#	18480#	15862#	13860#
			23-2 x 6	23230#	19320#	16583#	14490#
			24-2 x 6	24240#	20160#	17304#	15120#
			25-2 x 6	25250#	21000#	18025#	15750#
			26-2 x 6	26260#	21840#	18746#	16380#
			27-2 x 6	27270#	22680#	19467#	17010#
			28-2 x 6	28280#	23520#	20188#	17640#
			29-2 x 6	29290#	24360#	20909#	18270#
			30-2 x 6	30300#	25200#	21630#	18900#
			31-2 x 6	31310#	26040#	22351#	19530#
			32-2 x 6	32320#	26880#	23072#	20160#
			33-2 x 6	33330#	27720#	23793#	20790#
			34-2 x 6	34340#	28560#	24514#	21420#
			35-2 x 6	35350#	29400#	25235#	22050#
			36-2 x 6	36360#	30240#	25956#	22680#
			37-2 x 6	37370#	31080#	26677#	23310#
			38-2 x 6	38380#	31920#	27398#	23940#
			39-2 x 6	39390#	32760#	28119#	24570#
			40-2 x 6	40400#	33600#	28840#	25200#
			41-2 x 6	41410#	34440#	29561#	25830#
			42-2 x 6	42420#	35280#	30282#	26460#
			43-2 x 6	43430#	36120#	31003#	27090#
			44-2 x 6	44440#	36960#	31724#	27720#
			45-2 x 6	45450#	37800#	32445#	28350#
			46-2 x 6	46460#	38640#	33166#	28980#
			47-2 x 6	47470#	39480#	33887#	29610#
			48-2 x 6	48480#	40320#	34608#	30240#
			49-2 x 6	49490#	41160#	35329#	30870#
			50-2 x 6	50500#	42000#	36050#	31500#
			51-2 x 6	51510#	42840#	36771#	32130#
			52-2 x 6	52520#	43680#	37492#	32760#
			53-2 x 6	53530#	44520#	38213#	33390#
			54-2 x 6	54540#	45360#	38934#	34020#
			55-2 x 6	55550#	46200#	39655#	34650#
			56-2 x 6	56560#	47040#	40376#	35280#
			57-2 x 6	57570#	47880#	41097#	35910#
			58-2 x 6	58580#	48720#	41818#	36540#
			59-2 x 6	59590#	49560#	42539#	37170#
			60-2 x 6	60600#	50400#	43260#	37800#
			61-2 x 6	61610#	51240#	43981#	38430#
			62-2 x 6	62620#	52080#	44702#	39060#
			63-2 x 6	63630#	52920#	45423#	39690#
			64-2 x 6	64640#	53760#	46144#	40320#
			65-2 x 6	65650#	54600#	46865#	40950#
			66-2 x 6	66660#	55440#	47586#	41580#
			67-2 x 6	67670#	56280#	48307#	42210#
			68-2 x 6	68680#	57120#	49028#	42840#
			69-2 x 6	69690#	57960#	49749#	43470#
			70-2 x 6	70700#	58800#	50470#	44100#
			71-2 x 6	71710#	59640#	51191#	44730#
			72-2 x 6	72720#	60480#	51912#	45360#
			73-2 x 6	73730#	61320#	52633#	45990#
			74-2 x 6	74740#	62160#	53354#	46620#
			75-2 x 6	75750#	63000#	54075#	47250#
			76-2 x 6	76760#	63840#	54796#	47880#
			77-2 x 6	77770#	64680#	55517#	48510#
			78-2 x 6	78780#	65520#	56238#	49140#
			79-2 x 6	79790#	66360#	56959#	49770#
			80-2 x 6	80800#	67200#	57680#	50400#
			81-2 x 6	81810#	68040#	58401#	51030#
			82-2 x 6	82820#	68880#	59122#	51660#
			83-2 x 6	83830#	69720#	59843#	52290#
			84-2 x 6	84840#	70560#	60564#	52920#
			85-2 x 6	85850#	71400#	61285#	53550#
			86-2 x 6	86860#	72240#	62006#	54180#
			87-2 x 6	87870#	73080#	62727#	54810#
			88-2 x 6	88880#	73920#	63448#	55440#
			89-2 x 6	89890#	74760#	64169#	56070#
			90-2 x 6	90900#	75600#	64890#	56700#
			91-2 x 6	91910#	76440#	65611#	57330#
			92-2 x 6	92920#	77280#	66332#	57960#
			93-2 x 6	93930#	78120#	67053#	58590#
			94-2 x 6	94940#	78960#	67774#	59220#
			95-2 x 6	95950#	79800#	68495#	59850#
			96-2 x 6	96960#	80640#	69216#	60480#
			97-2 x 6	97970#	81480#	69937#	61110#
			98-2 x 6	98980#	82320#	70658#	61740#
			99-2 x 6	99990#	83160#	71379#	62370#
			100-2 x 6	100000#	84000#	72100#	63000#

Applicants Signature: Fred Vigneri

Date: May 14, 23

Todd Birmingham
2260 Pincham Dr.
Niskayuna 12309

House



- - Railing Posts
- - 6x6 on Techno Piers

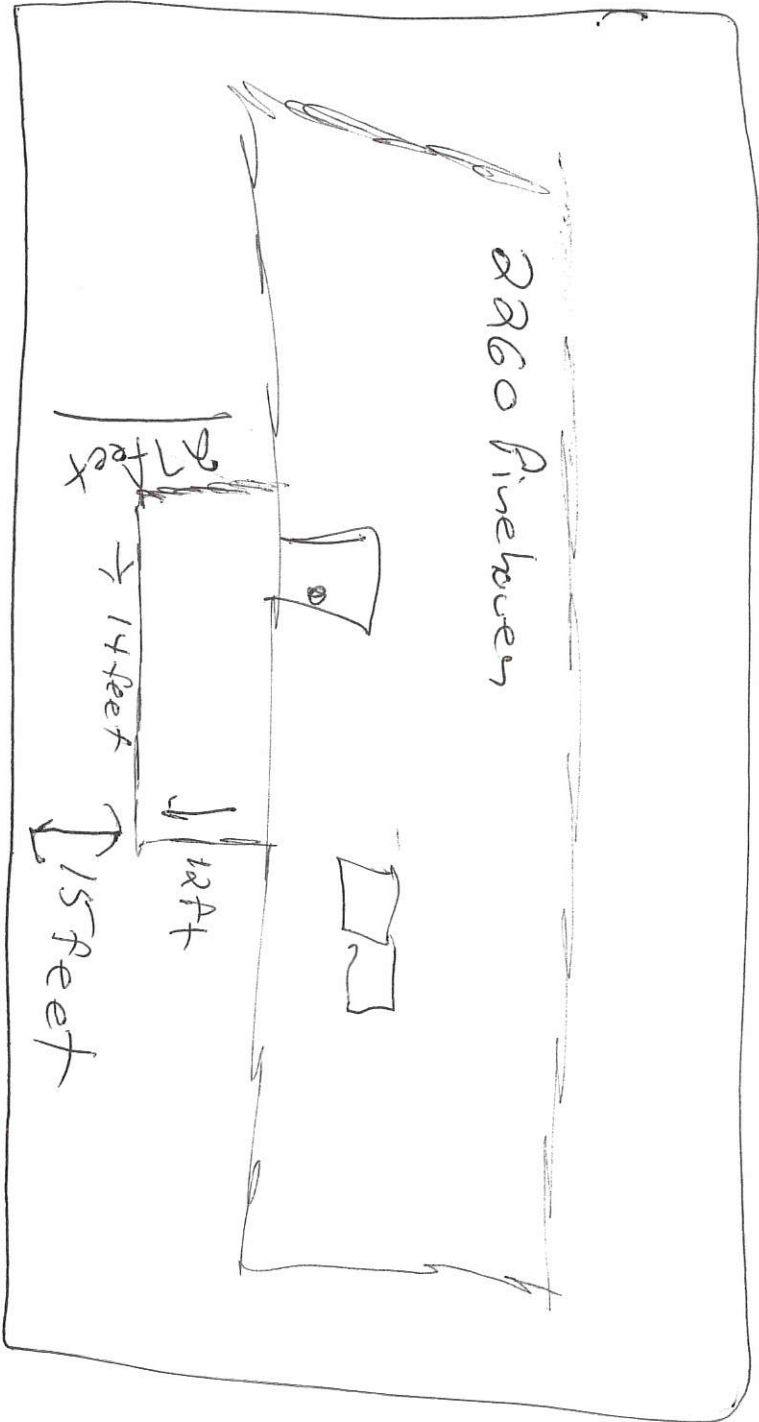
Received

MAY 12 2023

Niskayuna Building Dept.

Fernwood

Pinehaven



Received
MAY 12 2023
Niskayuna Building Dept.

**TOWN OF NISKAYUNA
ZONING BOARD OF APPEALS
One Niskayuna Circle
Niskayuna, New York 12309
(518) 386-4530**

June 2, 2023

TO WHOM IT MAY CONCERN:

A regular meeting of the Zoning Board of Appeals will be held on:

DATE: June 14, 2023

TIME: 7:00 P.M.

PLACE: Town Hall, One Niskayuna Circle, Niskayuna, New York

AT THIS TIME THE BOARD WILL CONSIDER THE REQUEST OF:

Appeal by Don and Molly Anthony for a variance from Section 220-18 B (3) (b) and Section 220-13 Schedule I-B of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 918 Birchwood Lane, Niskayuna, New York, located in the R-1: Low Density Residential Zoning District, to construct an addition to an existing shed partially within the side and rear yard setbacks.

Section 220-18 B (3) (b) states that “the required side and rear yard dimensions for major accessory structures shall be the same as applies to the principal building.” As defined, major accessory structures are “detached accessory buildings or other structures in excess of 120 square feet.” The shed, with the proposed addition, will measure 258 square feet, and is a major accessory structure. Section 220-13 Schedule I-B establishes a side setback minimum of twenty (20) feet and rear setback minimum of twenty five (25) feet. As proposed, the shed will be located seven (7) feet from the side property line and ten (10) feet from the rear property line. Therefore; a thirteen (13) foot side yard setback variance and a fifteen (15) foot rear setback variance are required.

A copy of the permit application and appeal is available for inspection at the Niskayuna Building Department in the Niskayuna Town Office Building and will be available at the public hearing. A copy of the agenda packet for the above referenced meeting date, which will include information for this variance request, will be available online after 5pm the Friday before the meeting at <https://www.niskayuna.org/node/1606/agenda/2023>.

IF YOU WISH TO EXPRESS AN OPINION REGARDING THE PROPOSED CHANGE, YOU MAY DO SO AT THE ABOVE-MENTIONED TIME AND PLACE. IF YOU CANNOT BE PRESENT, YOU MAY REQUEST A VIRTUAL LOGIN TO THE MEETING BY EMAILING LRobertson@Niskayuna.org OR CALLING 518-386-4530 OR YOU MAY SET FORTH YOUR APPROVAL OR OBJECTION IN A LETTER WHICH WILL BE MADE PART OF THE PERMANENT RECORD.

ZONING BOARD OF APPEALS

Received

MAY 16 2023

Niskayuna Building Dept.

ZONING BOARD OF APPEALS
Application and Procedures For A Variance

Case No. _____
Date Rece'd BA _____
Date Hearing _____
Date Action _____
Ref.P.B. _____ Date _____
Ref. County _____ Date _____

TO: ZONING BOARD OF APPEALS

FROM: Don + Molly Anthony

RE: Property at 918 Birchwood Lane Niskayuna NY 12309

I, Molly Anthony, the (owner) (agent of the owner) of the property located at 918 Birchwood Lane in the Town of Niskayuna, New York, hereby petition the Zoning Board of Appeals to review the decision of the Zoning Enforcement Officer on the above-referenced application and to grant a variance from Section(s) of the Zoning Ordinance in order to permit the proposed construction shown on the accompanying drawings.

I, also certify that I have provided the items listed below as required documents in my application for a variance before the Zoning Board of Appeals. I further acknowledge that omission of any of these items may result in delay in the Board's hearing of my application.

CHECKLIST OF REQUIRED ITEMS

- _____ One (1) copy of plot plans
- _____ One (1) copy of construction plans, if applicable
- _____ Appeal fee (see application procedures for details)
- _____ Appeal statement (see application procedures for details)
- _____ Short Environmental Assessment Form, Project Information, as applicable for use variance
- _____ Additional information as specified by the Zoning Enforcement Officer

Signature of Agent: Molly Anthony Date 5/16/23

Signature of Owner (if different from Agent) _____

Telephone Number: _____

Email Address: _____

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Niskayuna Building Dept.

