

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, March 16, 2022 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 JoAnnie Dickson-Bostwick and Vernon Bostwick 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 28 Laura Lane, Niskayuna, New York, located in the R-1: Low Density Residential Zoning District, to maintain a six (6) foot fence which exceeds the height limit in the side yard. 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 constructed, a six (6) foot high fence is located in the side yard; therefore, a two (2) foot fence height variance is required.
2. Appeal by Tracey Morehouse for a variance from of Section 220-13, Schedule I-B of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 1206 Ruffner Road, Niskayuna, New York, located in the R-1: Low Density Residential Zoning District, to construct a 16' x 22' garage addition partially within the side yard setback. Section 220-13, Schedule I-B requires a twenty (20) foot minimum side yard setback. As proposed, the addition would be located 6.1 feet from the side property line; therefore, a 13.9 foot side yard setback variance is required.
3. Appeal by Travis and Amy Teale for a variance from of Section 220-18 A. (2) and Section 220-18 A. (3) of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 2398 Rosendale Road, Niskayuna, New York, located in the R-1: Low Density Residential Zoning District, to construct a 36'x36' pole barn in the front yard and exceeding the allowable height of an accessory structure. **Accessory Structures-** Section 220-18 A. (2) states that "accessory structures are not permitted in the front yard of any lot". As proposed, the garage will be located in a front yard; therefore, a variance from this section is required. **Accessory Structures-**Section 220-18 A (3) States "Unless otherwise specified, accessory structures shall not exceed fifteen (15) feet in height. As proposed, the garage height will be twenty-three (23) feet. Therefore, a variance of eight (8) feet is needed.
4. Appeal by Tiffany Harris and David DiTonno for a variance from of Section 220-25 B (1) (a) of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 991 Hillside Avenue, Niskayuna, New York, located in the R-2: Medium Density Residential Zoning District, to maintain a six (6) foot fence which exceeds the height limit in both side yards. 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 constructed, a six (6) foot high fence is located in both side yards; therefore, a two (2) foot fence height variance is required.
5. Appeal by Corrie Whalen, agent for GE Global Research, for a variance from of Section 220-17 A of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 1 Research Circle, Niskayuna, New York, located in the I-R: Research and Development Zoning District, to construct an 80' x 220' research building exceeding the allowable building height. Height: Section 220-17 A states: "No building or structure shall exceed a height of 35 feet above the average finished grade adjoining the building unless otherwise specified in this chapter. The finished grade of artificial berms or similar earthen structures created for insulation or other purposes adjacent to the building shall be disregarded in the determination of average finished grade." As proposed the new building measures 55 feet high. Therefore a 20 foot ($55' - 35' = 20'$) area variance for the height of the building is required.

NEXT MEETING: April 27, 2022 at 7 PM

**TOWN OF NISKAYUNA
ZONING BOARD OF APPEALS
One Niskayuna Circle
Niskayuna, New York 12309
Meeting Minutes
January 19, 2022**

Members Present:

Maureen McGuinness, Chairperson
Keith Frary
Nicolas Ltaif
Peter Trimarchi
Vincent Daly
Richard Greene, virtual
Katrina Pacheco, virtual
John Hoke, virtual

Also Present:

Laura Robertson, Town Planner
Alaina Finan, Deputy Town Attorney

A. Roll Call

All members were present.

B. Minutes

The minutes from the December meeting were reviewed.

Mr. Daly placed a motion to accept the December minutes. Ms. Pacheco seconded the motion. The December minutes were approved as written by a vote of 6-0 with 1 abstention.

Mr. Frary	Aye
Mr. Ltaif	Aye
Ms. Pacheco	Aye
Mr. Daly	Aye
Mr. Greene	Aye
Mr. Hoke	Abstain
Chairperson McGuinness	Aye

Chairperson McGuinness reminded the audience that when they wish to address the Board they need to speak into the microphone because the Town is hosting a hybrid meeting and the participants who are connected over the computer can only hear what is spoken into the microphone. She informed the attendees that when they present their case to the Board, they need to state their name and address for the record. She also noted the Board will be asking them a variety of questions. She noted the Board members reviewed the case packets and possibly visited the property. She noted the Board uses questions to determine the need for variance and how the applicant mitigated the need for the variance. She noted Niskayuna is a diverse community and the words the Zoning Board uses may not be familiar to the speaker. She stated the Board will strive to be patient and explain what they are asking so the applicant will understand the questions – which should assist in them providing the most appropriate answers

C. Cases

1. Appeal by Mohamaed Sharifipour 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 1009 Catherines Woods Boulevard, Niskayuna, New York, located in the R-1: Low Density Residential Zoning District, to maintain a six (6) foot fence which exceeds the height limit in both side yards. 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 constructed, a six (6) foot high fence is located in both side yards; therefore, a two (2) foot fence height variance is required.

Last month, 8 notices were mailed with 2 responses. No new notices were mailed.

Mohamed Sharifapour, owner, was present. He stated that he spoke with his contractor and noted he will be able to move the fence off of the neighbor's property. The contractor also asked that the variance be approved because of the cost to change the fence to comply with Code. He noted the grading of the land makes the 6 foot fence look less in height.

Mr. Frary asked to confirm that the fencing on the neighbor's property would be moved back onto his property. Mr. Sharifipour agreed. Mr. Frary asked if the fence on the driveway side fence can be moved to the back corner of the house. Mr. Sharifipour noted that they installed a 6 foot fence to protect his grandchildren. He also stated that after the driveway ends, the patio steps down to his back yard. If the fence were moved back, as soon as he walked through the gate, he would be stepping down. Mr. Hoke noted that the stair location would block the applicant from moving the fence to the rear corner of the house. Ms. Robertson stated that the building inspectors allow for a small (4"- 6") amount of deviation from the rear corner usually because of rain gutters. She noted a small shift to accommodate the steps may also be allowed.

Ms. Pacheco asked if there is an alternate door on that side of the house other than the garage doors. Mr. Sharifipour stated there are no other doors. Ms. Pacheco asked if the steps are going up or down to the back yard. Mr. Sharifipour stated the stairs go down to the backyard. He noted the gap between the gate and the stairs in minimal.

Chairperson McGuinness asked if there was anyone present who wished to speak. Hearing none, she asked if anyone on the Board wished to place a motion.

Mr. Robertson noted that Ms. Pacheco heard this case at the December meeting and is present tonight so it would be appropriate for her to vote on this case. Mr. Trimarchi will be the alternate for the rest of the meeting. Chairperson McGuinness agreed.

Mr. Ltaif asked for clarity on what variances are being requested. Ms. Robertson presented an image and clarified the location of the fencing that did not comply with Code. Mr. Ltaif asked to confirm the fence is a see-through fence. Ms. Robertson confirmed. Mr. Ltaif noted that a recent case had a similar situation, and the Board added a stipulation about future replacement of the fence. Ms. Finan noted that the two cases are not the same. The other case was for a fence in the front yard. This fence is a side yard. She noted these are two different scenarios.

Mr. Frary placed a motion to deny the variance. He commended the applicant for working with his contractor to move the fence onto his property. He noted however that there are options available to the applicant to bring the fence into compliance. He noted that the fence does not create a change in character in the neighborhood since other houses have fences. Mr. Frary stated that the Board routinely is against 6 foot fences in side yards especially when alternatives exist.

Mr. Daly seconded the motion for the reasons already stated emphasizing that alternatives exist.

Upon voting, the motion was granted 5-2. The variances were denied.

- 84 Mr. Frary Aye
85 Mr. Frary voted yes on the motion to deny the variances.
- 86 Mr. Ltaif Nay
87 Mr. Ltaif voted no on the motion to deny the variances.. While he agreed that there were alternatives, he
88 felt the request was not substantial on one side.
- 89 Mr. Daly Aye
90 Mr. Daly voted yes on the motion to deny the variances.
- 91 Mr. Greene Aye
92 Mr. Greene voted yes on the motion to deny the variances.
- 93 Mr. Hoke Aye
94 Mr. Hoke voted yes on the motion to deny the variances. He noted the situation was self-created because
95 the fence was installed before a permit was approved.
- 96 Ms. Pacheco Aye
97 Ms. Pacheco voted yes on the motion to deny the variances. She noted options were available.
- 98 Chairperson McGuinness Nay
99 Chairperson McGuinness voted no on the motion to deny the variances.. She noted it was a challenging
100 decision.
- 101 2. Appeal by Ingalls & Associates, LLP, agent, for variances from provisions of NISKAYUNA CODE
102 SCHEDULE I-C Part 1 R-2 District Schedule of Supplementary Regulations, Town of Niskayuna as
103 it applies to the property at 1356 Balltown Road, Niskayuna, New York, located in R-2 Medium
104 Density Residential Zoning District, for an application for Sketch Plan Approval – 5 Lots or More for
105 a major subdivision of 18 townhomes at the 5.3 acre property. Variances include the need for front
106 yard setback, side yard setback, lot width, lot depth, lot area minimum, and lot maximum coverage.
107 Schedule 1-C, Part 1 lists the front yard setback for lots to be thirty (30) feet. Three (3) of the lots
108 have front yard setbacks that are less. Because the lots are proposed as side-by-side townhomes,
109 eighteen (18) lots will need a variance from the side setback on the common lot line. Fourteen (14)
110 lots do not meet the lot width requirement - eighty (80) feet. One (1) lot does not meet the lot depth
111 required – 100 feet. Fourteen (14) lots do not meet the minimum lot area – 9000 square feet. Four (4)
112 lots exceed the maximum coverage allowed for a lot – thirty (30) percent. A total of 54 area variances
113 are required.
- 114 29 notices were sent out. Six responses, a County referral, and a Planning Board referral were received.
115 Mike Shenfield, 1350 Van Antwerp Road, emailed the office. He was opposed to the project based on the
116 number of variances needed. Bruce Trachtenberg, 2350 Barcelona Road, sent a letter stating he was
117 opposed to the project based on traffic to Balltown Road. Sue McKinney, 2337 Barcelona Road, emailed
118 the office. She is opposed to the project based on the potential changes to the water table that may result
119 from this project. Chris Dogias, 2420 Hartland St, emailed the office. He is opposed to the project based
120 on the traffic it will create and the number of variances needed. Karen Munoz, 2329 Barcelona Rd, sent a
121 letter and is opposed to the project for a number of reasons. Darryl Bray, 1420 Van Antwerp Rd, emailed
122 our office. He was opposed to the project for several reasons.
- 123 Victor Caponera, agent for BR Holdings, was present. Robert Miller, Tim Miller, and Dave Ingalls were
124 also present virtually. Mr. Caponera noted that the project started in 2017. He stated the parcel is s 5.3
125 acre site with frontage on Balltown and Van Antwerp. Currently the land has 5 single family dwellings
126 with 5 separate curb cuts: 4 on Balltown Road and 1 on Van Antwerp Road. He noted the land is in the R-

2 (medium density residential) Zoning District which allows Townhomes. He noted that Niskayuna does not have specific code for townhouse subdivisions. The property is surrounded by land that is zoned C-N (Neighborhood Commercial) to the north (WRGB) and south (CVS). Northeast of this property the land is zoned R-3, high density residential, (Van Antwerp Apartments). He noted that the Town Comprehensive Plan requires that the land remain R-2 which is why the townhome plan was developed. He noted that Dave Ingalls created a plan for 17 individual homes on this land. However, the owners and Mr. Ingalls believe that the proposed plan of 18 townhomes is a better fit for the land. He noted that single family townhomes create an immediate market need and a diversity of housing in Town. He noted that the townhome plan creates a more efficient use of the land by allowing 1.3 acres of this site to be open space for stormwater retention and open space for the residents. The townhome option reduces the curb cuts onto Balltown Road and Van Antwerp Road from 8 to 2. He noted that they worked with the Planning Board to adjust the location of the Balltown Road curb cut to allow better access and safety considering other side streets and the WRGB driveway. He noted that single family townhomes create less traffic during morning and evening commuting times. He noted a traffic study was included with the packet and it referenced 20 townhomes, which has since been reduced to 18.

Mr. Caponera noted that an area variance is a balancing test. The Board is required to analyze the benefits to the applicant against the detriments to the neighborhood. BR Holdings feels that this proposal is an appropriate use of this property. He noted that the majority of the requested variances deal with the conjoined townhomes and the side setback on the connected side. He noted that three homes do not meet the front setback requirements because of the roads into the development. He noted that a lot of the lots do not meet the lot width minimum. He noted this was done to allow for more open space that can be shared by all residents. The reduced lot width causes lot area deficits and lot coverage excesses. He noted again that these are a result of condensing the structures on the property to allow for more open space.

Mr. Caponera noted that the proposed townhomes provide a transition from commercial to residential district. He noted that all the variances are internal to the property, and none are needed to surrounding properties. He noted that the Planning Board has seen many iterations of this project and did recommend approval of the project to the Zoning Board of Appeals.

Mr. Caponera noted that the Zoning Board approved a use variance for the CVS in 2010. He noted in 1994 the Zoning Board of Appeals granted area and use variances for 12 townhomes north of this site at 1437 Balltown Road. He noted the Zoning Board determined there was no significant impacts and allowed the variances. He noted that the proposal presented is similar to the previous townhome development from the past so there should be minimal objections to this current proposal.

Lastly, he noted that Lot 21 is an oddball lot simply because the lay of the land did not allow it to become anything useful. It is too small to be an R-2 lot. He noted they considered combining it with Lot 18 to remove 2 variances. However, that doesn't add any benefit to Lot 18 and reduces commonly held open space.

Mr. Caponera noted he believes the requested variances should be granted based on the entire record including the variances granted for the CVS and the variances granted for 1437 Balltown Road. He noted that this proposal creates a nice transition from the commercial properties on the north and south of this site and the residential properties on the east and west. He noted that the Planning Board believes this project would be in harmony with the Zoning Code of Niskayuna.