For an area variance: Before an area variance can be granted, State Law requires that the ZBA take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

see attached

2. Whether the granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

see attached

MAY 16 2023

Niskayuna Building Dept.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

see attached

4. Whether the variance will have adverse physical or environmental effects on the neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

see attached

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance.) Explain whether the alleged difficulty was or was not self-created:

see attached

Shed Zoning Variance Appeal for 918 Birchwood Lane, Application Date 5/2/2023

For Area Variance:

1 - Re: Whether the benefit sought by the applicant can be achieved by other feasible means.

The benefit sought is to provide storage room for a new full size snow blower. Enlarging the custom shed is the best alternative for permanent housing for the snow blower. The house has 1 car garage, which is already occupied by a car. The intent is to preserve the general look of the shed so it remains in the character of the yard and neighborhood.

2 - Re: Whether the granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties.

The intent is to preserve the general look of the shed so it remains in the character of the yard and neighborhood. The shed is located in the backyard and in the northeast corner and is barely visible from the street.

The closest neighbor on the north side already has a row of tall bushes along their side of the property line to provide privacy for their in-ground pool. This mostly hides their view of the shed. The neighbor on the east side primarily views the back the of existing shed. The increase at the front of the shed will not significantly change their view. The neighbor on the south side may look across our back yard and view the shed through several trees, but their view of the shed is already somewhat obscured.

3 - Re: Whether the variance is substantial.

The requested variance is not substantial for the following reasons:
As noted above, it does not significantly alter the view for neighbors.

It will not result in any increase in backyard noise.

It does not significantly reduce green space or require removal of any trees. It does not impact any water flow or significantly change existing water drainage.

4 - Whether the variance will have adverse physical or environmental effects on the neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

It will not result in any increase in backyard noise or additional visitors to the property. No substantial change in lighting is planned.

It does not significantly reduce green space or require removal of any trees. It does not impact any water flow or significantly change existing water drainage.

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Nickerson Building Dept.

5 - Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance.) Explain whether the alleged difficulty was or was not self-created:

The existing shed already houses typical yard maintenance equipment items, such as an electric mower and a wagon and several boxes of small tools and a collection of hoses, shovels, etc. For safety, flammable items are stored there, such as a spare propane tank for the grill (yes, we grill in January). In winter there are recreational items, such as a bicycle. The limitation of having only a 1 car garage limits the amount of storage available in the garage. A small snow thrower, stored there, has been in use for many years, which is good for dry snow. It has difficulty with the heavy, sloppy type of winter precipitation more common in this area now (possibly due to changing weather patterns). This is driving the need for a full-size snow thrower and the need to increase the storage capacity in the shed.

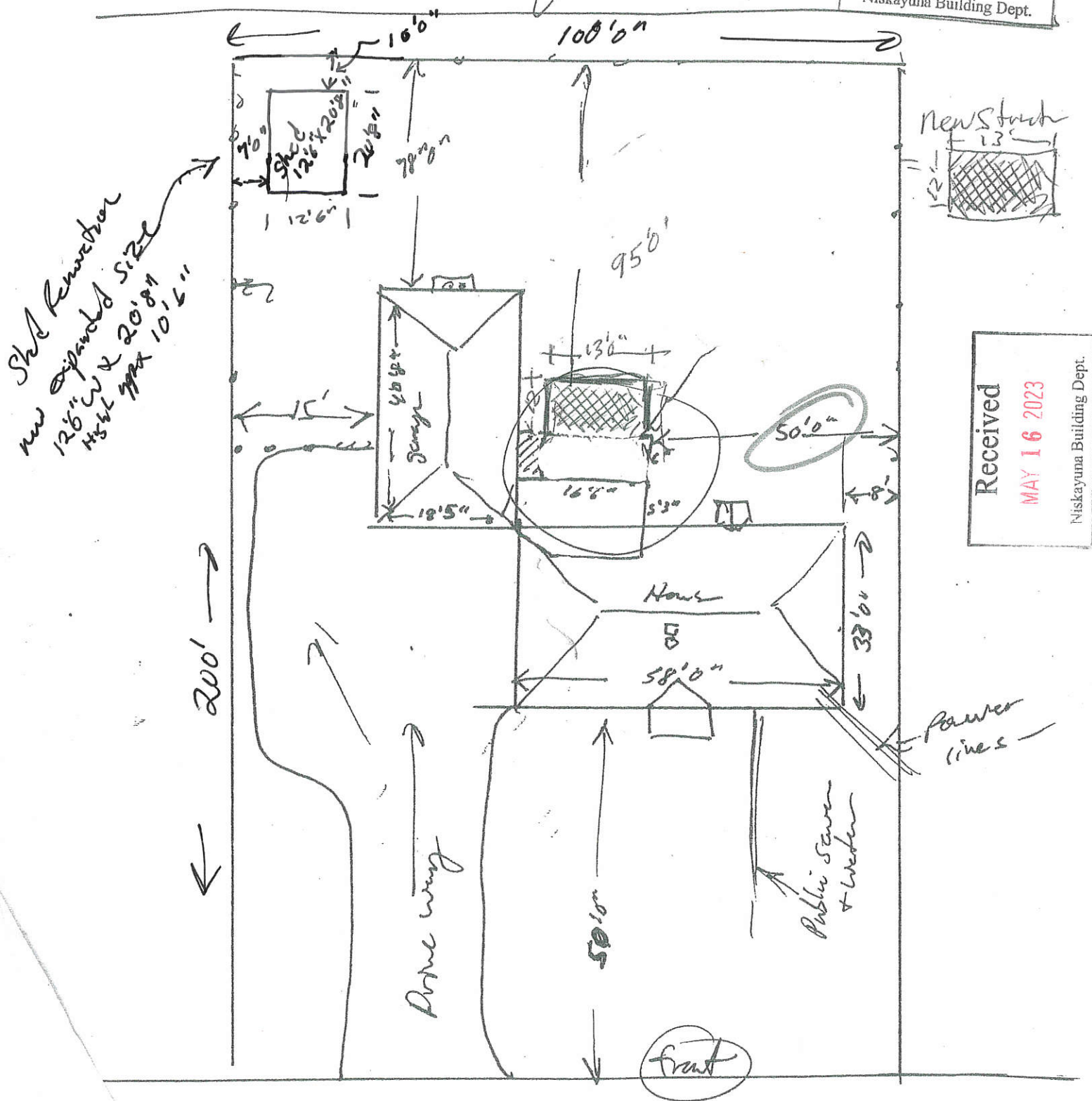
Plot Plan Shed Renovation

718 Birchwood Le
Nish Ny-

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MAR 28 2023

Niskayuna Building Dept.



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MAY 16 2023

Aliskayuna Building Dept.

BUILDER'S COPY

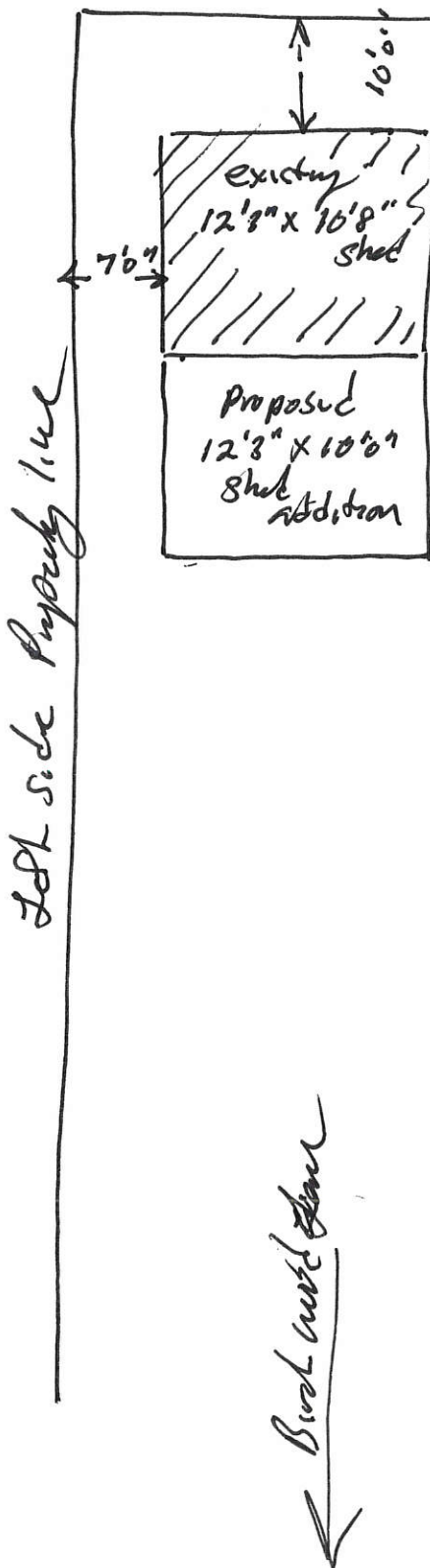
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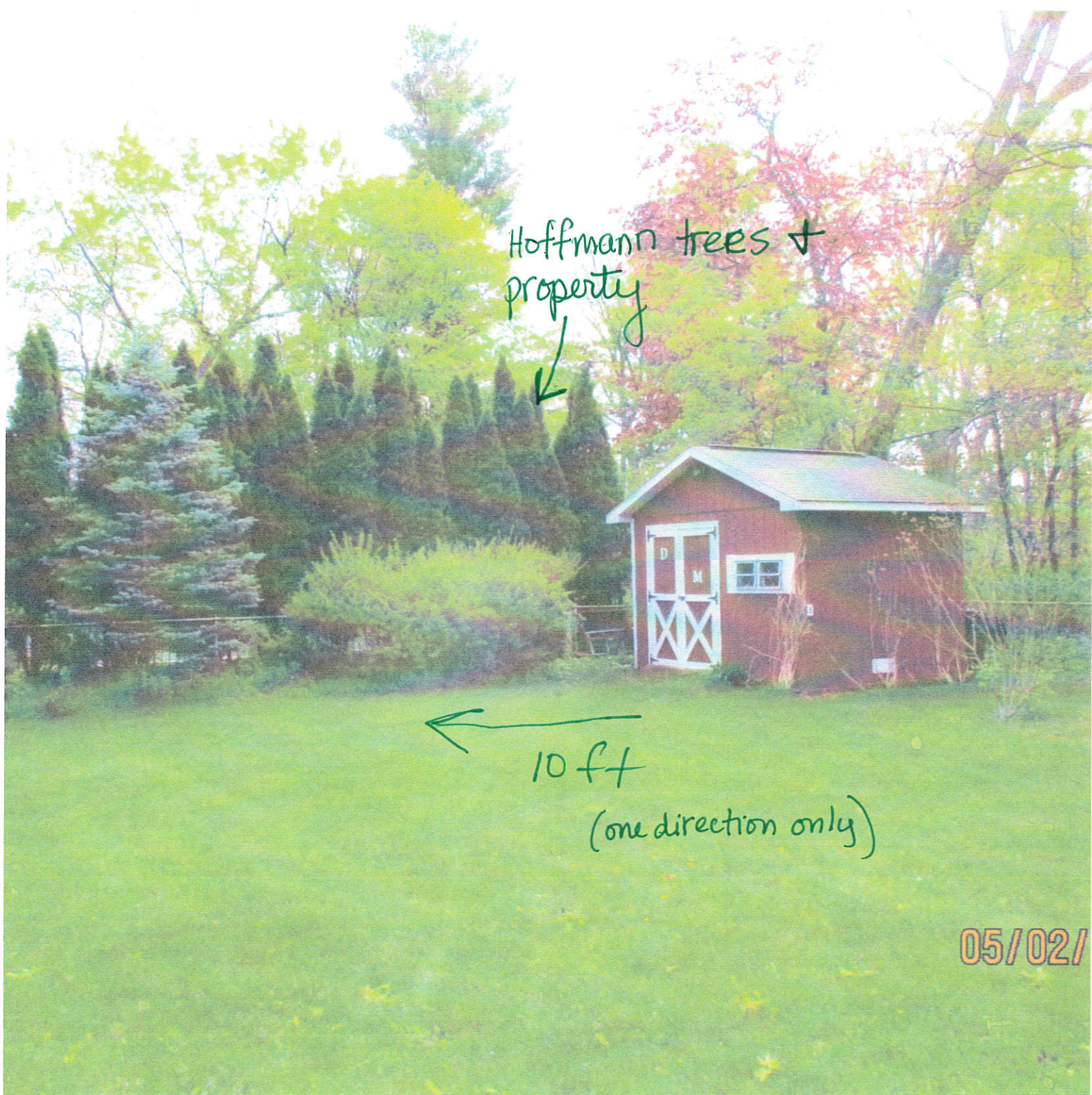
MAY 16 2023

Niskayuna Building Dept.