Dave Ingalls noted the project started with a proposal for 50 apartments and 6000 sq ft of retail space. He noted when the plan was presented to the Planning Board there was a lot of public push back by the neighbors. He noted that the owners met with the neighbors and listened to their comments. The plan has been reduced in scope into the 18-unit Townhouse development with 1.4 acres of open space. He noted the project is bound by Town and DEC requirements that require all stormwater to stay on the site. He

noted the site receives a lot of stormwater from the WRGB driveway which then drains through 1356 Balltown Road to the storm drains at CVS. Upon development, the site will have to be designed to manage storm water runoff internally and not create additional flow to neighbors. Mr. Ingalls noted another issue was traffic. He noted that townhome developments create half the traffic than single family developments. The packets include their traffic analysis report when the plan contained 20 townhomes so the numbers will be less with 18 townhomes.

Tim Miller and Bob Miller stated that they had no comments at this time.

Chairwoman McGuinness noted that the Zoning Board has the opportunity to ask question first and when they are done the public can ask their questions.

Mr. Ltaif asked if the number of townhomes can be reduced more to minimize the variances. Mr. Ingalls noted the history of the project. He reminded the Board that the project started with 50 apartments and reduced it down to 18 townhomes. He noted that they could develop 16 single family homes which would create more road cuts onto Balltown Road and Van Antwerp Road and no open space. The 20-unit townhouse proposal required 73 variances. This project has been reduced and the number of variances needed has been reduced.

Mr. Ltaif asked the variance reductions from combining Lots 18 and 21. Mr. Ingalls stated that 2 variances would be eliminated.

Mr. Hoke asked if further reductions in the number of structures would be practical. Mr. Ingalls stated that the return on investment is the reason it is not practical. He noted that he talked to the owners, and they noted the drop from 20 to 18 townhouses was the limit. Any additional reductions would not produce a return of investment. Mr. Caponera also noted the 18 townhouses matches the development density that a single-family development would have. Mr. Hoke asked if any variances would be needed to develop a single-family subdivision. Mr. Ingalls noted that a 17 single-family subdivision would not require any variances. Mr. Ltaif asked Ms. Robertson to confirm that the 17 single-family subdivision would not need any variances. Ms. Robertson stated that she apologized that this image was not included with the packets. She noted that the image is not fully annotated but it appears that no variances would be needed. Ms. Robertson also noted that Lot 21 is currently considered public open space. If it was combined with Lot 18, it would become private land unless a deed restriction was created.

Mr. Frary asked if the existing 5 homes on the site are empty. Mr. Caponera confirmed they were. Mr. Frary noted that the discussion has been based on comparing an 18-townhome subdivision with a 17 single-family subdivision, but the existing property consists of 5 single family homes with a large, wooded area. Mr. Caponera agreed and noted BR Holding bought the land to remove the existing abandoned homes and develop the property. Mr. Caponera noted that a lot of towns are requiring open space to be included with all new developments. He noted the 18-townhome project fulfills that obligation. Mr. Frary noted that the Zoning Board of Appeals is a separate entity and has its own criteria to review projects. Mr. Caponera agreed and noted that they have worked through many scenarios trying to honor the requirements of the Town and its residents.

Mr. Frary asked how the traffic study was developed. Mr. Caponera noted that the reports stated the information came from ITE standards and was analyzed by a traffic engineer. Mr. Frary asked if Mr. Caponera was ever in Niskayuna at specific times and locations when Town traffic is at its worst. Mr. Caponera stated he is familiar with the Town and has sat in the traffic backups being noted. Mr. Frary noted the Board considers if this project changes the character of the neighborhood. He noted he believes traffic is a key aspect of the character of the neighborhood in this area. He noted that the increase in traffic from the existing 5 homes to the 18 proposed townhomes will affect the character of the neighborhood. He commended the reduction of road cuts onto Balltown Road and Van Antwerp Road.

Mr. Caponera reminded the Board that the traffic study shows the 18-townhouse subdivision would create half the number of cars than the 17 single family home subdivision. Mr. Frary disagreed with the traffic analysis and felt that any change in the traffic would be an unwelcome change in the neighborhood. Mr. Ingalls noted that the roads in question do have a high daily traffic level. He noted the ITE standard is accepted and generally accurate. Mr. Frary continued to compare the current traffic situation to the developed traffic situation and noted any increases will be noticed.

Mr. Frary noted he was concerned with the need for individual variances after the units are sold. He noted that the Board sees a number of variance requests from other Townhouse developments. He noted he was hesitant to allow the 53 variances to develop the site and then after the lots are sold receive another set of requests for variances from the individual lot owners. Mr. Caponera noted that the Board receives requests for variances all the time based on homeowners needs not because of the development's shortcomings.

Chairperson McGuinness asked if there were any other members who had questions about the area variances.

Mr. Trimarchi asked how many townhomes could go into the development if the lot width and lot area requirements were met. Mr. Ingalls stated that was not evaluated. He noted that the townhouses basically split the single family lots in half. They created lots that met the 80-foot width and split them in half for two side-by-side townhouses. He noted it wouldn't be appropriate for an individual townhome to meet the single-family lot requirements. Mr. Trimarchi asked if they tried to meet the minimum area requirements by increasing the lot size. Mr. Caponera noted that the idea of using townhouses was to create a significant amount of open space. Mr. Ingalls noted that they were trying to balance a lot of variables. He noted there is a 10% requirement for open space or, as an option, developers can pay a parkland fee and not create any space. This proposal created a quarter of its acreage as open space. Mr. Ingalls stated he could try to make the properties deeper but the grades of the land would not help the modification and the open space would be reduced. He can't increase the lot depths especially on Balltown Road and stated they have maximized the widths and created one access point. He noted he believes they have reduced the variances to the least amount practicable.

Mr. Trimarchi asked what the elevation view that will face Balltown Road and Van Antwerp Road will look like. Mr. Ingalls noted that the garages will face the interior roads. The front door or front facing elevation will face Balltown Road and Van Antwerp Road. Mr. Trimarchi asked if all the trees would be removed from the property and then they would replant or if the developers will try to preserve the majority of trees already on the site. Mr. Ingalls noted they have not finalized the landscape plan. They met with the Conservation Advisory Council (CAC) and discussed limiting the amount of land to be cleared for construction and water retention areas. Mr. Trimarchi asked if they plan to preserve some of the existing large trees on the site. Mr. Ingalls noted that they shouldn't have to remove trees in the setbacks unless they interfere with sidewalks. He noted that the trees in between the proposed building would probably be removed so they can grade the land to keep storm water on site. Trees in the open space or on the larger lots should remain. He noted the CAC has requested that they follow green practices and preserve existing street trees.

Mr. Trimarchi asked if they considered reducing the number of new homes but charge more for larger homes - so the developer could attain the same financial goal. Mr. Ingalls noted that the developer was not pursuing the single-family homes. They only developed the plan to show that the property is capable of having 17 single-family homes with the R-2 Zoning District.

Mr. Trimarchi asked if the open space will be deed restricted. Mr. Ingalls stated it will be. Mr. Trimarchi stated that he asked to ensure that future plans do not convert these lots to additional townhomes. Mr. Caponera stated that the Planning Board would require the deed restriction. Mr. Trimarchi noted that he

264 wanted to ensure Lot 21 stayed as open space. He noted he didn't mind the variances needed for it as long
265 as it remained open space. Mr. Trimarchi noted that this land is the last green space that exists in the
266 Town Center Overlay District and he felt it is important that the Zoning Board review the plans carefully.
267 Mr. Caponera agreed and noted that the Planning Board is being just as diligent.

268 Mr. Trimarchi asked what steps would follow if the Zoning Board approved the Variances. Ms.
269 Robertson stated that the project would return to the Planning Board for preliminary subdivision approval.
270 After the roads and infrastructure were created it would return to the Planning Board for final subdivision
271 approval.

272 Mr. Greene asked for a comparison of traffic change from the existing, once occupied, homes and the
273 proposed 18 townhomes. Mr. Ingalls noted that the existing homes would generate one car for each home
274 during the peak travel times. This represents 4 cars onto Balltown Road and 1 car onto Van Antwerp
275 Road. The proposed development would create 7 or 8 cars onto two access points. He noted that Balltown
276 Road generally has 20,000 cars on it on any given day. The proposed development would add 7 cars-an
277 insignificant number. Mr. Greene asked if the added traffic would be noticeable. Mr. Ingalls stated it
278 would not be.

279 Mr. Daly asked if an actual traffic study was done on Balltown Road and Van Antwerp Road during peak
280 hours. Mr. Ingalls stated that an analysis was done by VHB, a traffic engineering company.

281 Mr. Ltaif noted that lots 2, 3 and 16 need a front yard setback variance. He asked what the applicant did to
282 reduce the need for a variance on these lots. Mr. Caponera noted that Lot 16 misses the front yard setback
283 because of the curve of the internal road. He noted that in a previous iteration there was another building
284 along the road. He noted the building was moved across the street to remove some area variances. They
285 were not able to reconfigure the road in a way to give Lot 16 enough front yard. Mr. Caponera stated that
286 the front yard setbacks for Lots 2 and 3 are the front yards of the interior road. To give them the proper
287 front yard, the buildings would need to shift and create different variances in the side setback.

288 Mr. Ltaif noted that Lot 16 has 3 front yards. He noted his concern for the future homeowner who wants
289 to add a deck, fence, or shed. The 3 front yards would be very limiting, and the owner would need to
290 come to the Zoning Board.

291 Mr. Ltaif asked how the development benefited when the Townhomes along Van Antwerp Road were
292 reduced from 4 to 3 buildings. Mr. Ingalls noted that side yard variances and lot width variances were
293 removed or reduced. Other variances were also reduced or removed. Ms. McGuinness asked how many
294 variances were needed when there were 4 buildings along Van Antwerp Road. Ms. Robertson responded
295 that 73 variances were needed.

296 Mr. Frary asked for information on the location of the Balltown access road. Mr. Ingalls stated it was
297 moved away from Almeria Road to where it is today. Mr. Frary questioned whether moving closer to the
298 north would change front yards on Lots 2 and 3 to side yards and remove the need for the variance. Mr.
299 Ingalls noted there was a concern of being too close to Almeria Road and WRGB driveway, which would
300 create conflicting traffic flow between the 3 intersections. If they could line everything up that would
301 have been better from a traffic engineer's standpoint, but otherwise it should be farther away for safety.

302 Mr. Caponera noted that they considered other emergency exits. They found they had rights to an
303 emergency exit into the CVS parking lot from a previous developer's plans for the site. They contacted
304 WRGB for access and were denied. Mr. Caponera noted that these access points and emergency exits
305 have been discussed with the Planning Board.

306 Chairperson McGuinness asked if there was anyone present who wished to speak.

Douglas Hexel, 2429 Hartland St, noted that the empty house on Van Antwerp may not be empty. He noted he waves to the person each morning. He noted he was not invited to comment on the project and wondered where they received their input from. Mr. Hexel commented that the traffic at the Balltown and Van Antwerp intersection is bad and horrible to travel. He noted that it is almost impossible to take a left turn from Balltown Road south onto Van Antwerp Road. If one knows the area, one is more likely take Nott Street East to Van Antwerp. He noted that his family usually walks to the CVS and observes many cars using the parking lot as a cut through from Balltown Road to Van Antwerp which is dangerous to pedestrians. He noted that he liked the idea of townhomes. He agrees with the Board that the proposal has too many structures. He noted the properties have no yards for kids to play. He also noted that the yards tend to be front yards only which is no place to play.

Mr. Hexel noted that he studied the traffic report and noted that the guidelines of the study recently combined townhomes into the same category as apartments. The numbers may be different, but he isn't a traffic engineer. Mr. Hexel reminded the Board that the Town lost a significant amount of green space at the Van Antwerp and Hilltop intersection recently. He noted that the Police Department had to set up a radar check for cars exiting Balltown Road onto Van Antwerp Road because of excessive speed. Mr. Hexel asked what size the proposed 17 single family homes were in the tentative plan. He wondered if they were a realistic size for what people want. He noted that building townhomes was a cheaper building option since you are basically building one house and splitting it into two. He noted the Town would benefit from having townhomes built but doesn't believe there should be as many as proposed. The number can be reduced and the number of variances would be reduced to everyone's benefit. Mr. Hexel suggested the Board review the cluster code from other communities and compare it to the plans presented under the current Town Code. Mr. Hexel ended by asking the Board to reject the proposal. He noted that removal of two of the buildings or 4 lots would remove the majority of variances needed.

John Fish, 1349 Hawthorn Road, noted that he came to the meeting for his neighbor's fence but is much more interested in this project. He wished that the Town had informed a wider radius about this case. He is certain more people should have known about this project. He noted that his concerns match what the Zoning Board has already discussed: character of the neighborhood and traffic. He noted that he was raised in California and even though there were 5 lanes on the highway, people tended to just sit in traffic. He stated that he came east for college and fell in love with the Adirondacks. He noted he settled down in Niskayuna because of the trees and the character of the neighborhoods. He does not believe there is a benefit from cutting down gorgeous old trees and planting new ornamental trees. He is not in favor of allowing this development to happen because it would mean the last lot of trees separating residential and commercial space will be cut down.

Chairperson McGuinness asked if there was anyone else present or online who wished to speak. Hearing none, she asked the applicants who were the neighbors they spoke with while developing this plan. Mr. Robert Miller noted that he reached out to Daci Shenfield. He noted that in 2017 the Planning Board hosted a public hearing, and they took notes of people who spoke and their comments. He noted they also spoke with Darryl Bray and others. Chairperson McGuinness stated that she has been following this project in the newspaper and had the perception that the applicants were meeting with large groups from the neighborhood not a few points of contact.

Mr. Ltaif asked if the houses that currently exist on the land have been purchased. Mr. Caponera confirmed they were. Mr. Robert Miller noted that there are two houses on Van Antwerp Road. He stated that only one of the houses is part of the project. He suspects Mr. Hexel is waving at the owner of the house closest to CVS which they do not own.

Chairperson McGuinness asked council for guidance on dealing with the variances. She asked if the board should chunk them or vote on them in their entirety. Ms. Finan noted that the applicant needs all the

353 variances to move forward with their project as drafted so she recommended that the Board should vote
354 on the variances as a complete package.

355 Chairperson McGuinness asked if any member of the Board had a motion.

356 Mr. Frary wished to thank the applicant for the time and effort on this project. He stated it is obvious that
357 they worked hard to create a project that would benefit the Town. He noted that too many recent
358 developments have taken down too many trees in the center of Town. He placed a motion to deny the
359 variance. Mr. Frary noted the project is substantial but that is not determinative. He noted that he has
360 never sat on a case that required so many variances. He noted that some of them make sense and has not
361 issue with granting them. He noted the variances for the side setback on the conjoined properties is
362 understandable and acceptable. The large number of variances for the property width, property size, and
363 coverage are substantial. Mr. Frary believes that the development would change the character of the
364 neighborhood in a number of ways. He noted the traffic is the big change. Mr. Frary believes the
365 development would affect the environment. He noted that the project will remove the last bit of green
366 space in the center of Town. While he likes the buildings being proposed, this is the last forested area in
367 Town. He also noted this would create another cut-through road which would detract from what the
368 developers were intending. He noted the open space planned will include a bio-retention area and a
369 stormwater retention pond. While these will be landscaped, they will not be true natural areas. Mr. Frary
370 believes there are alternative options. He noted the applicants may have financial reasons for the number
371 of buildings, but the number of variances is excessive. Reducing the number of structures will surely
372 reduce the number of variances needed. He noted he appreciates the work that was done on the project,
373 and he understands they have worked diligently to reduce the number of variances needed but he feels
374 that the number of variances is too many and placed a motion to deny the variances.

375 Mr. Ltaif seconded the motion. He noted that the Zoning Board rarely sees so many variances requested.
376 His biggest issue is the addition of homes in an area that can't support the traffic it currently has. He also
377 is concerned about the loss of trees and the character of the neighborhood. He noted that there exist
378 alternatives to reduce the number of structures and thereby reduce the number of variances needed.

379 Upon voting, the motion was granted with a vote of 7-0. The variances were denied.

380 Mr. Frary Aye
381 Mr. Frary voted yes on the motion to deny the variances.

382 Mr. Ltaif Aye
383 Mr. Ltaif voted yes on the motion to deny the variances.

384 Mr. Trimarchi Aye
385 Mr. Trimarchi voted yes on the motion to deny the variances.

386 Mr. Daly Aye
387 Mr. Daly voted yes on the motion to deny the variances.

388 Mr. Greene Aye
389 Mr. Greene voted yes on the motion to deny the variances. He noted he appreciated the work the
390 applicants did to reduce the variances.

391 Mr. Hoke Aye
392 Mr. Hoke voted yes on the motion to deny the variances.

393 Chairperson McGuinness Aye
394 Chairperson McGuinness voted yes on the motion to deny the variances. She noted the efforts made to

create this project and their efforts to create alternative housing so residents had the option to age in place. She noted it is a creative use of the space. She noted it was substantial request. She felt the project does change the character of the neighborhood. The environmental impact would be great because of the loss of trees and green space. She noted there were no attempts to further minimize the number of variances except for changes to Lot 21 which would negatively impact the open space.

3. Appeal by William Cappiello 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 1353 Hawthorn Road, Niskayuna, New York, located in the R-1: Low Density Residential Zoning District, to maintain a six (6) foot fence which exceeds the height limit in the front and side yards. 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 constructed, a six (6) foot high fence is located in both side yards and the front yard; therefore, a two (2) foot fence height variance is required.

10 notices were mailed out. 5 responses were received. Lynell and Eric Englemyer, 1354 Hawthorn Rd, emailed the office. They supported the location and height of fencing. Michael Jakubowski, 1350 Hawthorn Rd, wrote a letter in support of the variance. Joan Thompson and Michael Goldstoft, 1358 Hawthorn Rd, emailed the office and stated they had no objection to the variances. Hong Kyu Cheon, 1357 Hawthorn Rd, wrote a letter stated he was opposed to the variances. JS Fish, 1349 Hawthorn Rd, wrote a letter opposing the variances.

William Cappiello, owner, was present. He noted he owned the house for 7 years. He applied for a pool permit in May 2020. With COVID, the project has taken a long time to complete. The original application showed the fence ending at the back corner of the house. Because the construction took too long, his kids have been playing more in the driveway and errant balls have ended up in the neighbor's property. In an effort to make peace with the neighbor he asked the neighbor if he had an issue with extending the fence longer into his side yard. To even things up on both sides of the house he spoke with the other neighbor and extended the fence on the side too. He apologized for not discussing the change first with the Building Department.

Chairperson McGuinness asked if the fence was included in the application for the pool. Mr. Cappiello stated that it was. Chairperson McGuinness asked what type of fencing was on the application. Mr. Cappiello stated that an aluminum fence was installed from the house to the side property lines and a cedar fence was installed along the side property lines and a portion of the back property line

Mr. Frary asked for clarification on the fence location and style. Mr. Cappiello showed the fence location and styles on the image presented on the screen. He noted there was a portion of the rear yard that has a chain link fence installed along with the cedar and aluminum fence. He noted that his neighbor on the right has his house oriented so his rear yard is the Cappiello's side yard. Because of some disagreements with the children, Mr. Cappiello extended the 6' fence further and located it in the side yard. He added the same number of panels on the left side of his house.

Mr. Frary asked if the house was 125 feet from the road. Mr. Cappiello confirmed it was. Mr. Frary asked how far from the road do the 6' fence panels start. Mr. Cappiello stated they are about even with the front of the house so they are 125' from the road. Mr. Frary noted that the panels can be reduced to 4 feet. Mr. Cappiello stated he probably would just remove them.

Mr. Trimarchi asked why both neighbors objected. Mr. Cappiello stated he has a basketball hoop on the driveway and the ball frequently rolls to the neighbor's property. He installed the fence to block the ball. Mr. Frary asked if the neighbors realize a 4 foot fence can be installed. Mr. Cappiello stated he talked with the neighbors and mentioned this. He didn't believe they understood.

439 Mr. Ltaif asked if the left side of the house had any doors to the side yard. Mr. Cappiello stated there were
440 no doors. Mr. Ltaif asked if the right side had doors to the yard. Mr. Cappiello stated there were 2 garage
441 doors and one person door. Mr. Ltaif asked if Mr. Cappiello was willing to reduce the fence height. Mr.
442 Cappiello stated he was.

443 Chairperson McGuinness asked if there was anyone who wished to speak.

444 Michael Basile, attorney for Dr. Cheon, 1357 Hawthorn Drive, introduced himself and stated his client's
445 statement has been read into the record. He wished to add that Dr. Cheon understands that a 4 foot fence
446 is allowed. He noted that his clients are the most affected by the fence height since their home is on the
447 downslope so the extra 2 feet of fence really affects their view. He noted it is an undesirable change to the
448 neighborhood as stated by the two abutting property owners. He considers 2 feet substantial because that
449 is half of the allowable height of the fence. He noted there was no unique reason stated so future request
450 for 6 foot fences will be harder to deny. He believes the Board should deny the variance.

451 Chairperson McGuinness asked if his clients understood that only a portion of the 6 foot fence did not
452 comply with code. Mr. Basile stated he should know and he will have to get used to the portions of fence
453 that can remain 6 foot.

454 Chairperson McGuinness asked if there was anyone else who wished to speak. Hearing none, she asked if
455 any member of the Board had a motion.

456 Mr. Ltaif placed a motion to deny the variance. He stated the applicant was trying to be a good neighbor
457 but didn't understand the code. He noted that it did create an undesirable change in the neighborhood. He
458 noted it is substantial. He stated it would have adverse environmental effects. He noted the need for a
459 variance was self-created because the applicant made changes to his fence plans without first checking
460 with the Building Department.

461 Mr. Daly seconded the motion.

462 Upon voting, the motion was granted with a vote of 7-0. The variances were denied.

463 Mr. Frary Aye

464 Mr. Frary voted yes on the motion to deny the variances. He noted that the permitted 6 foot fence was
465 fine. He noted the new sections that were added beyond the permit must be reduced to 4 foot. He noted
466 that the Zoning Board routinely denies 6 foot fencing in the front and side yards.

467 Mr. Ltaif Aye

468 Mr. Ltaif voted yes on the motion to deny the variances.

469 Mr. Trimarchi Aye

470 Mr. Trimarchi voted yes on the motion to deny the variances for the reasons stated.

471 Mr. Daly Aye

472 Mr. Daly voted yes on the motion to deny the variances. He noted that the 6 foot fence in the side yards
473 change the character of the neighborhood.

474 Mr. Greene Aye

475 Mr. Greene voted yes on the motion to deny the variances.

476 Mr. Hoke Aye

477 Mr. Hoke voted yes on the motion to deny the variances.

478 Chairperson McGuinness Nay

479 Chairperson McGuinness voted yes on the motion to deny the variances.

480 Chairperson McGuinness asked if there was any other business before the Board. Hearing no other
481 business, Chairperson McGuinness asked for a motion to adjourn.

482 Mr. Frary made a motion to adjourn. Mr. Ltaif seconded the motion and all the Board approved. The
483 meeting was adjourned at 10:40 p.m.

DRAFT

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

March 4, 2022

TO WHOM IT MAY CONCERN:

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

DATE: March 16, 2022

TIME: 7:00 P.M.

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

AT THIS TIME THE BOARD WILL CONSIDER THE REQUEST OF:

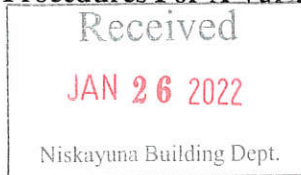
Appeal by JoAnnie Dickson-Bostwick and Vernon Bostwick for a variance from Section 220-25 B (1) (a) of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 28 Laura Lane, Niskayuna, New York, located in the R-1: Low Density Residential Zoning District, to maintain a six (6) foot fence which exceeds the height limit in the side yard.

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 constructed, a six (6) foot high fence is located in the side yard; therefore, a two (2) foot fence height variance is required.

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: JoAnne Dickson-Bostick, Vernon Bostick

RE: Property at 28 Laura Lane, Schenectady, NY 12304
Section _____ **Block** _____ **Lot** 42

I, JoAnne Dickson-Bostick, the (owner) (agent of the owner) of the property located at 28 Laura Lane Schenectady NY 12304 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
____ Fifteen (15) copies of plot plans
- one
____ Two (2) copies 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 1/21/22

Signature of Owner (if different from Agent) [Signature]

Telephone Number: 518-229-6242

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.

My husband and I researched a variety of options in regards to our fencing needs. Our main priority is keeping our sons safe and secure when they are out doors. The only feasible way to do this is to have an enclosure that will deter our sons from eloping.

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 fencing that was purchased was professionally installed. The materials used were that of materials, fencing that is currently installed throughout the neighborhood. The proposed Variance does no harm to either public or private interests, and is not injurious to any property or interest.

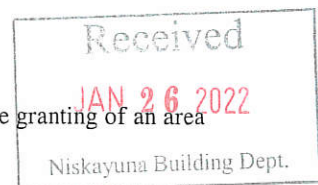
3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

At its current standing, the fence is not obtrusive and it blends in with the other fences that are installed throughout the neighborhood. The fence is two feet taller at two separate points of the fence. This is done due to safety measures in regards to our severely autistic son who can and will elope. Due to this, the fencing is not viewed as substantial.

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:

The fence that this variance is being requested for does not encroach or infringe on any neighboring residential properties, nor would it impose any hardships on any neighbors, nor would it serve to create a situation where any neighbor's quality of life, property value, or peaceful co-existence would be negatively affected.

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:

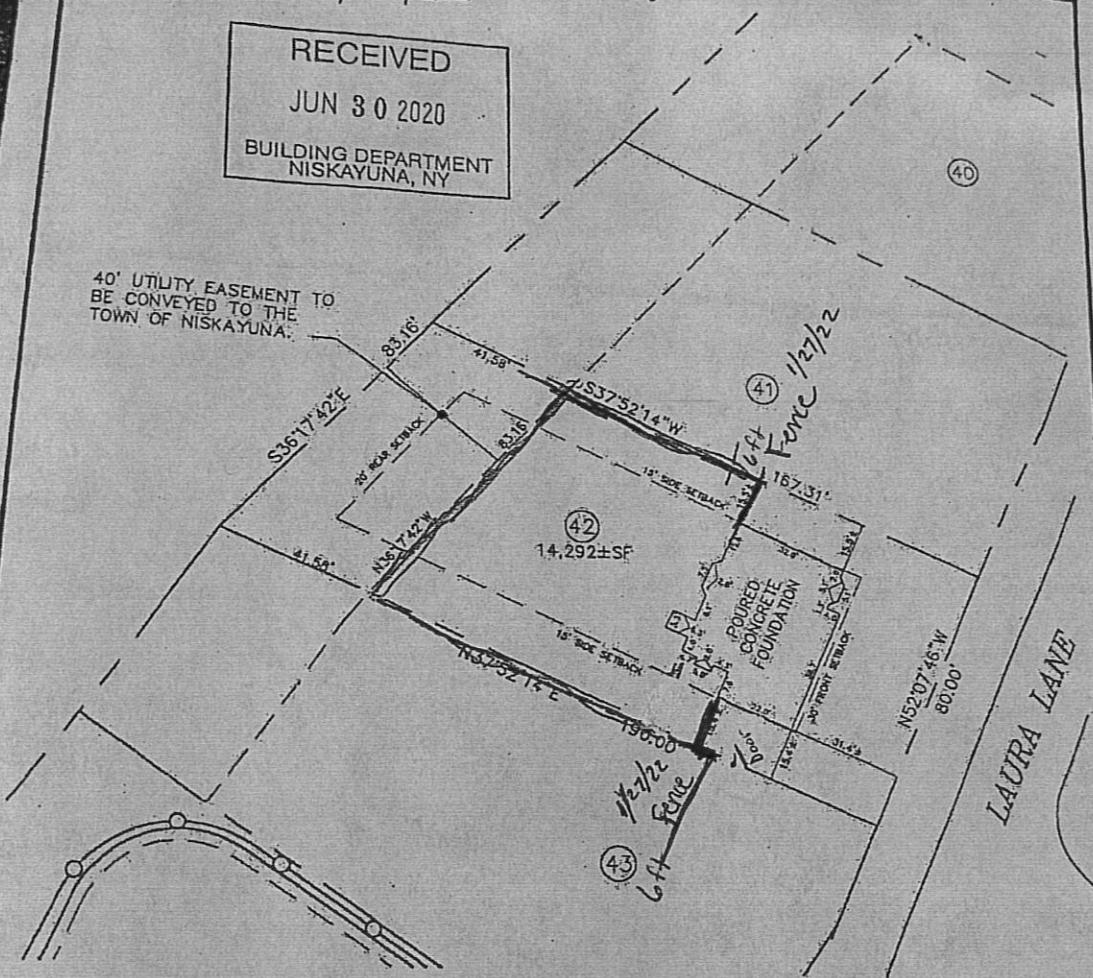


My husband and I are parents/caregiver to our two autistic sons. Our one son in particular enjoys being outdoors and having the freedom to walk around. However, he is over six feet tall and has been known to elope. Due to this we want to provide a little added security for safety concerns of our family.