Rem Property line



Build addition on
existing garden shed
construction + style Typical
of existing shed



Hoffmann trees & property



10 ft

(one direction only)

05/02/

Do not want to take down trees

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05/15/

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Short Environmental Assessment Form

Part 1 - Project Information

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Niskayuna Building Dept.

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			
918 Birchwood Lane, Niskayuna, NY, Don and Molly Anthony			
Name of Action or Project:			
Shed Enlargement			
Project Location (describe, and attach a location map):			
918 Birchwood Lane, Niskayuna, NY 12309			
Brief Description of Proposed Action:			
Enlarge shed			
Name of Applicant or Sponsor:		Telephone: 518-786-1860	
Molly Anthony		E-Mail:	
Address:			
918 Birchwood Lane			
City/PO:		State:	Zip Code:
Niskayuna		NY	12309
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO
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.			YES
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO
If Yes, list agency(s) name and permit or approval:			YES
3. a. Total acreage of the site of the proposed action?			<input checked="" type="checkbox"/>
b. Total acreage to be physically disturbed?			<input type="checkbox"/>
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			<input type="checkbox"/>
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 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			

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5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input checked="" type="checkbox"/> <input type="checkbox"/>	N/A <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 <input type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <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 <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input 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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input checked="" type="checkbox"/>	YES <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 <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input 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? 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 <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	

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14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply.

- ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional
☐ Wetland ☐ Urban ☒ Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?

NO YES

☒ ☐

16. Is the project site located in the 100-year flood plan?

NO YES

☒ ☐

17. Will the proposed action create storm water discharge, either from point or non-point sources?

NO YES

If Yes,

☒ ☐

a. Will storm water discharges flow to adjacent properties?

☒ ☐

b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?

☒ ☐

If Yes, briefly describe:

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:

☒ ☐

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:

☒ ☐

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:

☒ ☐

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Molly Anthony Date: 5/16/23Signature: Molly Anthony Title: co-owner



Thomas J. Cannizzo
Building Inspector

TOWN OF NISKAYUNA
BUILDING DEPARTMENT

One Niskayuna Circle
Niskayuna, New York 12309-4381
(518) 386-4522
FAX: (518) 386-4556
building@niskayuna.org

Received

MAY 16 2023

Niskayuna Building Dept.

Kenneth P. Hassett
Building Inspector

Building and Zoning Permit Denial

Address: 918 Birchwood Lane

Application Date: 5/2/23

Ms. Molly Anthony
918 Birchwood Lane
Niskayuna, NY 12309

Dear Ms. Anthony:

You are hereby notified, as required by Section 220-67 F of the Zoning Ordinance of the Town of Niskayuna, that your application to construct an addition to an existing shed on the property noted above has been denied by reason of Section 220-18 B (3) (b) and Section 220-13 Schedule I-B, of the Town of Niskayuna Zoning Ordinance. The property is located in the R-1: Low Density Residential Zoning District.

Section 220-18 B (3) (b) states that "the required side and rear yard dimensions for major accessory structures shall be the same as applies to the principal building." As defined, major accessory structures are "detached accessory buildings or other structures in excess of 120 square feet." The shed, with the proposed addition, will measure 258 square feet, and is a major accessory structure. **Section 220-13 Schedule I-B** establishes a side setback minimum of twenty (20) feet. As proposed, the shed will be located seven (7) feet from the side property line. Therefore; a thirteen (13) foot side yard setback variance is required. The rear setback minimum is twenty five (25) feet. As proposed, the shed will be located ten (10) feet from the rear property line. Therefore; a fifteen (15) foot rear setback is also required.

Under the provisions of Section 220-69 of the Zoning Ordinance of the Town of Niskayuna you may appeal this decision to the Zoning Board of Appeals and the undersigned within 60 days.

5.4.23
Date


Ken Hassett
Zoning Enforcement Officer



TOWN OF NISKAYUNA

APPLICATION FOR BUILDING AND ZONING PERMIT

One Niskayuna Circle

Niskayuna, New York 12309

Phone: 518-386-4522 Fax: 518-386-4592

Email: building@niskayuna.org

Application # B23-216

Received

MAY 02 2023

Niskayuna Building Dept

APPLICATION IS HEREBY MADE to the Town of Niskayuna Building Department for the issuance of a building and zoning permit pursuant to Town Code and the New York State Uniform Fire Prevention and Building Code. Application is hereby made for the construction of new buildings and accessory structures, additions and alterations to all buildings and structures, signage installation, drainage, excavation, fill and grading work, and replacement, removal and demolition projects, as herein described. The Applicant or Owner agrees to comply with all applicable laws, ordinances, regulations and all conditions expressed on this application which are part of these requirements, and will also allow or arrange for inspectors to enter the premises for inspections.

BUILDING SITE ADDRESS 918 Birchwood Lane
DESCRIBE WORK APPLIED FOR shed renovation

ESTIMATED VALUE OF ALL WORK (labor and materials): TOTAL \$ \$6000.00

Please submit three sets of plans with this application.

APPLICANT Molly Anthony DAY PHONE 518 786 1860

CHECK ONE: ☐ CONTRACTOR

☒ HOMEOWNER

☐ OTHER (explain) _____

ADDRESS 918 Birchwood Lane

CITY Niskayuna STATE NY ZIP 12309

EMAIL ADDRESS _____

CONTRACTOR Arne Weisgerber DAY PHONE 518 312 9179

ADDRESS 55 Fox Ave

CITY Schenectady STATE NY ZIP 12304

Note: Proof of insurance is required. Please review our **Insurance Requirements** document to ensure contractors and homeowners have filed all appropriate documents with the Building Department.

PROPERTY OWNER Don + Molly Anthony DAY PHONE 518 786 1860

ADDRESS (if different than above) _____

CITY _____ STATE _____ ZIP _____

PLEASE SIGN Page 2

The applicant has reviewed and fully understands the requirements and conditions listed on this application. Article II, Section 75.5B of the Code of the Town of Niskayuna requires that where such application is made by a person other than the owner, it shall be accompanied by an affidavit of the owner or applicant that the proposed work is authorized by the owner and that the applicant is authorized to make such application.

Applicants who are the owners of the property DO NOT need to have this application notarized.

The undersigned hereby swears that the information provided on this application is true, correct and accurate.

Sworn to me on this _____ day of _____, _____

Molly Anthony
Signature of Applicant

MOLLY ANTHONY
Printed Name

5/2/23
Date

Notary Public, State of New York

(FOR OFFICE USE ONLY BELOW)

BUILDING SITE ADDRESS _____

KNOWN EASEMENTS: _____ WATER _____ SEWER _____ DRAINAGE _____ OTHER

PERMIT FEE DUE \$ _____ BASED ON _____

COMMENTS _____

ZONING DISTRICT _____ SECTION-BLOCK-LOT _____

REQUIRED INSPECTIONS:

- _____ 1. FOOTING FORMS AND REINFORCING PRIOR TO POURING OF CONCRETE
- _____ 2. FOUNDATION LOCATION PROVIDED AND STONE DRIVEWAY BASE INSTALLED PRIOR TO FOUNDATION INSPECTION
- _____ 3. FOUNDATION WALL AND DRAIN TILE INCLUDING LATERAL PRIOR TO BACKFILLING
- _____ 4. FIREPLACE INSPECTION AT BOX AND AT HALF STACK
- _____ 5. ROUGH PLUMBING
- _____ 6. ROUGH ELECTRICAL
- _____ 7. ROUGH FRAMING INSPECTION INCLUDING TRUSS CERTIFICATES AND ROUGH GRADING ESTABLISHED
- _____ 8. INSULATION INCLUDING PROPER VENTILATION
- _____ 9. FINAL PLUMBING
- _____ 10. FINAL ELECTRICAL
- _____ 11. FINAL BUILDING INSPECTION
- _____ 12. FINAL GRADING AND SOIL EROSION CONTROL
- _____ 13. (ADDITIONAL INSPECTIONS) _____

APPROVED BY _____

DATE _____

Lot 100' x 200'

Received

MAY 02 2023

Niskayuna Building Dept.



10'6" tall

10ft. from back
fence
7 ft. from sid
fence


718 Birchwood Le
Nish My-

Niskayuna Building Dept.

Niskayuna Building Dept.

Shd know
new expanded size
126" W x 20'8"
Hgt max 10'6"

New Stock



13'

12'

Power
lines —

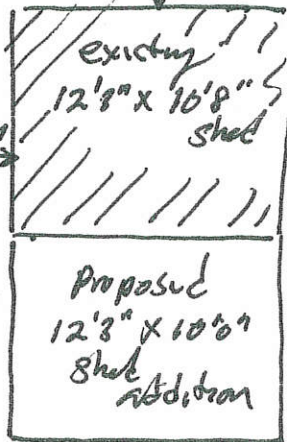
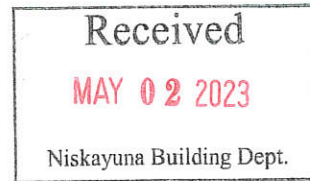
Public Service
& Welfare

front

BUILDER'S COPY

Bühnerd Za

Rear Property line



Brick addition on
existing garden shed
construction + style Typical
of existing shed

Left side Property line

Brick wall fence

ACCESSORY STRUCTURE SUPPLEMENT TO PERMIT APPLICATION

Plans (three sets) and all of the following information are required with accessory structure permit applications.

a. Address of property 918 Birchwood Lane

b. Size of accessory structure 10'0" L same width (12'3")

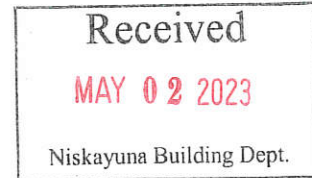
c. Distance to property lines:

Side 1 7 ft (same as existing)

Side 2 80 ft

Rear 10 ft.

Other _____



d. Are there any other accessory structures on the property?

Fence yes ☒ no _____ height 48" chain link
 Shed yes ☒ no _____ size expanding this one
 Swimming pool yes _____ no ☒ size _____
 Other yes _____ no ☒ size _____

e. Height of accessory structure 10'6"

f. Type of foundation for structure (if any) wood

Zoning District	maximum total coverage of accessory structures	side & rear setback if 120 sq. ft. or less	side setback	rear setback	setback to a street
R-R	NA	5 feet	35 feet	40 feet	no closer than wall of house
R-1	2,250 sq. ft. or less if lot is less than 18,000 sq. ft.	5 feet	20 feet	25 feet	no closer than wall of house
R-2, R-3 or R-P	1,350 sq. ft. or less if lot is less than 9,000 sq. ft.	5 feet	15 feet	20 feet	no closer than wall of house

Applicant's Signature: Holly Anthony Date: 5/2/23
 (For office use only)

Area of lot _____

Maximum accessory structure coverage allowed _____

Total accessory structure coverage actual _____

Maximum lot coverage allowed _____

Total lot coverage actual _____

**TOWN OF NISKAYUNA
ZONING BOARD OF APPEALS
One Niskayuna Circle
Niskayuna, New York 12309
(518) 386-4530**

June 2, 2023

TO WHOM IT MAY CONCERN:

A regular meeting of the Zoning Board of Appeals will be held on:

DATE: June 14, 2023

TIME: 7:00 P.M.

PLACE: Town Hall, One Niskayuna Circle, Niskayuna, New York

AT THIS TIME THE BOARD WILL CONSIDER THE REQUEST OF:

Appeal by Steven and Katie McCutcheon for a variance from Section 220-53 B and Section 220-13, Schedule I-C of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 1461 Clifton Park Road, Niskayuna, New York, located in the R-2: Medium Density Residential Zoning District, to construct an addition partially within the side yard setback.

Section 220-53 B allows an addition to a nonconforming residential structure which brings the addition into a nonconforming side or rear yard no nearer to a side or rear property line than the existing structure and no nearer than half the distance specified in a particular residential zoning district. Section 220-13, Schedule I-C requires a side yard setback of fifteen (15) feet. The existing house is 6' 6" from the side line; therefore, 7' 6" becomes the minimum required side setback. As proposed, the addition will be 6' 6" from the side property line; therefore, a one (1) foot side yard setback variance is required.

A copy of the permit application and appeal is available for inspection at the Niskayuna Building Department in the Niskayuna Town Office Building and will be available at the public hearing. A copy of the agenda packet for the above referenced meeting date, which will include information for this variance request, will be available online after 5pm the Friday before the meeting at <https://www.niskayuna.org/node/1606/agenda/2023>.

IF YOU WISH TO EXPRESS AN OPINION REGARDING THE PROPOSED CHANGE, YOU MAY DO SO AT THE ABOVE-MENTIONED TIME AND PLACE. IF YOU CANNOT BE PRESENT, YOU MAY REQUEST A VIRTUAL LOGIN TO THE MEETING BY EMAILING LRobertson@Niskayuna.org OR CALLING 518-386-4530 OR YOU MAY SET FORTH YOUR APPROVAL OR OBJECTION IN A LETTER WHICH WILL BE MADE PART OF THE PERMANENT RECORD.

ZONING BOARD OF APPEALS

ZONING BOARD OF APPEALS
Application and Procedures For A Variance

Received

MAY 18 2023

Niskayuna Building Dept.

Case No.	_____
Date Rece'd BA	_____
Date Hearing	_____
Date Action	_____
Ref.P.B.	_____ Date _____
Ref. County	_____ Date _____

TO: ZONING BOARD OF APPEALS

FROM: Steven and Katie McCutcheon

RE: Property at 1461 Clifton Park Road, Niskayuna, NY 12309

I, Steven and Katie McCutcheon, the (owner) (agent of the owner) of the property located at 1461 Clifton Park Road, Niskayuna, NY 12309 in the Town of Niskayuna, New York, hereby petition the Zoning Board of Appeals to review the decision of the Zoning Enforcement Officer on the above-referenced application and to grant a variance from Section(s) of the Zoning Ordinance in order to permit the proposed construction shown on the accompanying drawings.

I, also certify that I have provided the items listed below as required documents in my application for a variance before the Zoning Board of Appeals. I further acknowledge that omission of any of these items may result in delay in the Board's hearing of my application.

CHECKLIST OF REQUIRED ITEMS

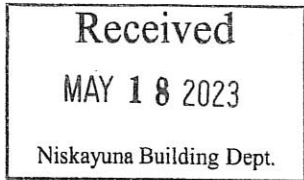
- ☒ One (1) copy of plot plans
- ☒ One (1) copy of construction plans, if applicable
- ☒ Appeal fee (see application procedures for details)
- ☒ Appeal statement (see application procedures for details)
- ☐ Short Environmental Assessment Form, Project Information, as applicable for use variance
- ☐ Additional information as specified by the Zoning Enforcement Officer

Signature of Agent: Tyler Cohen Date May 18, 2023

Signature of Owner (if different from Agent) Steven McCutcheon Katie M

Telephone Number: 401-952-9170

Email Address: stevenmccutcheon@gmail.com



For an area variance: Before an area variance can be granted, State Law requires that the ZBA take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- 1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

The alternatives have already been achieved by moving the addition inward on the right side of the house due to the preexisting power lines and an impassable driveway. This alteration has already reduced the addition's size. Any further reduction in size would make the addition untenable.

- 2. Whether the granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

No changes will be produced that would create an undesirable change to the character of the neighborhood since the addition does not extend past the existing setback of the house.

Received

MAY 18 2023

Wiskayuna Building Dept.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

This addition is not substantial because we are requesting a one foot side yard setback. The one foot side yard set back does not push closer to the property line.

And, the neighboring structure also has less of a non-conforming set back due to a recent addition, after being granted a variance to construct their addition which is substantially larger than ours.

4. Whether the variance will have adverse physical or environmental effects on the neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

Because it is consistent with the physical and environmental layout of the current house and neighborhood.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance.) Explain whether the alleged difficulty was or was not self-created:

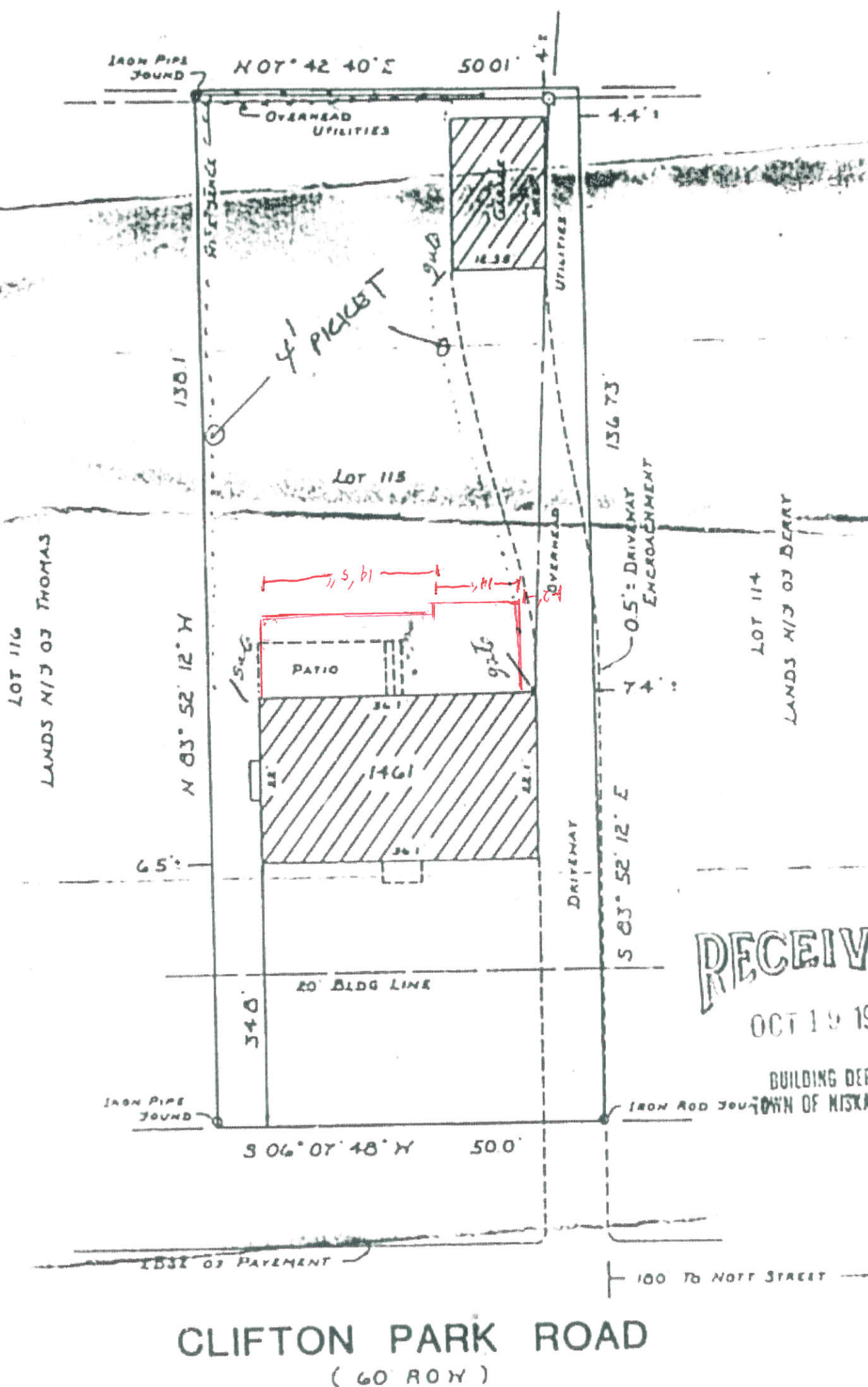
This was not self-created and the requested addition would not be pushing past the existing house set back. The original property lines which pre-dated our ownership of the house were crooked. We are simply extending straight off the back of our pre-existing house.

MAY 18 2023

LOT 145
LANDS N/3 OF ROCK

LOT 146.
LANDS N/3 OF
GIARDINELLO

CERTIFIED TO : NATIONAL SAVINGS BANK OF ALBANY, IT'S SUCCESSORS AND ASSIGNS
TITLE USA INSURANCE CORPORATION OF NEW YORK
GIFFORD ABSTRACT CORPORATION
ROBERT H. AND ELAINE M. SHAW



RECEIVED

OCT 19 1987

BUILDING DEPT.
TOWN OF MISKAYUNA

LOT NO 3. REFER TO "MAP OF PARK DISTRICT OF GRAND BOULEVARD ESTATES".
DATED SEPTEMBER 7, 1929, FILED SEPTEMBER 13, 1929, IN DRAWER 80, MAP NO. 140

MAP # 86-0207



MAP SHOWING SURVEY OF THE LANDS OF
HERBERT E. AND FLORENCE S. NEIL
TO BE CONVEYED TO
ROBERT H. AND ELAINE M. SHAW

TOWN OF NISKAYUNA

FEBRUARY 7, 1980

COUNTY OF SCHENECTADY, N. Y.

SCALE 1" = 20'

Gerald W Blackstone, P. L. S. # 25584
GERALD W. BLACKSTONE, P. L. S. # 25584



Thomas J. Cannizzo
Building Inspector

TOWN OF NISKAYUNA BUILDING DEPARTMENT

One Niskayuna Circle
Niskayuna, New York 12309-4381
(518) 386-4522
FAX: (518) 386-4556
building@niskayuna.org

Kenneth P. Hassett
Building Inspector

Building and Zoning Permit Denial

Address: 1461 Clifton Park Road

Application Date: 4/27/23

Capital Building Company, LLC. (agent)
10 Michigan Avenue
Troy, N.Y. 12180

Dear Sirs:

You are hereby notified, as required by Section 220-67 F of the Zoning Ordinance of the Town of Niskayuna, that your application to construct a 430 square foot rear addition on the property noted above has been denied by reason of Section 220-53 B and Section 220-13, Schedule I-C of the Zoning Ordinance. The property is located in the R-2: Medium Density Residential Zoning District.

Section 220-53 B allows an addition to a nonconforming residential structure which brings the addition into a nonconforming side or rear yard no nearer to a side or rear property line than the existing structure and no nearer than $\frac{1}{2}$ the distance specified in a particular residential zoning district. Section 220-13, Schedule I-C requires a side yard setback of fifteen (15) feet. The existing house is 6' 6" from the side line; therefore, 7' 6" becomes the minimum required side setback. As proposed, the addition will be 6' 6" from the side property line; therefore, a one (1) foot side yard setback variance is required.

Under the provisions of Section 220-69 of the Zoning Ordinance of the Town of Niskayuna you may appeal this decision to the Zoning Board of Appeals and the undersigned within 60 days.

5/8/23

Date



Zoning Enforcement Officer



TOD FR 3BA

Application # B23-200

TOWN OF NISKAYUNA
APPLICATION FOR BUILDING AND ZONING PERMIT

One Niskayuna Circle
Niskayuna, New York 12309
Phone: 518-386-4522 Fax: 518-386-4556
Email: building@niskayuna.org

Received

APR 27 2023

Niskayuna Building Dept.

APPLICATION IS HEREBY MADE to the Town of Niskayuna Building Department for the issuance of a building and zoning permit pursuant to Town Code, the NYS Uniform Code, and the NYStretch Energy Code. Application is hereby made for the construction of new buildings and accessory structures, additions and alterations to all buildings and structures, signage installation, drainage, excavation, fill and grading work, and replacement, removal and demolition projects, as herein described. The Applicant or Owner agrees to comply with all applicable laws, ordinances, regulations and all conditions expressed on this application which are part of these requirements, and will also allow or arrange for inspectors to enter the premises for inspections.

BUILDING SITE ADDRESS 1461 Clifton Park Rd.

DESCRIBE WORK APPLIED FOR Construction of 416 sq ft. addition on rear of existing house. Full basement. 1 bathroom & living area

ESTIMATED VALUE OF ALL WORK (labor and materials):

TOTAL \$ 165,000

Please submit three copies of the plans with this application.

APPLICANT Capital Building Company LLC. **DAY PHONE** (518) 450-8993

CHECK ONE: ☒ **CONTRACTOR**

☐ **HOMEOWNER**

☐ **OTHER (explain)** _____

ADDRESS 10 Michigan Ave

CITY Troy **STATE** NY

ZIP 12180

EMAIL ADDRESS Tconklin14@gmail.com

CONTRACTOR Capital Building Company LLC **DAY PHONE** _____

ADDRESS _____

CITY _____

STATE _____

ZIP _____

Note: Proof of insurance is required. Please review our **Insurance Requirements** document to ensure contractors and homeowners have filed all appropriate documents with the Building Department.