* Fence location as of
1/27/22

RECEIVED
JUN 30 2020
BUILDING DEPARTMENT
NISKAYUNA, NY

40' UTILITY EASEMENT TO
BE CONVEYED TO THE
TOWN OF NISKAYUNA.



NOTES:

1. SURVEY SHOWN WAS PREPARED FROM A JULY 2009 FIELD SURVEY.
2. SURVEY SHOWN WAS PREPARED WITHOUT THE BENEFIT OF AN UP TO DATE ABSTRACT OF TITLE OR TITLE REPORT AND IS SUBJECT TO ANY STATEMENTS OF FACT THAT SUCH AN ABSTRACT OF TITLE OR TITLE REPORT MAY REVEAL.
3. SURVEY SHOWN IS SUBJECT TO ANY SUBSURFACE CONDITIONS THAT MAY EXIST, IF ANY.
4. UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.
5. ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S SEAL AND SIGNATURE IN RED, SHALL BE CONSIDERED TO BE TRUE AND VALID COPIES.
6. CERTIFICATIONS INDICATED OR IMPLIED HEREON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS. SAID CERTIFICATIONS SHALL RUN ONLY TO THE PERSON OR PERSONS FOR WHOM THIS SURVEY WAS PREPARED, AND ON HIS OR THEIR BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

MAP REFERENCE:
MAP ENTITLED "FIELDSTONE ESTATES P.L.D. SUBDIVISION PLAN S2.2",
DATED JUNE 16, 2006 AND PREPARED BY BOSWELL ENGINEERING.

Received

FEB -1 2022

Niskayuna Building Dept.

MICHAEL P. WHEELER, L.S.
NEW YORK STATE LIC. NO. 49,717

Michael Wheeler

BOSWELL ENGINEERING

799 MADISON AVE. ALBANY, N.Y. 618-436-8310

FOUNDATION LOCATION

28 LAURA LANE

TOWN OF NISKAYUNA

STATE OF NEW YORK

COUNTY OF SCHENECTADY

SURVEYED BY: JRS
DRAWN BY: MMB

CHECKED BY: LPW
JOB NO.: 103-053

DATE: JULY 21, 2009
DWG. NO. Lot 42 Laura Lane

SCALE 1" = 30' SHEET 1 OF 1



Thomas J. Cannizzo
Building Inspector

TOWN OF NISKAYUNA

BUILDING DEPARTMENT

One Niskayuna Circle
Niskayuna, New York 12309-4381
(518) 386-4522
FAX: (518) 386-4592
building@niskayuna.org

Kenneth P. Hassett
Building Inspector

Building and Zoning Permit Denial

Address: 28 Laura Lane

Application Date: 1/14/22

JoAnnie Dickson-Bostick
28 Laura Lane
Niskayuna, New York 12309

Dear Madam:

You are hereby notified, as required by Section 220-67 F of the Zoning Ordinance of the Town of Niskayuna, that your application to maintain 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-1: Low 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 constructed, a six (6) foot high fence is 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.

1/26/22
Date


Zoning Enforcement Officer

Handwritten: 704

Application # B20-267



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

JAN 14 2022

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 28 Laura Ln Schenectady NY 12304

DESCRIBE WORK APPLIED FOR Renewal of existing Fence permit

ESTIMATED VALUE OF ALL WORK (labor and materials): TOTAL \$ 9,000.00

Please submit three sets of plans with this application.

APPLICANT JoAnn Dickson-Bostick **DAY PHONE** 518-229-6242

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

ADDRESS 28 Laura Ln

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

EMAIL ADDRESS _____

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 Same **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 _____ day of _____, _____


Signature of Applicant

JoAnn Dickson-Bostick
Printed Name

1/14/22
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) _____

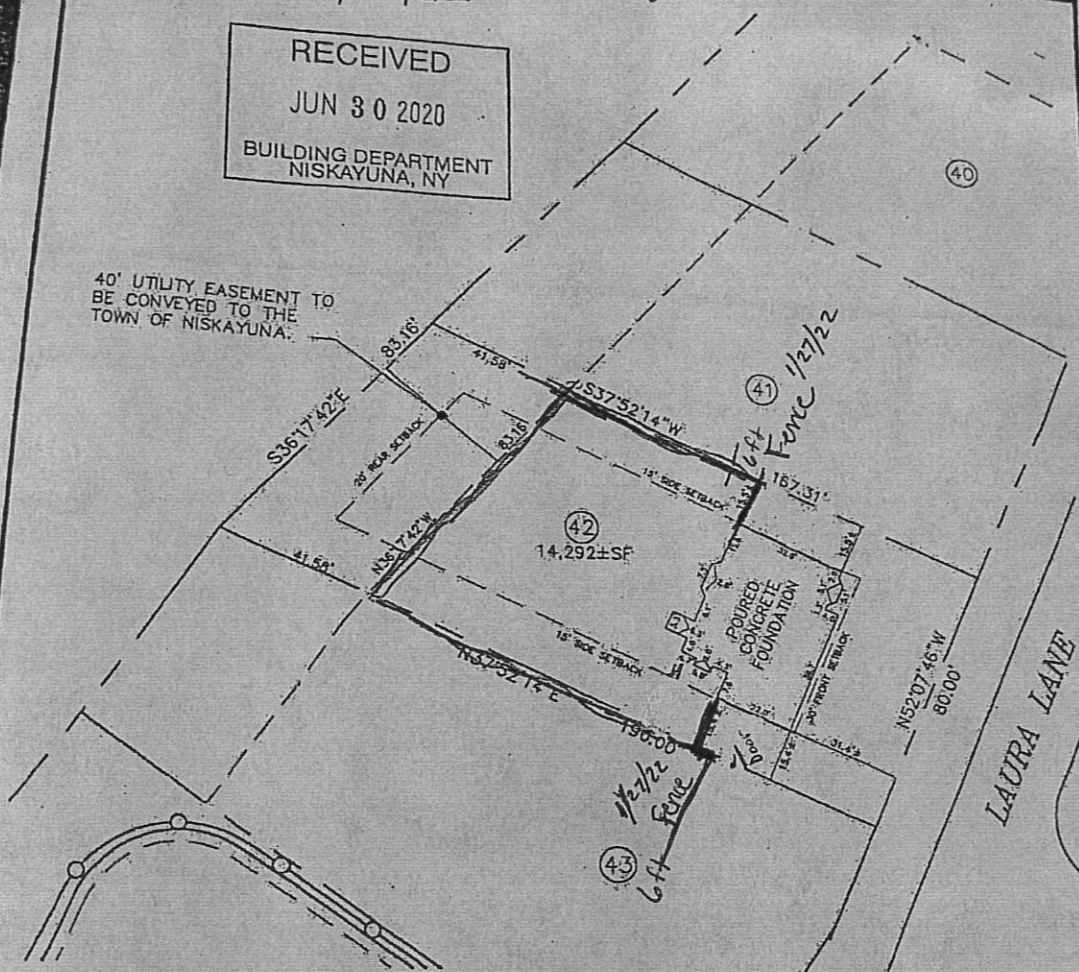
APPROVED BY _____

DATE _____

* Fence location as of
1/27/22

RECEIVED
JUN 30 2020
BUILDING DEPARTMENT
NISKAYUNA, NY

40' UTILITY EASEMENT TO
BE CONVEYED TO THE
TOWN OF NISKAYUNA.



NOTES:

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Received
FEB - 1 2022
Niskayuna Building Dept.

MAP REFERENCE:

MAP ENTITLED "FIELDSTONE ESTATES P.U.D. SUBDIVISION PLAN S2.1", DATED JUNE 16, 2004 AND PREPARED BY BOSWELL ENGINEERING.

MICHAEL P. WHEELER, L.S.
NEW YORK STATE LIC. NO. 49,717

Michael Wheeler

BOSWELL ENGINEERING

799 MADISON AVE. ALBANY, N.Y.

518-436-6310

FOUNDATION LOCATION

28 LAURA LANE

TOWN OF NISKAYUNA

STATE OF NEW YORK

COUNTY OF SCHENECTADY

SURVEYED BY: JRS

DRAWN BY: JMB

CHECKED BY: LPW

JOB NO. 2403-083

DATE: JULY 21, 2009

DWG NO. LOT 42 Laura Lane

SCALE 1" = 30'

SHEET 1 OF 1

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

March 4, 2022

TO WHOM IT MAY CONCERN:

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

DATE: March 16, 2022

TIME: 7:00 P.M.

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

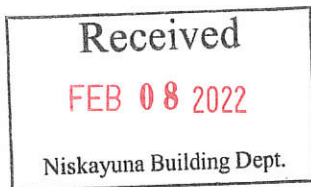
AT THIS TIME THE BOARD WILL CONSIDER THE REQUEST OF:

Appeal by Tracey Morehouse for a variance from of Section 220-13, Schedule I-B of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 1206 Ruffner Road, Niskayuna, New York, located in the R-1: Low Density Residential Zoning District, to construct a 16' x 22' garage addition partially within the side yard setback.

Section 220-13, Schedule I-B requires a twenty (20) foot minimum side yard setback. As proposed, the addition would be located 6.1 feet from the side property line; therefore, a 13.9 foot side yard setback variance is required.

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	_____

TO: ZONING BOARD OF APPEALS

FROM: Tracey P. Morehouse

RE: Property at 1206 Ruffner Road

I, Tracey P. Morehouse, the (owner) (agent of the owner) of the property located at _____ 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: Tracey P. Morehouse Date 2/8/2022

Signature of Owner (if different from Agent) _____

Telephone Number: 518-779-2572

Email Address: tmoreho56@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.

There is no other way to get more room to park two cars. There are no alternative designs or attempts to purchase land.

There is no land to purchase in the established neighborhood. (establ. in 1952)

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:

Granting the variance will not negatively affect nearby properties because existing hedge will camouflage any change.

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

The variance is not substantial. Owner of 1206 Ruessner Road is asking for sixteen feet. Neighbor's garage is approximately ten feet from the property line.

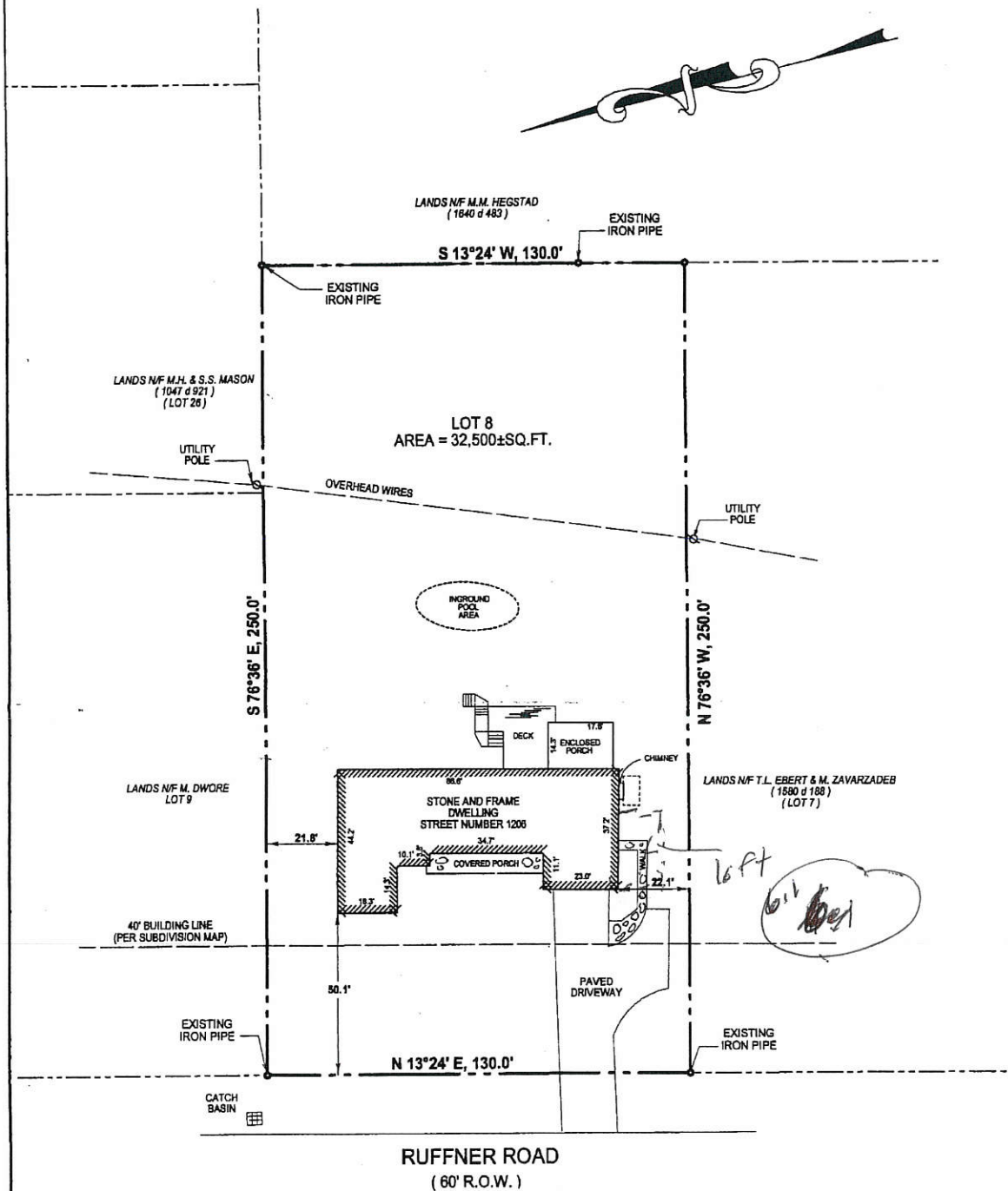
4. Whether the variance will have adverse physical or environmental effects on the neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

The requested variance will not impact any other property at all.

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 was not created by the owner. Owner purchased the house in 2007 in its present state. House was built in 1952.

MAP REFERENCE: " MAP NO. 2, HAWTHORN HILL, PROPERTY OF JAMES DeSANTIS AND RAYMOND W. STINE, TOWN OF NISKAYUNA, SCHENECTADY COUNTY, N.Y." MADE BY C.T. MALE ASSOCIATES FEBRUARY 5, 1954 AND FILED IN THE SCHENECTADY COUNTY CLERK'S OFFICE APRIL 29, 1954 IN PLAT CABINET E AS MAP NUMB ER 43.



"Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of Section 7209, subdivision 2, of the New York State Education Law"

<p>Only copies from the original of this survey marked with an original of the land surveyor's embossed seal shall be considered to be true copies</p> <p>PLS #47416</p>		<p>TITLE: SURVEY OF PREMISES KNOWN AS STREET NUMBER 1206 RUFFNER ROAD</p>		<p>Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors said certifications shall run only to the person for whom the survey is originally prepared, and on their behalf to the title company, governmental agency and lending institution listed hereon, and to the assignees of the lending institution. Certifications are not transferable to additional institutions or subsequent owners.</p>
<p>TOWN, CITY, VILLAGE OF: NISKAYUNA</p>		<p>COUNTY OF: SCHENECTADY</p>		
<p>STATE OF NEW YORK</p>		<p>K RAYMOND A. CULLEN LAND SURVEYOR</p>		
<p>SCALE: 1" = 30'</p>		<p>133 MOHAWK AVENUE SCOTIA, NEW YORK, 12302</p>		
<p>DATE: 6/17/07</p>		<p>(518) 393-0989 (518) 393-8977 FAX</p>		

Received
FEB 08 2022
Niskayuna Building Dept.





Thomas J. Cannizzo
Building Inspector

TOWN OF NISKAYUNA

BUILDING DEPARTMENT

One Niskayuna Circle
Niskayuna, New York 12309-4381
(518) 386-4522
FAX: (518) 386-4592
building@niskayuna.org

Kenneth P. Hassett
Building Inspector

Building and Zoning Permit Denial

Address: 1206 Ruffner Road

Application Date: 2/8/22

Tracey Morehouse
1206 Ruffner Road
Niskayuna, N. Y. 12309

Dear Madam:

You are hereby notified, as required by Section 220-67F of the Zoning Ordinance of the Town of Niskayuna; that your application for construction of a 16' x 22' garage addition on the property noted above has been denied by reason of Section 220-13, Schedule I-B of the Zoning Ordinance. The property is located in the R-1: Low Density Residential Zoning District.

Section 220-13, Schedule I-B requires a twenty (20) foot minimum side yard setback. As proposed, the addition would be located 6.1' from the side property line; therefore, a 13.9' 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.

2/8/22
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 # B22-030

Received

FEB 08 2022

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 1206 Ruffner Rd. Niskayuna, NY 12309
DESCRIBE WORK APPLIED FOR new garage addition

ESTIMATED VALUE OF ALL WORK (labor and materials):

TOTAL \$

Please submit three sets of plans with this application.

APPLICANT Tracey Morehouse DAY PHONE 518-779-2572

CHECK ONE: ☐ CONTRACTOR

☒ HOMEOWNER

☐ OTHER (explain) _____

ADDRESS 1206 Ruffner Rd.

CITY 1206 Ruffner Rd. STATE N.Y. ZIP 12309

EMAIL ADDRESS tmoreho56@nycap.rr.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 same as owner DAY PHONE 518-779-2572

ADDRESS (if different than above) _____

CITY Niskayuna STATE NY ZIP 12309

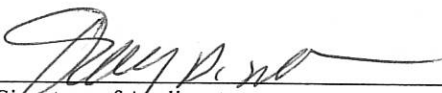
PLEASE SIGN Page 2

The applicant has reviewed and fully understands the requirements and conditions listed on this application. Article II, Section 75.5P 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

Tracy P. Morehouse
Printed Name

2/8/2022
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 _____

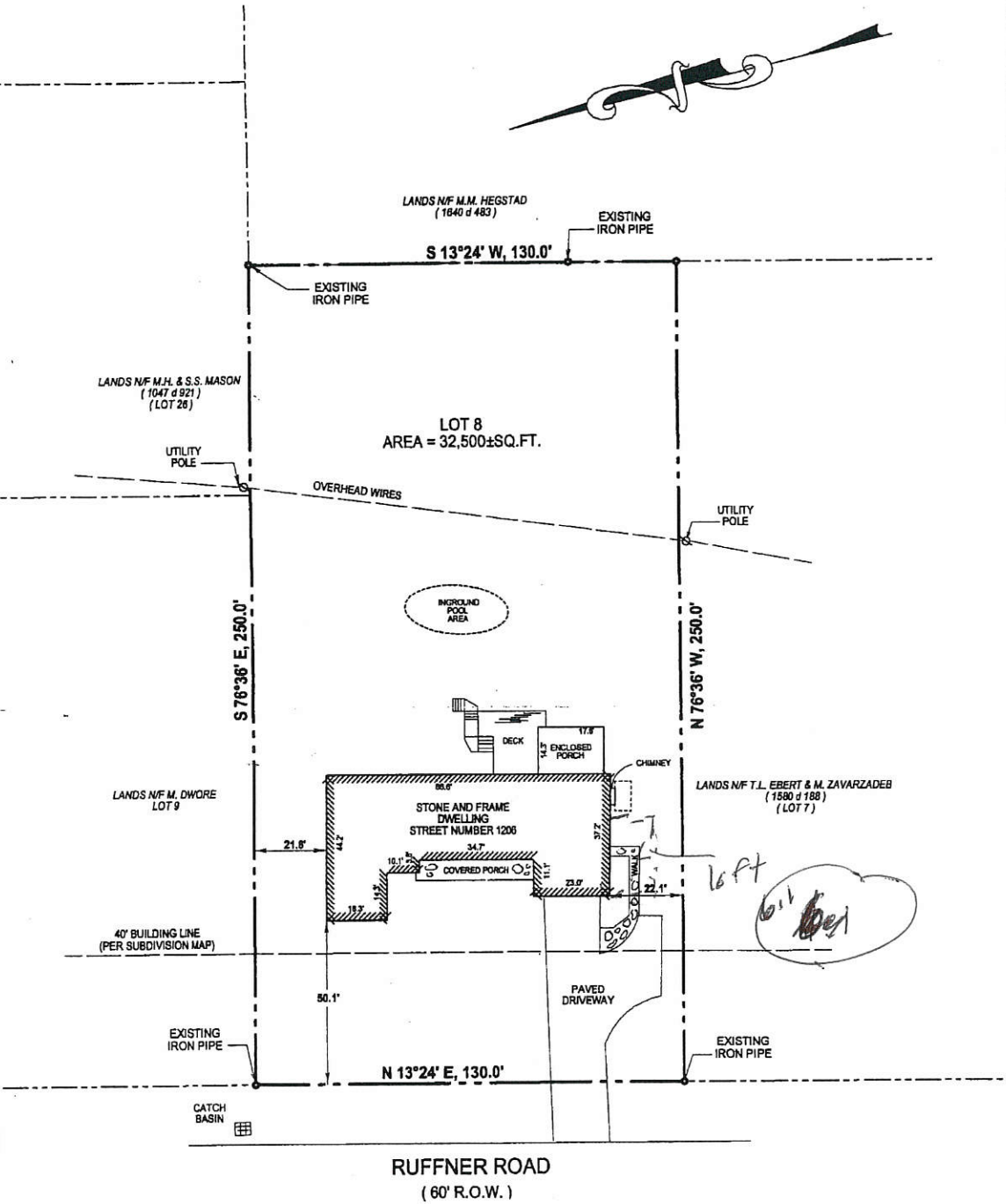
REQUIRED INSPECTIONS:

- _____ 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 _____

MAP REFERENCE: " MAP NO. 2, HAWTHORN HILL, PROPERTY OF JAMES DeSANTIS AND RAYMOND W. STINE, TOWN OF NISKAYUNA, SCHENECTADY COUNTY, N.Y." MADE BY C.T. MALE ASSOCIATES FEBRUARY 5, 1954 AND FILED IN THE SCHENECTADY COUNTY CLERK'S OFFICE APRIL 29, 1954 IN PLAT CABINET E AS MAP NUMB ER 43.



Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of Section 7209, subdivision 2, of the New York State Education Law

<p>Only copies from this original of this survey marked with an original of the land surveyor's embossed seal shall be considered to be true copies</p> <p>PLS #47416</p>		<p>TITLE</p> <p>SURVEY OF PREMISES KNOWN AS STREET NUMBER 1206 RUFFNER ROAD</p>		<p>Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors and that the survey is originally prepared, and on their behalf to the title company, governmental agency and lending institution listed hereon, and to the assignees of the lending institution. Certifications are not transferable to additional institutions or subsequent owners.</p>
<p>TOWN, CITY, VILLAGE OF:</p> <p>NISKAYUNA</p>		<p>COUNTY OF:</p> <p>SCHENECTADY</p>		
<p>STATE OF NEW YORK</p>		<p>133 MOHAWK AVENUE SCOTIA, NEW YORK, 12302</p>		
<p>SCALE: 1" = 30'</p>		<p>(518) 393-0989</p>		
<p>DATE: 5/17/07</p>		<p>(518) 393-0997 FAX</p>		
<p>RAYMOND A. ROSS LAND SURVEYOR</p>		<p>RAYMOND A. ROSS LAND SURVEYOR</p>		

Received
FEB 08 2022
Niskayuna Building Dept.

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

March 4, 2022

TO WHOM IT MAY CONCERN:

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

DATE: March 16, 2022

TIME: 7:00 P.M.

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

AT THIS TIME THE BOARD WILL CONSIDER THE REQUEST OF:

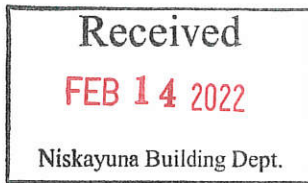
Appeal by Travis and Amy Teale for a variance from of Section 220-18 A. (2) and Section 220-18 A. (3) of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 2398 Rosendale Road, Niskayuna, New York, located in the R-1: Low Density Residential Zoning District, to construct a 36'x36' pole barn in the front yard and exceeding the allowable height of an accessory structure.

Accessory Structures- Section 220-18 A. (2) states that "accessory structures are not permitted in the front yard of any lot". As proposed, the garage will be located in a front yard; therefore, a variance from this section is required.

Accessory Structures-Section 220-18 A (3) States "Unless otherwise specified, accessory structures shall not exceed fifteen (15) feet in height. As proposed, the garage height will be twenty-three (23) feet. Therefore, a variance of eight (8) feet is needed.

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: Travis and Amy Teale

RE: Property at 2398 Rosendale Road

I, Travis Teale, the (owner) (agent of the owner) of the property located at 2398 Rosendale Road 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

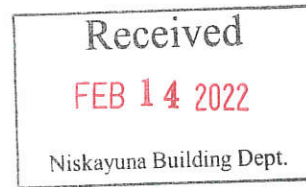
- ☒ One (1) copy of plot plans
- ☒ One (1) copy of construction plans, if applicable
- ☒ Appeal fee (see application procedures for details)
- ☒ Appeal statement (see application procedures for details)
- ____ Short Environmental Assessment Form, Project Information, as applicable for use variance
-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

Signature of Agent:  Date 2/11/22

Signature of Owner (if different from Agent) _____

Telephone Number: 518-528-1801

Email Address: tealetm@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.

Location: While we do have a 3.4 acre lot, there are two factors prohibiting the proposed barn from being located behind the house: The majority of the property is on or behind a steep 20'-30' slope and is unfeasible and the existing house is located quite far off the road. We did consider adding on to the existing two bay garage; however, the larger size would be obtrusive, obstruct the front of our house, as violate the required 20' setback from the side property line. The proposed front yard location is the only feasible option.

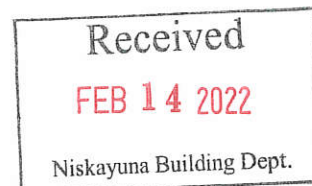
Height: We would like to gain storage space as our basement is very wet (despite multiple sump pumps) and mostly unusable. Adding the attic space to the proposed barn puts it over the 15' height restriction, however is more appealing than the alternate option of building with a larger footprint to gain the same amount of storage space.