PROPERTY OWNER Steven and Katie McCutcheon **DAY PHONE** _____

ADDRESS (if different than above) 1461 Clifton Park Rd

CITY Niskayuna **STATE** NY

ZIP 12309

EMAIL ADDRESS Stevenmccutcheon@gmail.com

PLEASE SIGN Page 2

Section 75-5 B of the Code of the Town of Niskayuna requires that where such application is made by a person other than the owner, it shall be accompanied by an affidavit of the owner or applicant that the proposed work is authorized by the owner and that the applicant is authorized to make such application.

Applicants who are the owners of the property DO NOT need to have this application notarized. Non-owner applicant's notarized signature affirms adherence to the Code.

The applicant has reviewed and fully understands the requirements and conditions of this application. The undersigned hereby swears that the information provided on this application is true, correct and accurate.

Sworn to me on this 27th day of April, 2023


Signature of Applicant

DOMINICK LEO BAKER
Notary Public, State of New York
Qualified in Schenectady County
Reg. No. 01BA6404524
Commission Expires February 24, 2024

Tyler Conklin
Printed Name


Notary Public, State of New York

4/27/23
Date

(FOR OFFICE USE ONLY BELOW)

BUILDING SITE ADDRESS _____

KNOWN EASEMENTS: _____ WATER _____ SEWER _____ DRAINAGE _____ OTHER _____

PERMIT FEE DUE \$ _____ BASED ON _____

COMMENTS _____

REQUIRED INSPECTIONS:

- ____ 1. INITIAL SOIL EROSION CONTROL
- ____ 2. FOOTING FORMS AND REINFORCING PRIOR TO POURING OF CONCRETE
- ____ 3. FOUNDATION LOCATION PROVIDED AND STONE DRIVEWAY BASE INSTALLED PRIOR TO FOUNDATION INSPECTION
- ____ 4. FOUNDATION WALL AND DRAIN TILE INCLUDING LATERAL PRIOR TO BACKFILLING
- ____ 5. FIREPLACE INSPECTION AT BOX AND AT HALF STACK
- ____ 6. ROUGH PLUMBING
- ____ 7. ROUGH ELECTRICAL
- ____ 8. ROUGH FRAMING INSPECTION INCLUDING TRUSS CERTIFICATES AND ROUGH GRADING ESTABLISHED
- ____ 9. INSULATION INCLUDING PROPER VENTILATION
- ____ 10. FINAL PLUMBING
- ____ 11. FINAL ELECTRICAL
- ____ 12. FINAL BUILDING INSPECTION
- ____ 13. FINAL GRADING
- ____ 14. FINAL STABILIZATION (SEC)
- ____ 15. (ADDITIONAL INSPECTIONS) _____

APPROVED BY _____

DATE _____

MAY 18 2023

Niskayuna Building Dept.

LOT 145
LANDS N/3 OF ROCK

LOT 146
LANDS N/3 OF
GIARDINELLO

CERTIFIED TO : NATIONAL SAVINGS BANK OF ALBANY, IT'S SUCCESSORS AND ASSIGNS
TITLE USA INSURANCE CORPORATION OF NEW YORK
GIFFORD ABSTRACT CORPORATION
ROBERT H. AND ELAINE M. SHAW

LOT 116
LANDS N/3 03 THOMAS

IRON PIPE
FOUND

NOT 42 40'S

50 01

OVERHEAD
UTILITIES

4.4'

1551

Lot 113

N 83° 52' 12" W

45:

MOBILE LINE

306° 07' 48" N 50.0

IRON PIPE
JOINT

1011

3673

5' DRIVEWAY
ENCROACHMENT

74.

12. 12. 1957

LOT 114

RECEIVED

OCT 19 1987

BUILDING DEPT.
TOWN OF NISKAYUNA

LOT NC 3. REFER TO "MAP OF PARK DISTRICT OF GRAND BOULEVARD ESTATES".
DATED SEPTEMBER 7, 1929, FILED SEPTEMBER 13, 1929, IN DRAWER 80, MAP NO. 140

CLIFTON PARK ROAD
(60 R0Y)

MAP # 88-0207



MAP SHOWING SURVEY OF THE LANDS OF
HERBERT E. AND FLORENCE S. NEIL
TO BE CONVEYED TO
ROBERT H. AND ELAINE M. SHAW

TOWN OF NISKAYUNA

FEBRUARY 7, 1980

COUNTY OF SCHENECTADY, N. Y.

SCALE 1" = 20'

Gerald W. Blackstone, P. L. S. # 25584
GERALD W. BLACKSTONE, P. L. S. # 25584



Generated by REScheck-Web Software Compliance Certificate

Project rear addition-1461 cliftonpark rd

Energy Code: 2020 NYStretch - 2018 IECC
Location: Niskayuna, New York
Construction Type: Single-family
Project Type: Addition
Climate Zone: 5 (6894 HDD)
Permit Date:
Permit Number:

Construction Site: 1461 clifton park rd
niskayuna, ny
Owner/Agent: mc cultcheon
same
Designer/Contractor: de raven design
333 kingsley rd
burnt hills, ny

Compliance: Passes using UA trade-off

Compliance: 0.0% Better Than Code Maximum UA: 88 Your UA: 88 Maximum SHGC: 0.00 Your SHGC: 0.33

The % Better or Worse Than Code Index reflects how close to compliance the house is based on code trade-off rules.
It DOES NOT provide an estimate of energy use or cost relative to a minimum-code home.

Slab-on-grade tradeoffs are no longer considered in the UA or performance compliance path in REScheck. Each slab-on-grade assembly in the specified climate zone must meet the minimum energy code insulation R-value and depth requirements.

Envelope Assemblies

Assembly	Gross Area or Perimeter	Cavity R-Value	Cont. R-Value	Prop. U-Factor	Req. U-Factor	Prop. UA	Req. UA
Ceiling: Flat Ceiling or Scissor Truss	429	38.0	0.0	0.030	0.026	13	11
Wall: Wood Frame, 16" o.c.	553	21.0	0.0	0.057	0.045	23	18
Door 2: Glass Door (over 50% glazing) SHGC: 0.33	63			0.240	0.270	15	17
Window 2: Vinyl Frame SHGC: 0.33	79			0.240	0.270	19	21
Basement Wall: Solid Concrete or Masonry Wall height: 7.0' Depth below grade: 5.3' Insulation depth: 6.7'	411	0.0	19.0	0.044	0.050	18	21

Compliance Statement: The proposed building design described here is consistent with the building plans, specifications, and other calculations submitted with the permit application. The proposed building has been designed to meet the 2020 NYStretch - 2018 IECC requirements in REScheck Version : REScheck-Web and to comply with the mandatory requirements listed in the REScheck Inspection Checklist.

Name - Title: Debra von Design Signature: Roxanne Hopper Date: 4/7/23



2020 NYStretch - 2018 IECC Energy Efficiency Certificate

Received

MAY 18 2023

Niskayuna Building Dept.

Insulation Rating	R-Value
Above-Grade Wall	21.00
Below-Grade Wall	19.00
Floor	0.00
Ceiling / Roof	38.00
Ductwork (unconditioned spaces):	

Glass & Door Rating	U-Factor	SHGC
Window	0.24	0.33
Door	0.24	0.33

Heating & Cooling Equipment	Efficiency
Heating System:	
Cooling System:	
Water Heater:	

Name: Date:
Comments



Received

MAY 18 2023

Niskayuna Building Dept.

DATE APRIL 5 23
SHEET OF

OWNER MC CUTCHEON
CONTRACTOR

REAR ADDITION
1461 CLIFTONPARK RD; NISKAYUNA NY

FOUNDATION BUILDING SECTION

DAVID J. HOPPER
ARCHITECT
CDS
CREATIVE DRAFTING SERVICES INC
65 FLANSEBURG LANE; VOORHEESVILLE NY
518 765 9085

DeRaven Design & Drafting
333 Kingsley Rd; Burnt Hills NY
518*478*0630

DONE BY: RKO
SCALE: 3/16"=1'



FILE # JUL31MCC

INSTALL ICE/WATER SHIELD
48" WIDE FROM
ROOF EDGE UP

LOADS
1st FLOOR=55#/SQFT
2nd FLOOR=45#/SQFT
ROOF=50#/SQFT
WIND=115 MPH

2x6 SUB FASCIA/RAKE
ALUM. or VINYL FINISH
METAL DRIP EDGE
INSTALL PROPER VENT
INSTALL HURRICAN CLIPS

METAL FLASHING
WHERE ROOF MEETS
WALL
META ROOF INSTALLED
AS PER MANF SPECS OVER
5/8" DECKING
OVER 2x12 RAFTERS; 16"oc

12"CONT VENTED
SOFFIT

EXTERIOR WALL
2x6 STUDS; 16"o.c.
DOUBLE TOP PLATE
5 1/2" F.G. BATTEN MIN=R-21
IF UNFACED INSULATION IS
USED INSTALL 4" -MIL
POLY AS VAPOR BARRIER
7 1/6" OSB or +
SHEATHING /TYVEX or
EQUAL HOUSE WRAP
VINYL SIDING INSTALLED
AS PER MANF SPEC'S
HEADERS =(2)2x10 W/
2 1/2" INSULATION @
CENTER UNLESS NOTED
DIFFERENT.

SLOPE GRADE
AWAY FROM BUILDING

NON BEARING INTERIOR WALL
2x4 STUDS; 16"o.c. DOUBLE
TOP PLATE; (2)2x6 W/ 1/2"
PLY CORE =MIN HDR

BUILDING SECTION

FOUNDATION WALL
8"POURED CONCRETE(3000psi)
W/2#4 REBAR 12" FROM TOP (CONT)
& 12" FROM BOTTOM(CONT)
INSTALL FULL HEIGHT #4 REBAR; 48"oc
1/2" ANCHOR BOLTS INSTALLED 12"
FROM ALL CORNERS & 72"(MAX) o.c.
2x6 PRESSURE TREATED SILL PLATE
W/ SILL SEAL
APPLY WATERPROOFING TO EXTERIOR
SURFACES BELOW FINISHED GRADE
OVER 16"x8"CONT.FOOTING W/ 2#4
REBAR(CONT) AND #4 REBAR(VERT)
36"LONG @ 48"o.c. TO PIN WALLS
TO FOOTING. OVER VIRGIN SOILS

BASEMENT SLAB
4"(3000psi)CONCRETE OVER 6 MIL
POLY VAPOR BARRIER OVER FILL
COMPACTED TO CODE,INSTALL EXPANSION

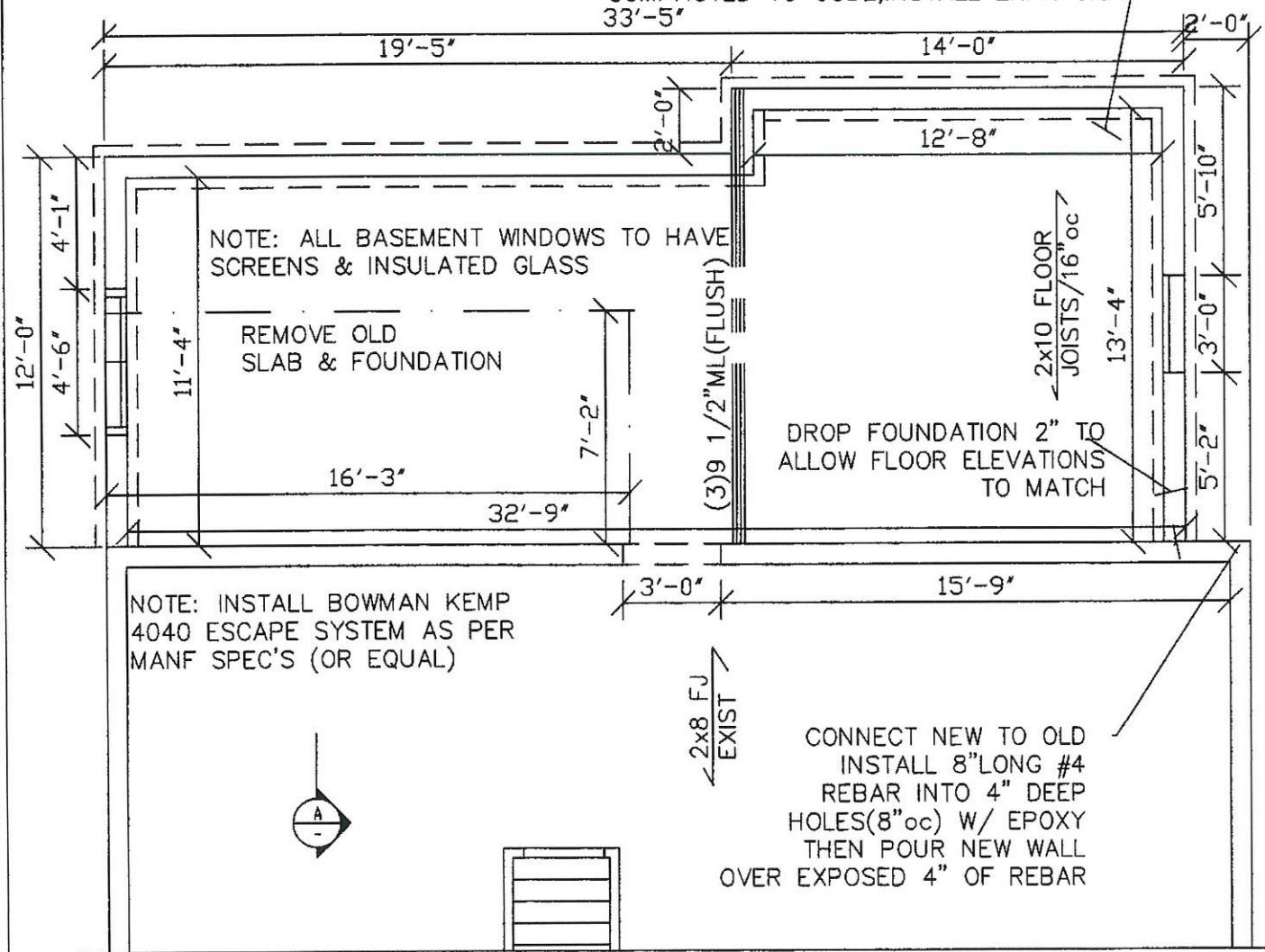
NOTE: ALL BASEMENT WINDOWS TO HAVE
SCREENS & INSULATED GLASS

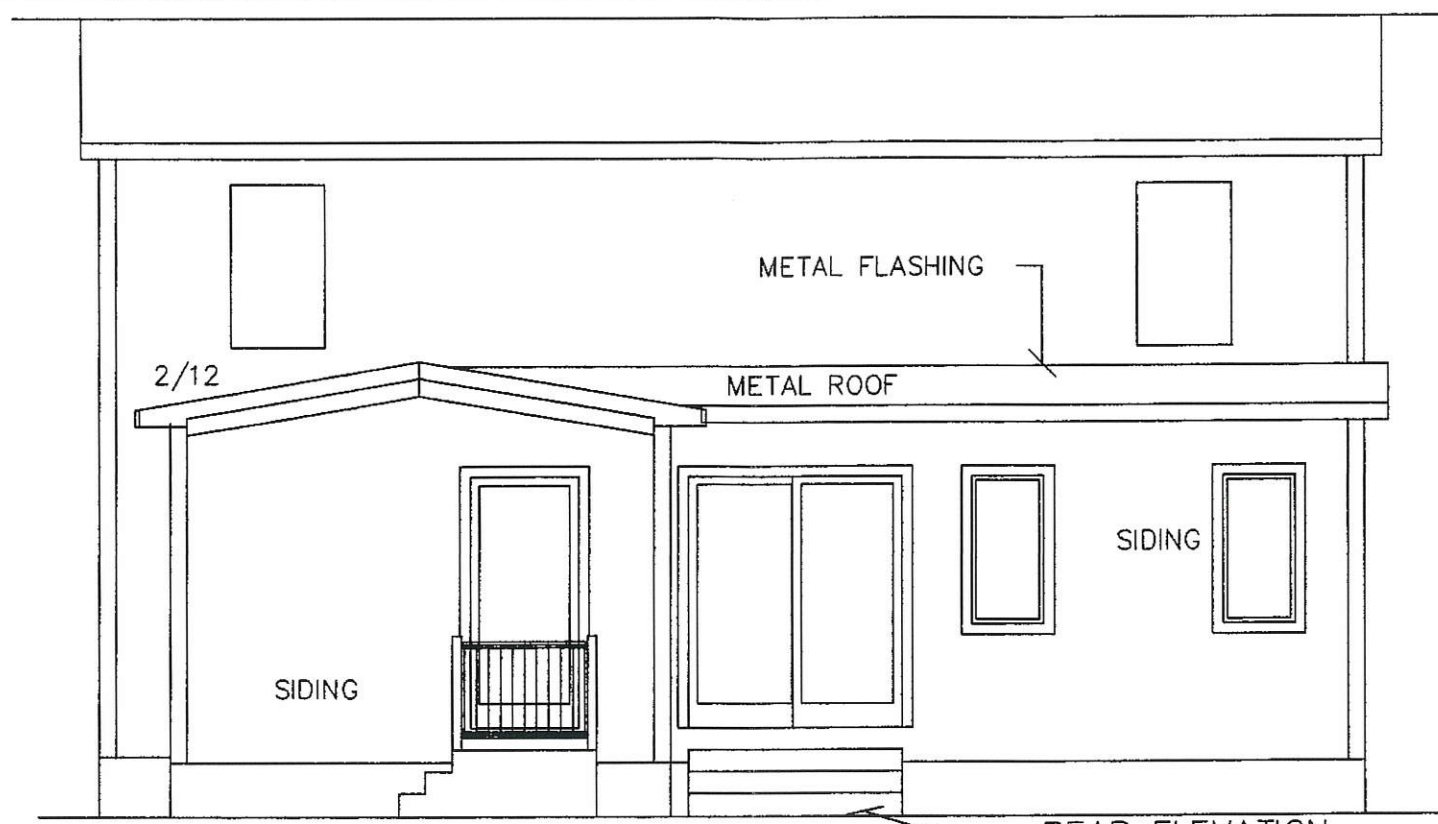
REMOVE OLD
SLAB & FOUNDATION

DROP FOUNDATION 2" TO
ALLOW FLOOR ELEVATIONS
TO MATCH

NOTE: INSTALL BOWMAN KEMP
4040 ESCAPE SYSTEM AS PER
MANF SPEC'S (OR EQUAL)

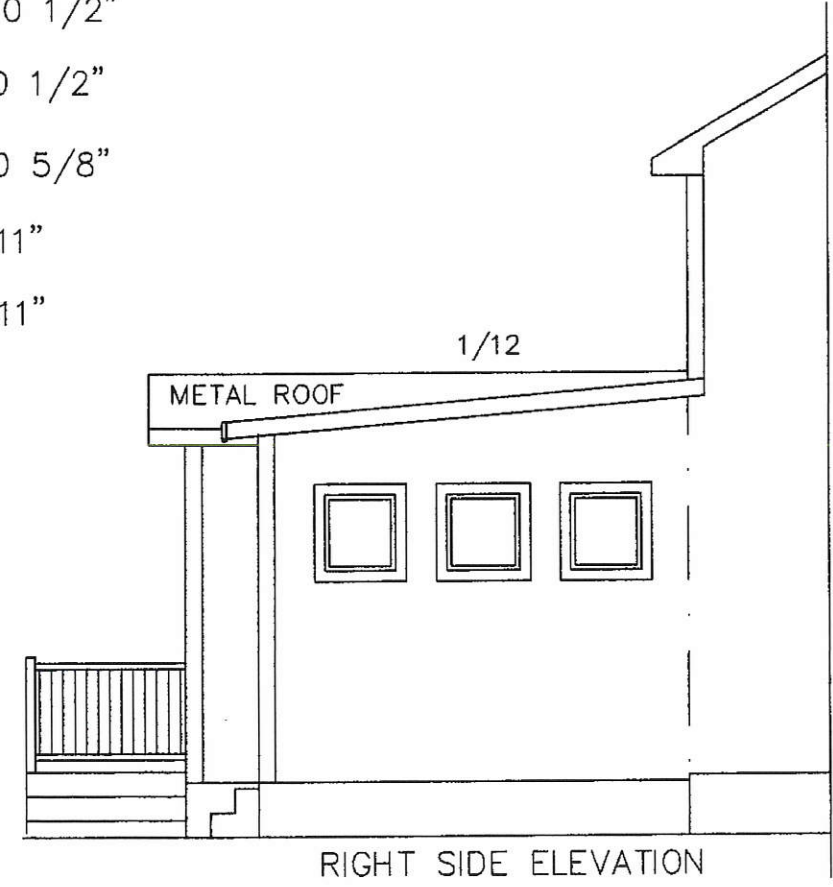
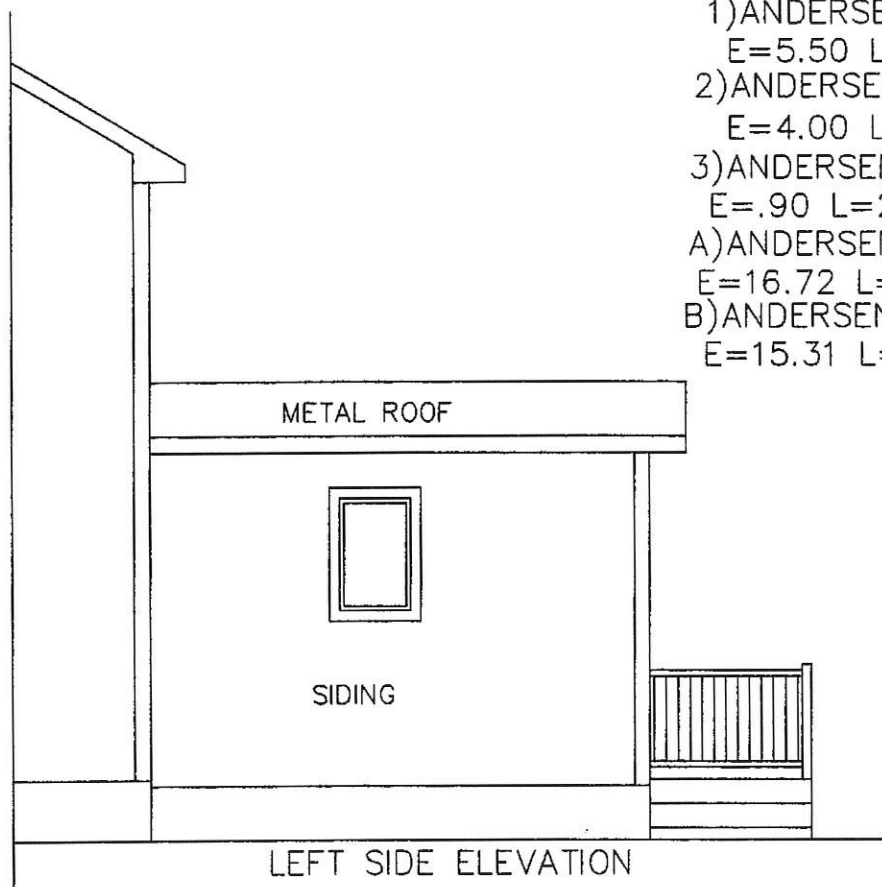
CONNECT NEW TO OLD
INSTALL 8"LONG #4
REBAR INTO 4" DEEP
HOLES(8"oc) W/ EPOXY
THEN POUR NEW WALL
OVER EXPOSED 4" OF REBAR