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:

We are proposing a hobby workshop/storage building that fits with the character of our older home, property and neighborhood. A barn-styled building versus a more industrial/commercial-looking standard metal building is more costly to us; however, we feel that it is more visually appealing and suits the neighborhood. Our front yard is very large and the proposed barn size will not overcrowd the property as viewed from the road. The larger height will be more appealing than a building of this size with only a 15' peak as that would result in a very low slope which we feel looks more industrial (which we do not prefer). The proposed building footprint is comprised of a main 24'x36' area, with an enclosed 12'x36' storage area to its side which will be used to store our boat and tractor. Originally we were going to simply have this 12'x36' portion have open sides like a carport but we feel that completely enclosing it will provide covered storage and will conceal its contents from the road and neighboring properties, increasing visual appeal.

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

We do not feel that the requested variances for location and height are substantial due to the fact that our house is set so far off the road and we do not feel that the requested variances pose problems for the neighborhood. If our house was not located so far off the road, a house larger than this proposed accessory structure could have been built where we are proposing this barn. We feel the proposed barn is both tastefully designed and located, and that the benefits it will bring to the property are significant.



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 do not foresee any adverse physical or environmental effects on the neighborhood or district. This proposed barn will be utilized for storage and to facilitate enjoyment of hobby projects and will not be used for commercial purposes, so there will not be any increased traffic or pollution in the area. There will not be any plumbing within the building, thus there will not be any sewage/wastewater concerns and any water runoff concerns from the roof will be managed appropriately to mitigate any erosion concerns. The property already has a U-shaped driveway so the proposed barn location will not require additional access from the road as its placement will make use of what is currently in place.

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:

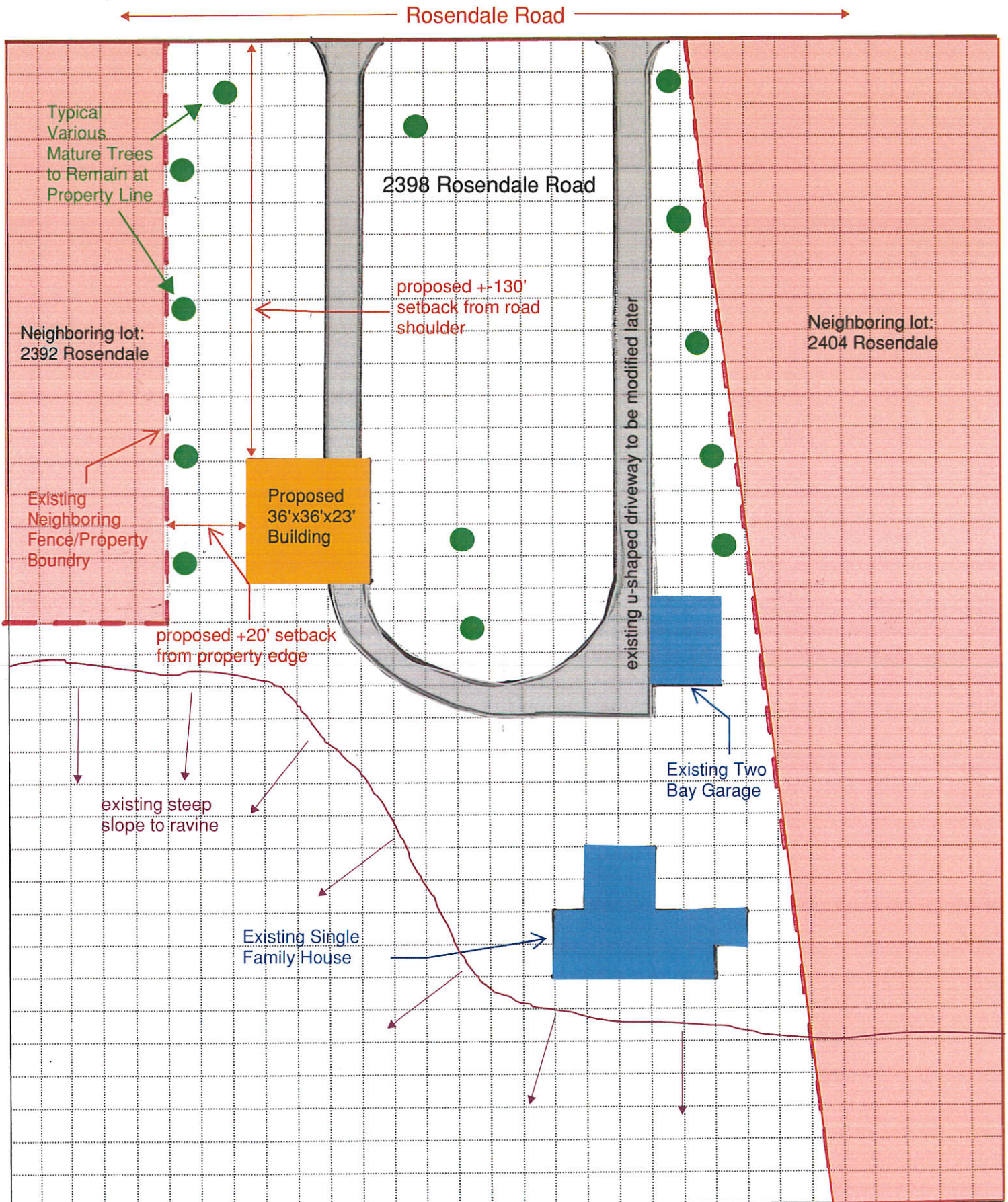
Our desire for a hobby workshop and storage building is not a necessity; however, it will allow us to further engage in our family hobbies and interests and thus enjoy our property more. The existing two bay garage is currently being used for storage and adding this barn with large indoor storage will allow us to park vehicles in the existing garage as that building was presumably initially intended for. Storing the boat and tractor inside the proposed barn is also more appealing than leaving them exposed in the yard and provides them both with better protection from the elements.

Received

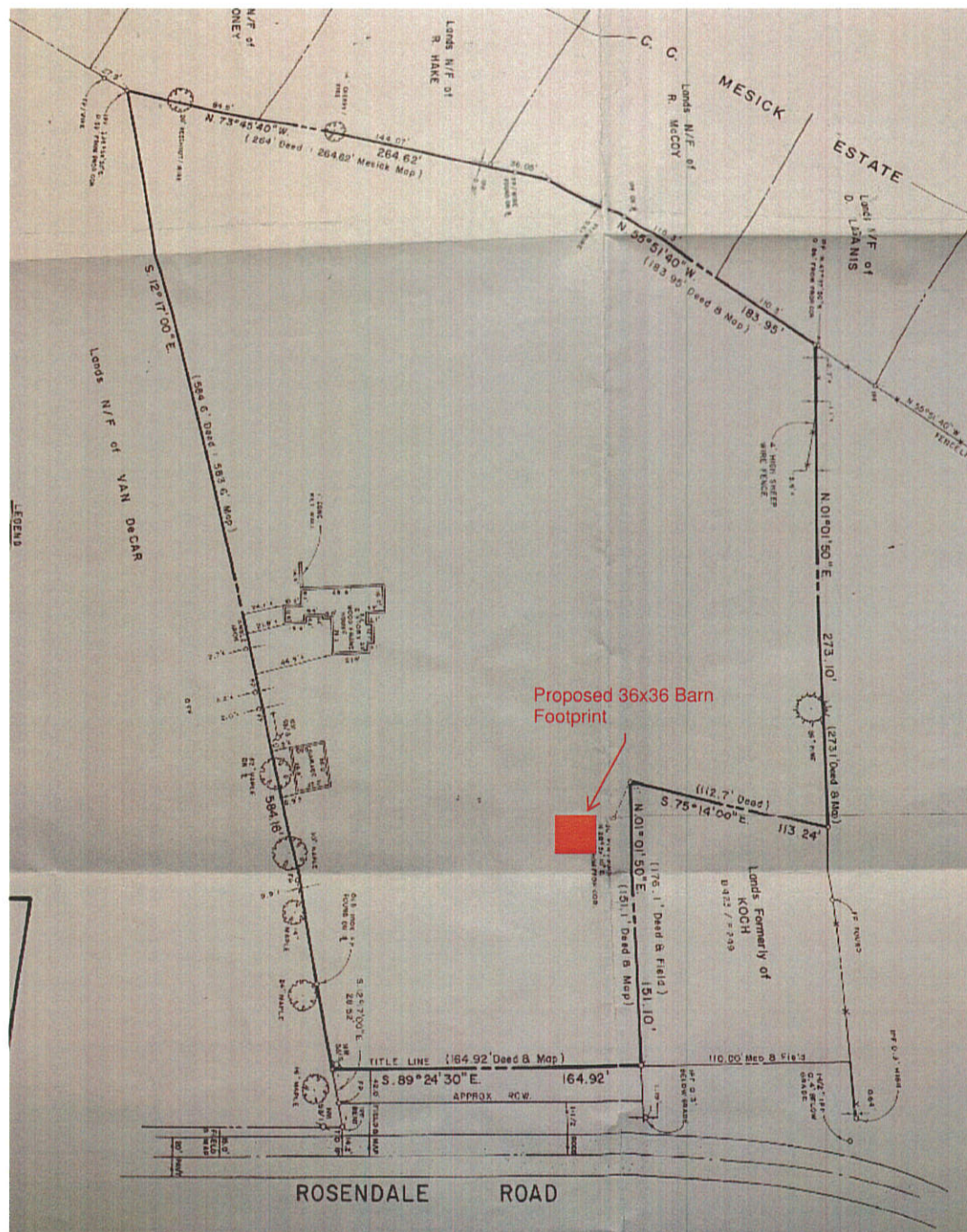
FEB 14 2022

Niskayuna Building Dept.

Job # Teale- 2398 Rosendale Road



Received
FEB 14 2022
Niskayuna Building Dept.



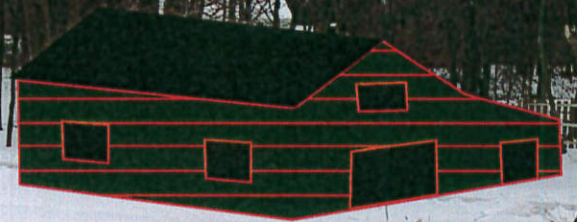
First Floor: 24'x36'- Woodshop
First Floor: 12'x36'- Enclosed Boat/Tractor Storage
Attic Space: 12'x36'- House/Seasonal Storage



+20' minimum
setback from
property line/fence

Received
FEB 14 2022
Niskayuna Building Dept.

Received
FEB 14 2022
Niskayuna Building Dept.





Curtis Lumber Quotation Package

Construction
Maestro®
Estimating Software
Pole Barns, Garages & Decks

QUOTATION FOR:

Travis Teale
2398 Rosedale Rd
Niskayuna, NY 12309
518-528-1801

Received

FEB 14 2022

Niskayuna Building Dept.

CONTACT:

Rich Haskins
885 Rt 67
Ballston Spa, NY 12020
518-885-5311

CONSTRUCTION:

DIMENSIONS:
EAVE2 LEAN-TO

Post Frame

24' X 36' X 10'

10' 6" X 36' X 7' 9"

10' framing + 11'-6" trusses = 21'-6" height
(approximate)

SPECIFICATIONS FOR 24' X 36' X 10' POST FRAME PACKAGE:

• MATERIAL PACKAGE

- Pre-Engineered Wood Trusses (9/12 Pitch, 2' O/C)
- 6 x 6 PT Eave Posts (9' O/C)
- 6 x 6 PT Gable Posts (10' O/C)
- 2 x 6 PT Skirt Boards (1 Row)
- 2 x 4 Wall Girts (24" O/C)
- 1.75 x 9.5 Double Top Girt Truss Carrier
- 5/8" OSB on Roof
- 5/8" Fir T1-11 8 Plywood Siding
- Owens Corning Dimensional Trudefinition Onyx Black Shingle
- No Concrete Provided

• DOORS & WINDOWS

- Two 6' Double Flush Entry Doors
- One 10' 3" X 10' 2" Double Slider
- Two Modern 6' x 4' Double Hung Windows
- Four Modern 3' 1/2" x 4' 1/2" Double Hung Windows

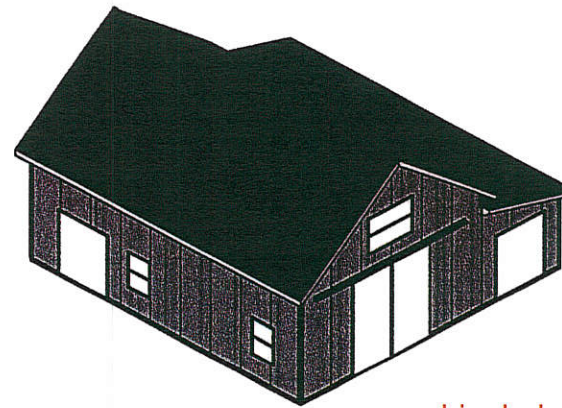
• 10' 6" X 7' 9" X 36' ENCLOSED HALF MONITOR LEAN-TO, EAVE 2

• 12" OVERHANG ON ALL SIDES VINYL SOFFIT

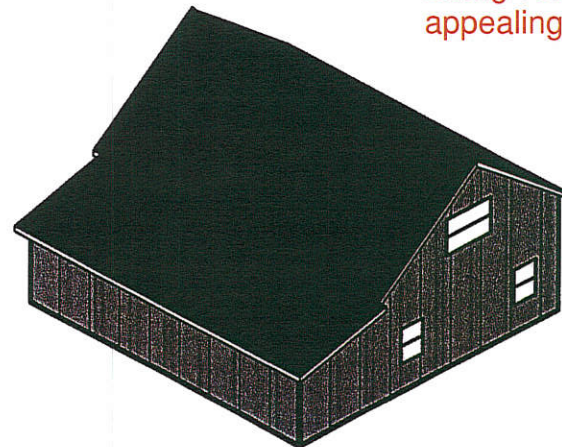
• FASTENERS

- 5 Lb 8D Hardboard Siding Nail for Plywood Siding
- 1 1/4 In. Generic Coil Roofing for Shingles
- 5 In Pole Barn Nails for Truss Carrier
- Bositch 12D 3" 1/2 Galv for Skirt Board
- Galvanized Steel Framing Nails