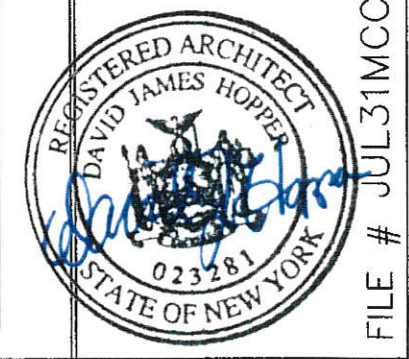
DOOR & WINDOW SCHEDULE
MANF SUBJECT TO CHANGE

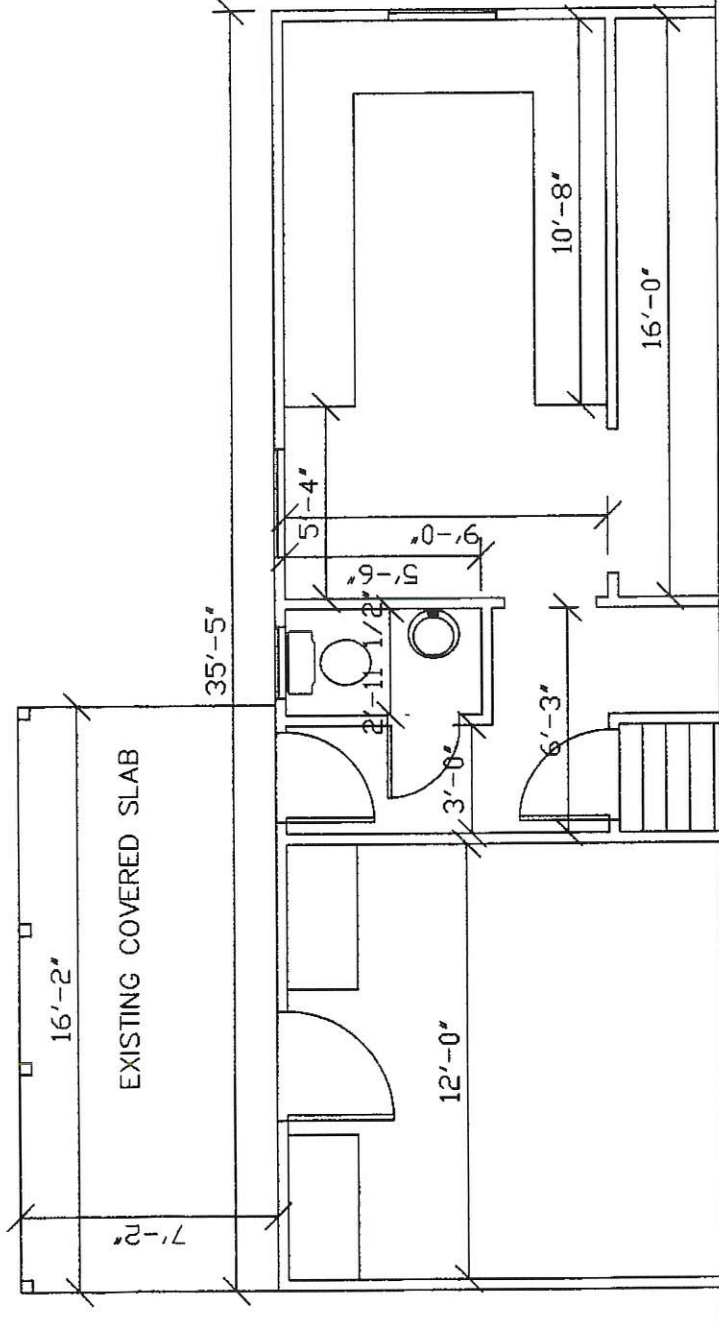
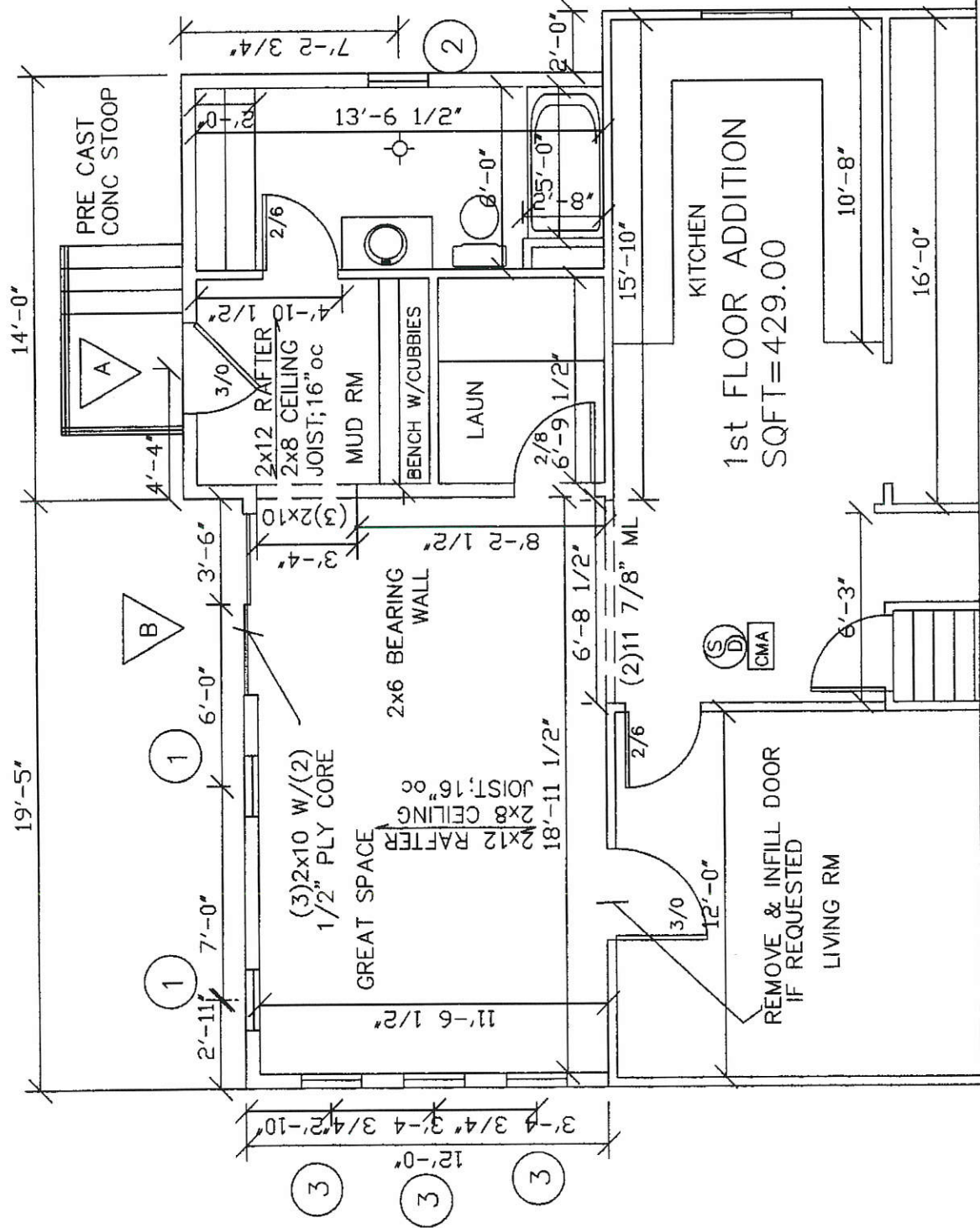
- 1)ANDERSEN(400) C14 QTY=2 RO=2'0 5/8"x4'0 1/2"
E=5.50 L=5.90 V=5.50
- 2)ANDERSEN(400) C13 QTY=1 RO=2'0 5/8"x3'0 1/2"
E=4.00 L=4.30 V=4.00
- 3)ANDERSEN(400) A21 QTY=3 RO=2'0 5/8"x2'0 5/8"
E=.90 L=2.56 V=.90
- A)ANDERSEN(400) FWH31611 QTY=1 RO=3'1"x6'11"
E=16.72 L=11.45 V=16.72
- B)ANDERSEN(400) FWG60611 QTY=1 RO=6'0"x6'11"
E=15.31 L=23.86 V=15.31



DATE APRIL 5 23
SHEET OF
OWNER MC CUTCHEON
CONTRACTOR

REAR ADDITION
1461 CLIFTONPARK RD; NISKAYUNA NY
ELEVATIONS
CDS DAVID J. HOPPER ARCHITECT
CREATIVE DRAFTING SERVICES INC
65 FLANSBURG LANE; VOORHEESVILLE NY
518 765 9085
DeRaven Design & Drafting
333 Kingsley Rd; Burnt Hills NY
518*478*0630
DONE BY: RKO
SCALE: 3/16"=1'





MECH LIGHTING/EXHAUST
MUST BE VENT TO
EXTERIOR AS PER CODE

NOTE: INSTALL 1/2" GYP AT WALLS
& CEILING (TYP) INSTALL MOISTURE
RESIST.(1/2" MIN) GYP IN ALL BATH

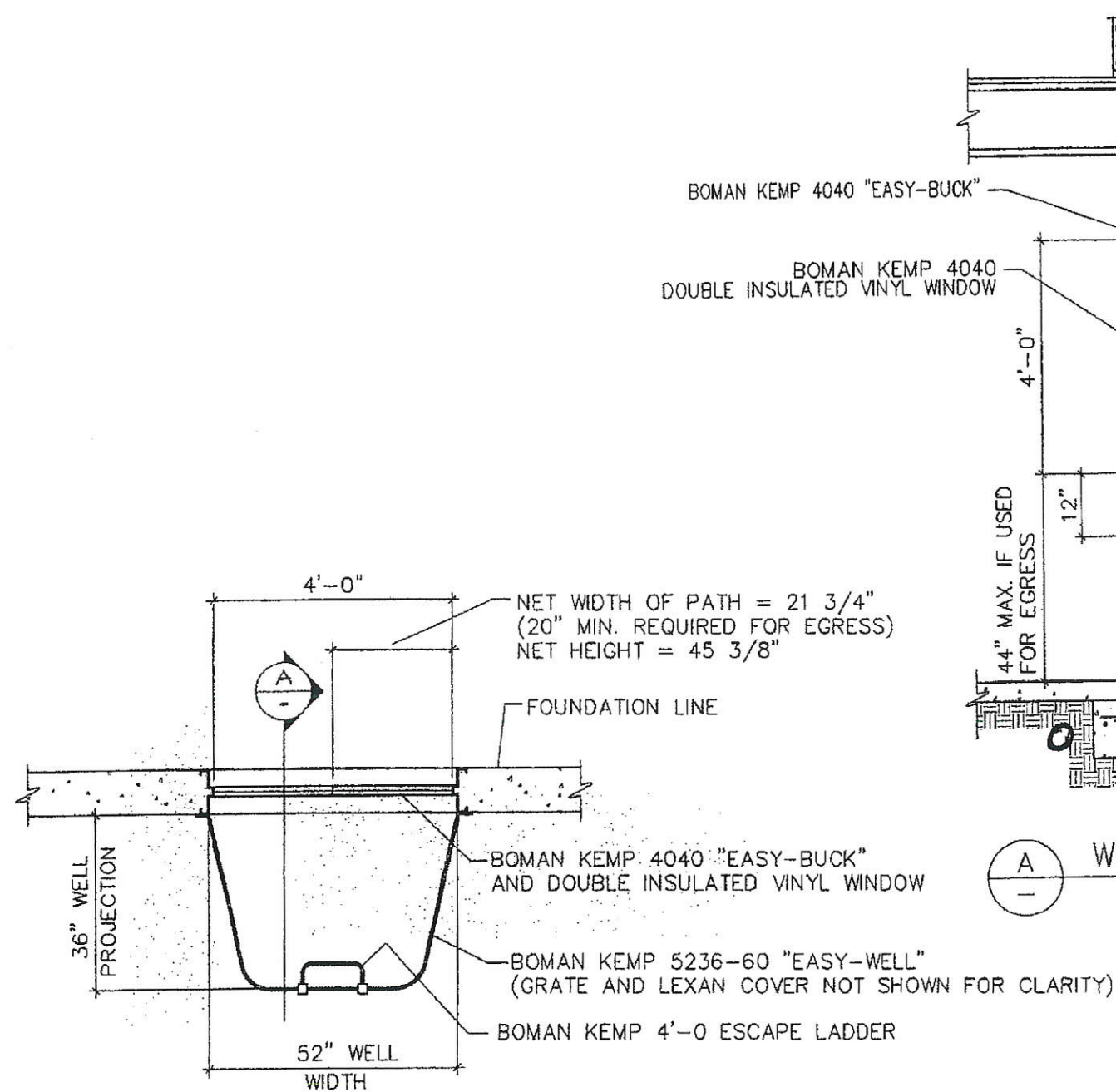
SMOKE DETECTOR
W/ BATTERY BACK-UP, HARD WIRED AND
INTERCONNECTED ON SEPARATE CIRCUIT

CARBON MONOXIDE ALARM
W/ BATTERY BACK-UP, HARD WIRED AND
INTERCONNECTED ON SEPARATE CIRCUIT



REAR ADDITION 1461 CLIFTONPARK RD; NISKAYUNA NY		DATE APRIL 5 23 SHEET OF OWNER MC CUTCHEON CONTRACTOR
DONE BY: RKO	FLOOR PLAN DeRaven Design & Drafting 333 Kingsley Rd; Burnt Hills NY	DAVID J. HOPPER ARCHITECT CREATIVE DRAFTING SERVICES INC 65 FLANBURG LANE; VOORHEESVILLE NY 518 765 9085
SCALE: 3/16" = 1'	518*478*0630	FILE # JUL31MCC

Received
MAY 18 2023
Niskayuna Building Dept.



PLAN VIEW WINDOW WELL
36" PROJECTION REQUIRED FOR EGRESS

WALL SECTION THRU. WINDOW WELL

<div style="text-align: right;"> Received MAY 18 2023 Niskayuna Building Dept. </div>			
DATE	SHEET OF	OWNER	CONTRACTOR
BOMAN KEMP 4040 DETAIL DAVID J. HOPPER ARCHITECT CDS		DeRaven Design & Drafting 333 Kingsley Rd; Burnt Hills NY 518*478*0630	
DONE BY:	RKO	SCALE:	
REGISTERED ARCHITECT DAVID JAMES HOPPER 023281 STATE OF NEW YORK		FILE #	

TIMBER HEAD SCHEDULE

SPAN	HEADER	JACK STUDS
UP TO 3'-6"	(2) 2 X 6	ONE EACH END
UP TO 4'-6"	(2) 2 X 8	TWO EACH END
UP TO 6'-0"	(2) 2 X 10	TWO EACH END
UP TO 7'-6"	(2) 2 X 12	TWO EACH END
UP TO 10'-0"	(2) 2 X 12*	TWO EACH END
OVER 10'-0" SEE FRAMING PLANS		
* WITH 1/2" PLYWOOD PLATE BETWEEN TIMBERS		

USE THIS CHART ONLY IF HEADER SIZE IS NOT SHOWN ON PLAN(S)

PLUMBING CHART

FIXTURE	DRAINAGE	VENT	SUPPLY
WATER CLOSET	3"	3"	3/8"
LAVATORY	1-1/2"	1-1/2"	3/8"
BATH TUB	1-1/2"	1-1/2"	1/2"
KITCHEN SINK	1-1/2"	1-1/2"	1/2"
SHOWER	2"	1-1/2"	1/2"
HOSE BIB	—	—	1/2"
WASHER	1-1/2"	1-1/2"	1/2"

GENERAL NOTES

- 1) THE CONTRACTOR SHALL APPLY FOR AND PROPERLY POST REQUIRED BUILDING PERMITS AS WELL AS ARRANGE FOR ALL REQUIRED INSPECTIONS BY THE LOCAL BUILDING DEPARTMENT AND/OR ANY OTHER AGENCY HAVING JURISDICTION.
- 2) ALL CONSTRUCTION SHALL CONFORM TO APPLICABLE STATE/LOCAL BUILDING CODE REQUIREMENTS AND SHALL BE IN ACCORDANCE WITH THE RESIDENTIAL CODE OF NEW YORK STATE.
- 3) CONTRACTORS SHALL PERFORM ALL MISC. REMOVALS, MODIFICATIONS, CONSTRUCTION AND CLEANUP REQUIRED TO COMPLETE THE GENERAL SCOPE OF THIS PROJECT.
- 4) CONTRACTOR SHALL PROVIDE ALL REQUIRED MATERIAL AND COMPONENTS NECESSARY, (SUCH AS NAILS, SCREWS, SEALANT, FLASHING ETC...) TO PROVIDE A STRUCTURALLY SOUND AND WEATHER TIGHT BUILDING.
- 5) CONTRACTOR IS RESPONSIBLE FOR ALL MEANS, METHODS, TECHNIQUES, SEQUENCES, OR PROCEDURES AND SAFETY PRECAUTIONS IN CONNECTION WITH THE WORK.
- 6) CONTRACTORS SHALL INDEMNIFY THE OWNER AND HIS AGENTS THROUGH ADEQUATE INSURANCE COVERAGE AGAINST ANY CLAIMS ARISING FROM INJURIES DURING CONSTRUCTION OR FAILURE TO MAINTAIN SAFE CONDITIONS ON THE CONSTRUCTION SITE.
- 7) CONTRACTOR SHALL VERIFY ALL CONDITIONS, DIMENSIONS, ROUGH-OPENING SIZE, ROOF PITCHES, ETC.. AT THE SITE PRIOR TO BEGINNING CONSTRUCTION. NOTIFY THE ARCHITECT OF ANY DISCREPANCIES AND/OR DEVIATION FROM THESE DRAWINGS FOR REVIEW AND/OR CORRECTION BEFORE PROCEEDING WITH WORK. CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR ERROR WHICH ARE NOT REPORTED.
- 8) UNAUTHORIZED ALTERATIONS TO THESE DRAWINGS IS A VIOLATION OF NYS EDUCATION LAW ARTICLE 145, SECTION 7209.
- 9) DIMENSIONS ARE GIVEN FROM FACE OF EXTERIOR FRAMING TO FACE OF INTERIOR FRAMING (TYPICALLY) UNLESS NOTED OTHERWISE. DO NOT SCALE DRAWINGS FOR DIMENSIONS. DIMENSIONS SHALL BE READ OR CALCULATED AND SHALL BE FIELD VERIFIED BY THE BUILDER.
- 10) ANY STRUCTURAL MEMBER SUBJECT TO CUTTING, DRILLING OR NOTCHING SHALL BE REINFORCED, REPAIRED AND / OR REPLACED, AND LEFT IN A SAFE, STRUCTURALLY SOUND CONDITION IN ACCORDANCE WITH THE REQUIREMENTS OF THE NYS BUILDING CODE.
- 11) ALL ELECTRICAL WORK SHALL CONFORM TO THE NATIONAL ELECTRICAL CODE REQUIREMENTS.
- 12) ALL PLUMBING SHALL BE INSTALLED PER STATE PLUMBING CODE AND ALL APPLICABLE LOCAL PLUMBING REGULATIONS.
- 13) DESIGN LOADS: 1st FLOOR LOAD 50 PSF, 2nd FLOOR LOAD 40 PSF, ROOF LIVE LOADS 20 PSF, WIND LOADS (EAVES) 115 mph, WALLS LIVE LOAD 15 PSF
- 14) STANDARD FRAMING LUMBER SHALL BE NO. 2 EASTERN WHITE PINE (OR BETTER), WITH FB=950 PSI AND E = 1,100,000 PSI
- 15) METAL CONNECTORS SHALL NOT BE LESS THAN 0.036" THICK, COATED THICKNESS. GALVANIZED SHEET STEEL: ASTM A 446, GRADE A COATING G60.
- 16) MICROLAM LUMBER SHALL BE STRUCTURALLY RATED AS FOLLOWS: FB = 2900 PSI, E = 2,000,000 PSI.
- 17) INSTALL 2X4 SOLID WOOD BLOCKING AT MID HEIGHT OF ALL WALLS OVER 8' IN HEIGHT.
- 18) INSTALL DOUBLE FLOOR JOISTS UNDER PARALLEL PARTITIONS 6' OR MORE IN LENGTH.
- 19) ALL COLUMNS AND OTHER SOLID FRAMING SHALL EXTEND DOWN THROUGH ALL LEVELS AND TERMINATE AT THE FOUNDATION LEVEL AND BE SUPPORTED BY THE CONCRETE FOUNDATION WALLS AND FOOTINGS.

FOUNDATION NOTES:

- 1) POURED CONCRETE SHALL HAVE THE FOLLOWING MINIMUM STRENGTH AT 28 DAYS. (FOOTINGS; 2500 PSI, WALLS; 3500 PSI, SLABS 4000 PSI). CONCRETE SHALL BE PORTLAND CEMENT; ASTM C 150 TYPE I.
- 2) ALL WOOD FRAMING WITHIN 6" OF FINISHED GRADE SHALL BE PRESSURE TREATED LUMBER. WOOD PLATES SHALL BE SECURED WITH 1/2" DIA. X 8" ANCHOR BOLTS AT 72" MAX. O.C. AND 12" EACH WAY FROM CORNERS, UNLESS NOTED OTHERWISE.
- 3) ALL CONCRETE FOOTINGS SHALL BEAR ON UNDISTURBED SOIL, (AS DETAILED).
- 4) CENTER ALL FOOTINGS UNDER FOUNDATION WALLS AND COLUMNS, UNLESS NOTED OTHERWISE.
- 5) ALL POURED CONCRETE SLABS SHALL BE PLACED OVER COMPACTED GRANULAR FILL.
- 6) ALL FOUNDATION WALLS OF THICKNESS NOTED ON THE FOUNDATION PLAN ARE POURED CONCRETE WITH DOUBLE ROW OF #4 BARS HORIZ. AT 12" FROM TOP OF WALL.
- 7) INSTALL 4" PERFORATED PVC FOUNDATION DRAIN AT SAME DEPTH OF FOOTINGS AROUND PERIMETER OF ENTIRE BUILDING AND PITCH PIPE TO DRAIN TO DAYLIGHT OR CONNECT TO APPROVED SUMP.
- 8) INSTALL SUMP PIT TO DRAIN TO EXTERIOR. FIELD VERIFY LOCATION.
- 9) MAINTAIN 4 FEET MINIMUM DEPTH OF ALL EXTERIOR CONCRETE FOOTINGS BELOW FINISHED GRADE. STEP FOOTINGS DOWN AS REQUIRED.
- 10) DO NOT PLACE FOOTINGS IN WATER OR ON FROZEN GROUND. DO NOT ALLOW GROUND BELOW FOOTINGS TO FREEZE, PRIOR TO PLACEMENT OF CONCRETE.
- 11) LAP FOOTING AND HORIZONTAL WALL REINFORCING BARS 24" AT SPLICE UNLESS NOTED OTHERWISE.

2018 INTERNATIONAL RESIDENTIAL CODE

TABLE R501.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND LOAD (psf)	WIND DESIGN		SEVERE WEATHERING RISK	SUBJECT TO DAMAGE FROM		WINTER DESIGN TEMP.	ICE BARRIER UNREINFORCED REQUIRED	FLOOD HAZARD ²	AIR FREEZING INDEX	MEAN ANNUAL TEMP.	
	Speed (mph)	Exposure Category		Windborne Debris Zone	Roofline Damage						Thermal
60	115	NO	NO	1	SEVERE	40°F	SOFT	5	YES	1915-1800 1500	40.3

For S1, 1 ground per square foot = 0.0475 lb/ft². 1 mile per hour = 0.447 m/s.

a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index, "negligible," "moderate" or "severe" for concrete as determined from Figure R501.2(2). The grade of masonry shall be determined from ASTM C 34, C 54, C 62, C 73, C 90, C 120, C 145, C 216 or C 230.

b. The frost line depth may require deeper footings than indicated in Figure R501.2(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.

c. The jurisdiction shall fill in this part of the table to indicate the need for protection on whether face has been a history of local severe weather damage.

d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map (Figure R501.2(4)). Wind exposure category shall be determined on a site-specific basis in accordance with Section R501.2.4.1.

e. The outdoor design dry-bulb temperature shall be selected from the contents of 97.1-percent values for winter from Appendix D of the International Plumbing Code. Deviations from the Appendix D temperature shall be provided to reflect local climates or local weather experience as determined by the building official.

f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R501.2.1.1.

g. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R501.2.1.1.

h. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R501.2.1.1.

i. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R501.2.1.1.

j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Gies 32.92)." in accordance with Section R501.2.1.5, where there is local historical data demonstrating structural damage to buildings due to temperature well beyond -40°F in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

k. In accordance with Figure R501.2(4A), where there is local historical data demonstrating unusual wind conditions, the jurisdiction shall fill in this part of the table with "YES" and identify any specific requirements. Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

l. In accordance with Section R501.2.1.2.1, the jurisdiction shall indicate "NO" in this part of the table.

m. In accordance with Section R501.2.1.2.1, the jurisdiction shall indicate "NO" in this part of the table.

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MAY 18 2023

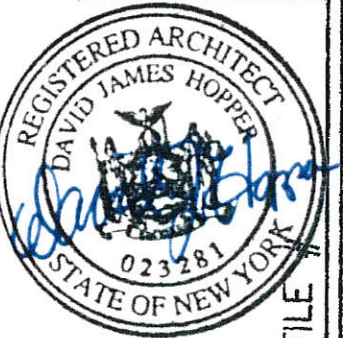
Niskayuna Building Dept.

DATE
SHEET OF
OWNER
CONTRACTOR

DAVID J. HOPPER
ARCHITECT
CDS
CREATIVE DRAFTING SERVICES INC
66 FLAMING LANE YORBA LINDA CA 91799
518 765 9085

DONE BY:
RKO

SCALE:



FILE