• DETAILED BUILDING PLANS



shingled roof and wood
siding versus less
appealing metal building



Subtotal
Tax
GRAND TOTAL

QUOTATION DATE: 2/8/2022

ESTIMATE NUMBER: 859

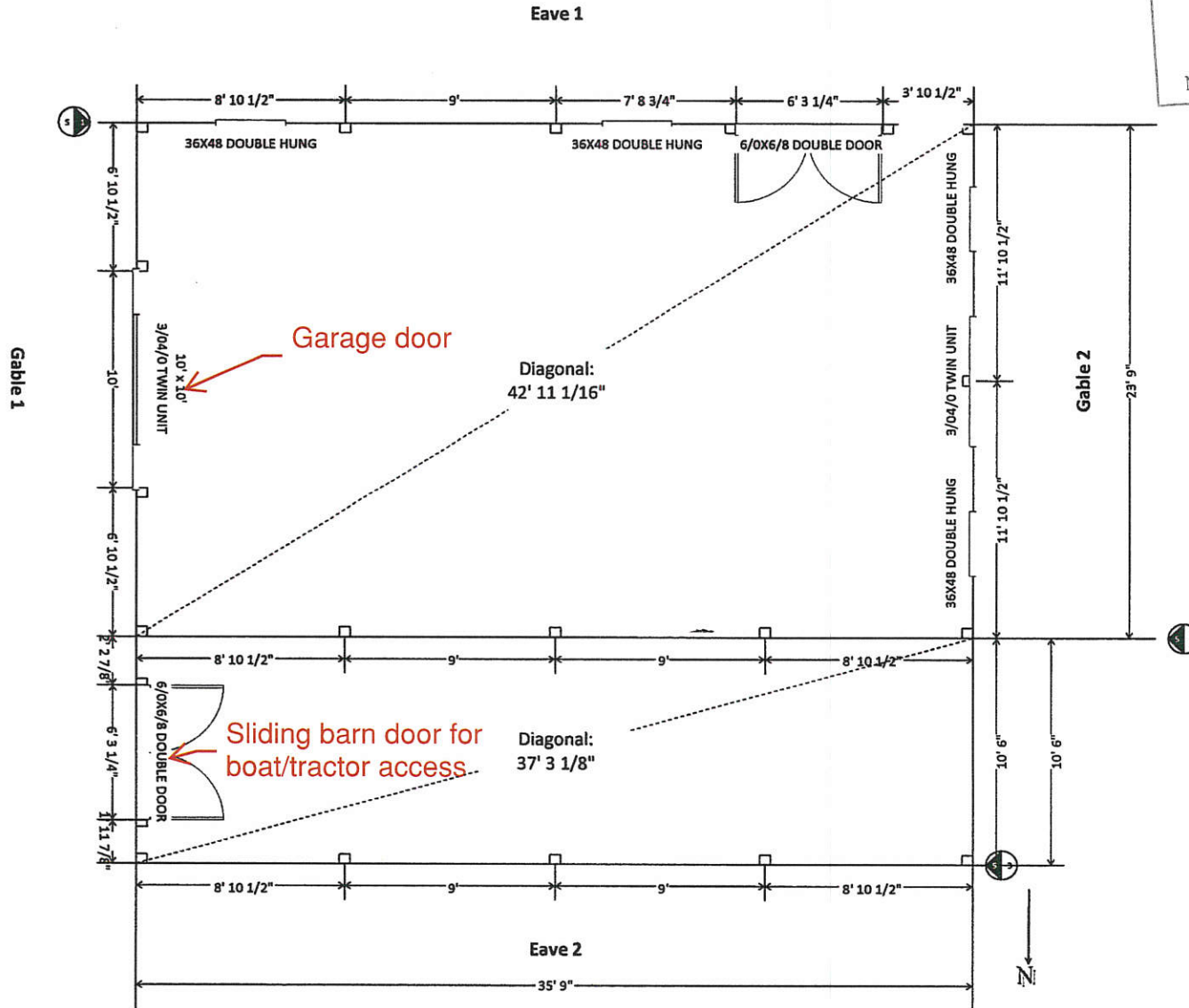
Prices are good for 30 days, until 3/10/2022



POLE LAYOUT
Personal Use, 864 sq. ft.



Received
FEB 14 2022
Niskayuna Building Dept.

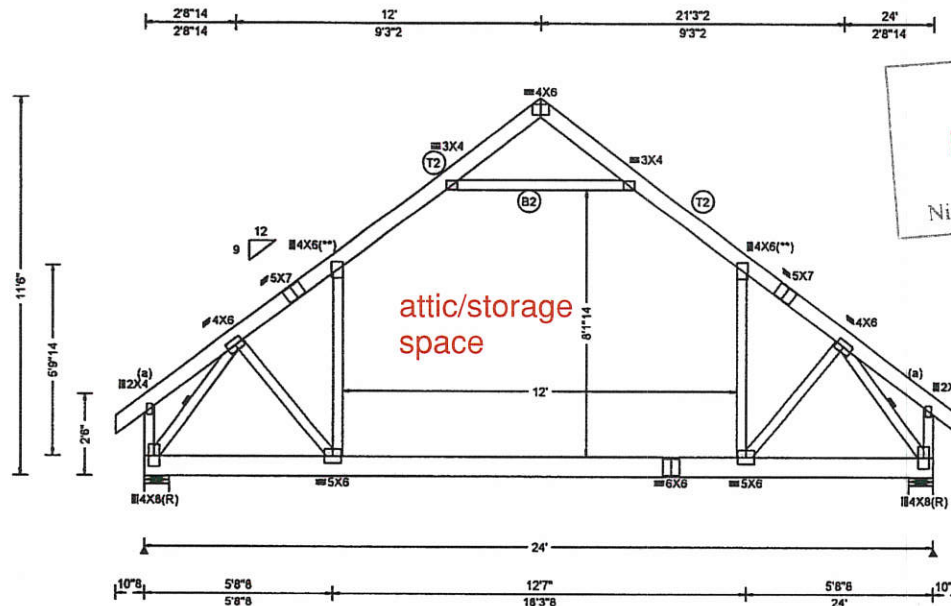


Job Number: 586781A
Travis Teale Job 8' CEILING
Truss Label: T-1 ATTIC

Ply: 1
Qty: 17
Wgt: 197.4 lbs

SEQN: 48641 / T56 / ATIC
FROM: SCA

DRW: ... / ... 02/01/2022



▲ Maximum Reactions (lbs)
Gravity Non-Gravity
Loc R+ / R- / Rh / Rw / U / RL

R 1964 /- /- /519 /126 /275
S 1964 /- /- /519 /126 /-

Wind reactions based on MWFRS
R Brg Wid = 9.0 Min Req = 1.6 (Truss)
S Brg Wid = 9.0 Min Req = 1.6 (Truss)
Bearings R & S are a rigid surface.

Maximum Top Chord Forces Per Ply (lbs)
Chords Tens.Comp. Chords Tens. Comp.

A - B	52	0	G - H	442	-21
B - C	135	-59	H - I	304	-1515
C - D	250	-2097	I - J	263	-2011
D - E	256	-2010	J - K	257	-2098
E - F	300	-1515	K - L	104	-59
F - G	442	-20	L - M	52	0

Maximum Bot Chord Forces Per Ply (lbs)
Chords Tens.Comp. Chords Tens. Comp.

R - Q	1295	-148	P - O	1423	-70
Q - P	1423	-70	O - N	1295	-124

Maximum Web Forces Per Ply (lbs)
Webs Tens.Comp. Webs Tens. Comp.

B - R	118	-173	I - O	937	0
R - C	203	-2309	O - K	249	-102
C - Q	249	-101	K - N	194	-2310
Q - E	936	0	L - N	102	-173
F - H	365	-1872			

Loading Criteria (psf)

TCLL: 38.50
TCDL: 7.00
BCLL: 0.00
BCDL: 10.00
Des Ld: 55.50
NCBCLL: 10.00 Soffit: 2.00
Load Duration: 1.15
Spacing: 24.0 "

Wind Criteria

Wind Std: ASCE 7-16 Speed: 115 mph
Enclosure: Closed Risk Category: C
TCDL: 3.5 psf BCDL: 5.0 psf
Mean Height: 15.77 ft
MWFRS Parallel Dist: 0 to h/2
C&C Dist a: 3.00 ft
Loc. from endwall: Any
GCpi: 0.18
Wind Duration: 1.60

Snow Criteria

(Pg,Pf in PSF)
Pg: 50.0 Ct: 1.1
Pf: 38.5 Ce: 1.0
CAT: II
Lu: - Cs: 1.00
Snow Duration: 1.15

Code / Misc Criteria

Bldg Code: IRC 2018
TPI Std: 2014
Rep Factors Used: Yes
FT/RT: 0(0)/0(0)
Plate Type:
WAVE

Defl/CSI Criteria

PP Deflection in Loc L/defl L/#
VERT(LL): 0.182 O 999 240 Max TC CSI: 0.739
VERT(TL): 0.313 O 919 180 Max BC CSI: 0.551
HORZ(LL): 0.168 E - - Max Web CSI: 0.658
HORZ(TL): 0.300 E - - Creep Factor: 2.0
Mfg Specified Camber:

VIEW Ver: 21.02.01.1216.15

Lumber

Top chord: 2x6 SPF #1/#2;
T2 2x6 SPF(S) 1650F-1.5E;
Bot chord: 2x6 SP 2400F-2.0E; B2 2x4 SPF(S) #2;
Webs: 2x4 SPF(S) Stud;

Bracing

(a) Continuous lateral restraint equally spaced on member.

Plating Notes

(**) 2 plate(s) require special positioning. Refer to scaled plate plot details for special positioning requirements.
Plates sized for a minimum of 2.40 sq.in./piece.

Loading

Bottom chord checked for 10.00 psf non-concurrent live load.
Live loads applied in combination per ASCE 7 sec. 2.4.1 use 0.75 factor for multiple live loads.
Attic room loading from 6'-0" to 18'-0": Live Load: 40 PSF, Dead Load: 10 PSF Ceiling: 10 PSF, Kneewalls: 10 PSF
Truss designed for unbalanced snow loads.

Purlins

Collar-tie braced with continuous lateral bracing at 24" oc. or rigid ceiling.

Wind

Wind loads based on MWFRS with additional C&C member design.
End verticals exposed to wind pressure. Deflection meets L/180.
Wind loading based on both gable and hip roof types.

This is a preliminary drawing the can be used only for trusses fabricated By S.R. Sloan, Inc.
It represents loading, span and pitch. S. R. Sloan, Inc. reserves the right to adjust materials and design at the time of production. The structural integrity will not be compromised. Sealed drawings will be furnished, upon request.

S.R. SLOAN, Inc.
TRUSSES . WALL PANELS . STAIRS
PO BOX 560, NEW HARTFORD, NY 13413
Office (800) 366-7562 * Fax (315) 736-7740



TOWN OF NISKAYUNA

BUILDING DEPARTMENT

Thomas J. Cannizzo
Building Inspector

One Niskayuna Circle
Niskayuna, New York 12309-4381
(518) 386-4522
FAX: (518) 386-4592

Kenneth P. Hassett
Building Inspector

Building and Zoning Permit Denial

Address: 2398 Rosendale Rd.

Application Dates: January 31, 2022

Mr. Travis Teale
2398 Rosendale Rd.
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 build a 36'x36' pole barn on the property noted above has been denied by reasons of Section 220-18 A. (2) and Section 220-18 A. (3) of the Town of Niskayuna Zoning Ordinance. The property is located in the R-1: Low Density Residential Zoning District.

Accessory Structures- Section 220-18 A. (2) states that "accessory structures are not permitted in the front yard of any lot". As proposed, the garage will be located in a front yard; therefore, a variance from this section is required.

Accessory Structures-Section 220-18 A (3) States "Unless otherwise specified, accessory structures shall not exceed 15 feet in height. As proposed, the garage height will be 23'.

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.

2.7.22
Date


Zoning Enforcement Officer

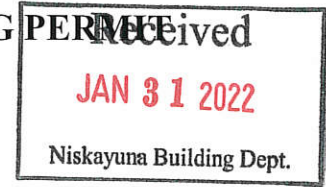
21



**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 # B22-061



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 2398 Rosendale Road

DESCRIBE WORK APPLIED FOR New Barn/Workshop Building

ESTIMATED VALUE OF ALL WORK (labor and materials): TOTAL \$ 25,000.00

Please submit three sets of plans with this application.

APPLICANT Travis Teale **DAY PHONE** (518) 528-1801

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

ADDRESS 2398 Rosendale Road

CITY Niskayuna **STATE** NY **ZIP** 12309

EMAIL ADDRESS tealetm@gmail.com

CONTRACTOR self performed **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 Travis Teale **DAY PHONE** (518) 528-1801

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

Travis Teale

Printed Name

1/31/2022

Notary Public, State of New York

Date

(FOR OFFICE USE ONLY BELOW)

BUILDING SITE ADDRESS 2398 Rosendale Road

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 _____

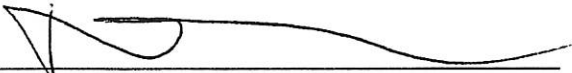
DATE _____

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 2398 Rosendale Road
- b. Size of accessory structure 36'x36'
- c. Distance to property lines:
 Side 1 +20'
 Side 2 ~100'
 Rear +300'
 Other ~130' from fog line on road
- d. Are there any other accessory structures on the property?
- | | | | |
|---------------|--------------------------------------|-------------------------------------|--------------------------|
| Fence | yes <input type="radio"/> | no <input checked="" type="radio"/> | height <u> </u> |
| Shed | yes <input type="radio"/> | no <input checked="" type="radio"/> | size <u> </u> |
| Swimming Pool | yes <input type="radio"/> | no <input checked="" type="radio"/> | size <u> </u> |
| Other | yes <input checked="" type="radio"/> | no <input type="radio"/> | size <u>20'x24' ga</u> |
- e. Height of accessory structure 23'
- f. Type of foundation for structure (if any) pole barn/post frame building

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:  Date: 1/31/22

(For office use only)

Area of lot 3 acres

Maximum accessory structure coverage allowed 2,250 sf

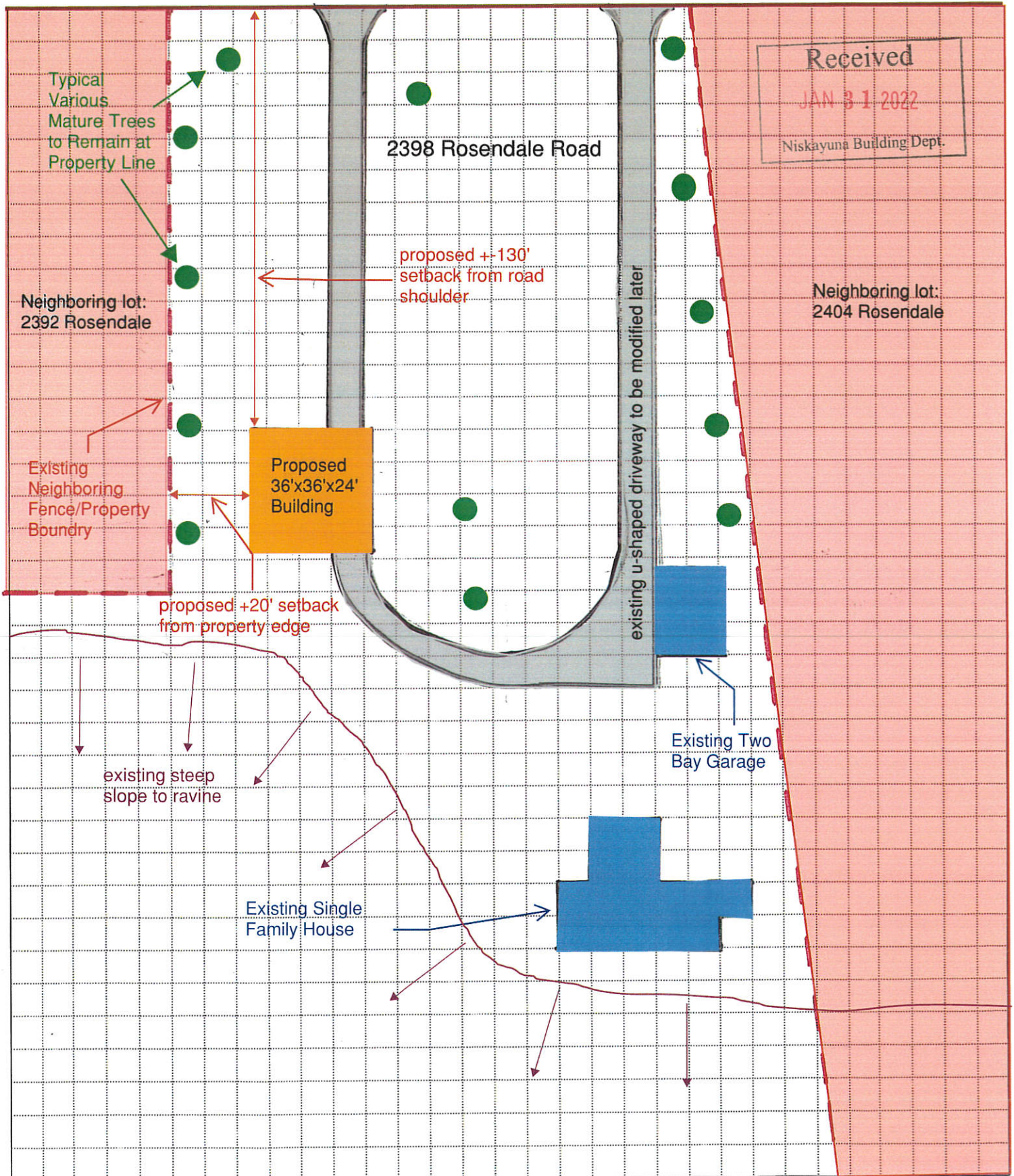
Total accessory structure coverage actual Proposed (1,296) + garage (480) = 1,776 sf

Maximum lot coverage allowed +/- 32,000 sf

Total lot coverage actual OK

2398

Rosendale Road





Curtis Lumber Quotation Package

Construction
Maestro[®]
Estimating Software
Pole Barns, Garages & Decks

QUOTATION FOR:

Travis Teale
2398 Rosedale Rd
Niskayuna, NY 12309
518-528-1801



CONTACT:

Rich Haskins
885 Rt 67
Ballston Spa, NY 12020
518-885-5311

CONSTRUCTION:

DIMENSIONS:
EAVE2 LEAN-TO

Post Frame
24' X 36' X 10'
10' 6" X 36' X 7' 4 1/2"

SPECIFICATIONS FOR 24' X 36' X 10' POST FRAME PACKAGE:

• MATERIAL PACKAGE

- Pre-Engineered Wood Trusses (9/12 Pitch, 2' O/C)
- 6 x 6 PT Eave Posts (9' O/C)
- 6 x 6 PT Gable Posts (10' O/C)
- 2 x 6 PT Skirt Boards (1 Row)
- 2 x 4 Wall Girts (24" O/C)
- 1.75 x 11.88 Double Top Girt Truss Carrier
- 5/8" OSB on Roof
- 5/8" Fir T1-11 8 Plywood Siding
- Owens Corning Dimensional Trudefinition Onyx Black Shingle
- No Concrete Provided

• DOORS & WINDOWS

- Two 6' Double Flush Entry Doors
- One 10' 3" X 10' 2" Double Slider
- Two Modern 6' x 4' Double Hung Windows
- Four Modern 3' 1/2" x 4' 1/2" Double Hung Windows

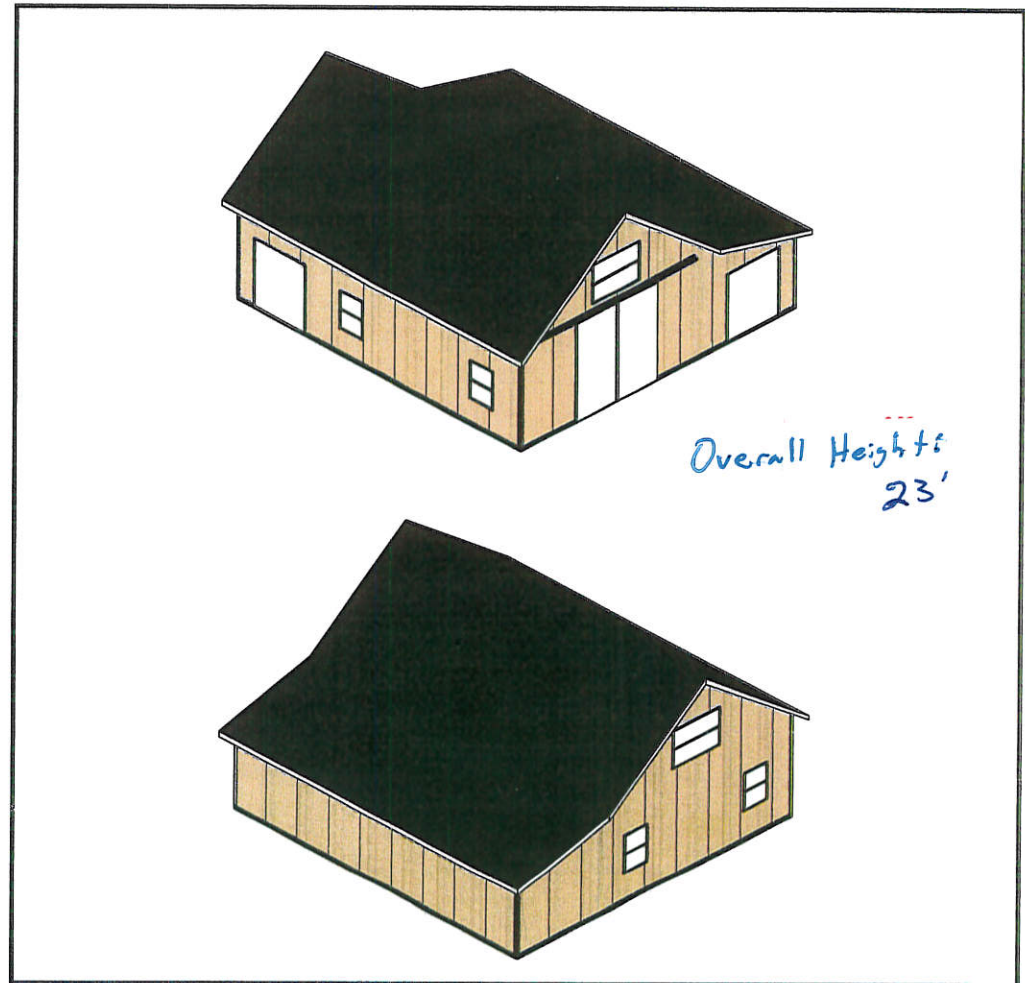
• 10' 6" X 7' 4 1/2" X 36' ENCLOSED DUAL PITCH LEAN-TO, EAVE 2

• 12" OVERHANG ON ALL SIDES VINYL SOFFIT

• FASTENERS

- 5 Lb 8D Hardboard Siding Nail for Plywood Siding
- 1 1/4 In. Generic Coil Roofing for Shingles
- 5 In Pole Barn Nails for Truss Carrier
- Bositch 12D 3" 1/2 Galv for Skirt Board
- Galvanized Steel Framing Nails

• DETAILED BUILDING PLANS



Subtotal
Tax
GRAND TOTAL

~~528~~
~~15~~
~~17~~

QUOTATION DATE: 1/12/2022

ESTIMATE NUMBER: 859

Prices are good for 30 days, until 2/11/2022

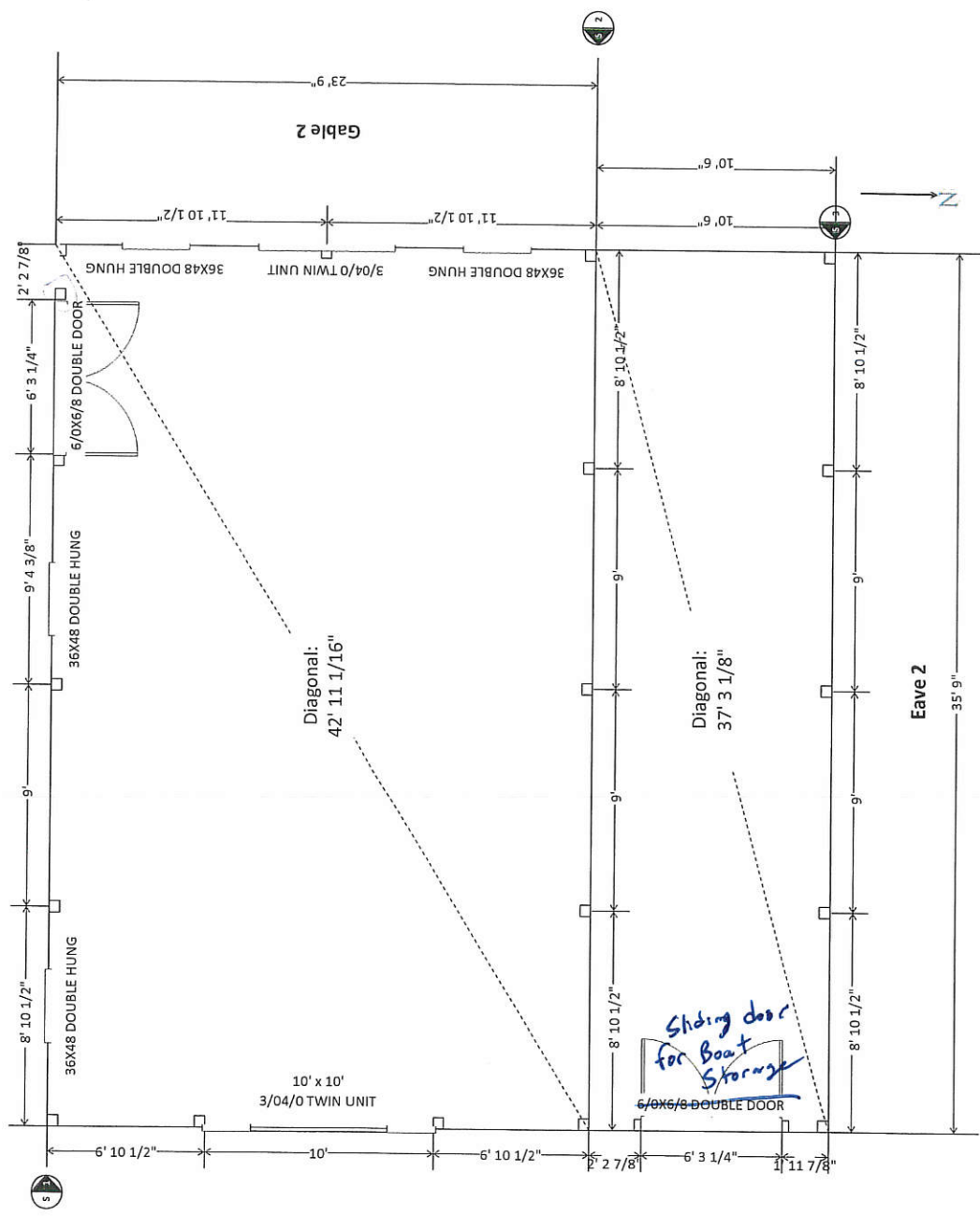
Received
 JAN 31 2022
 Niskayuna Building Dept.

Construction
Maestro
 1000 Niskayuna Rd.
 Niskayuna, NY 12120
 Phone: 518.535.1200

POLE LAYOUT
 Personal Use, 864 sq. ft.

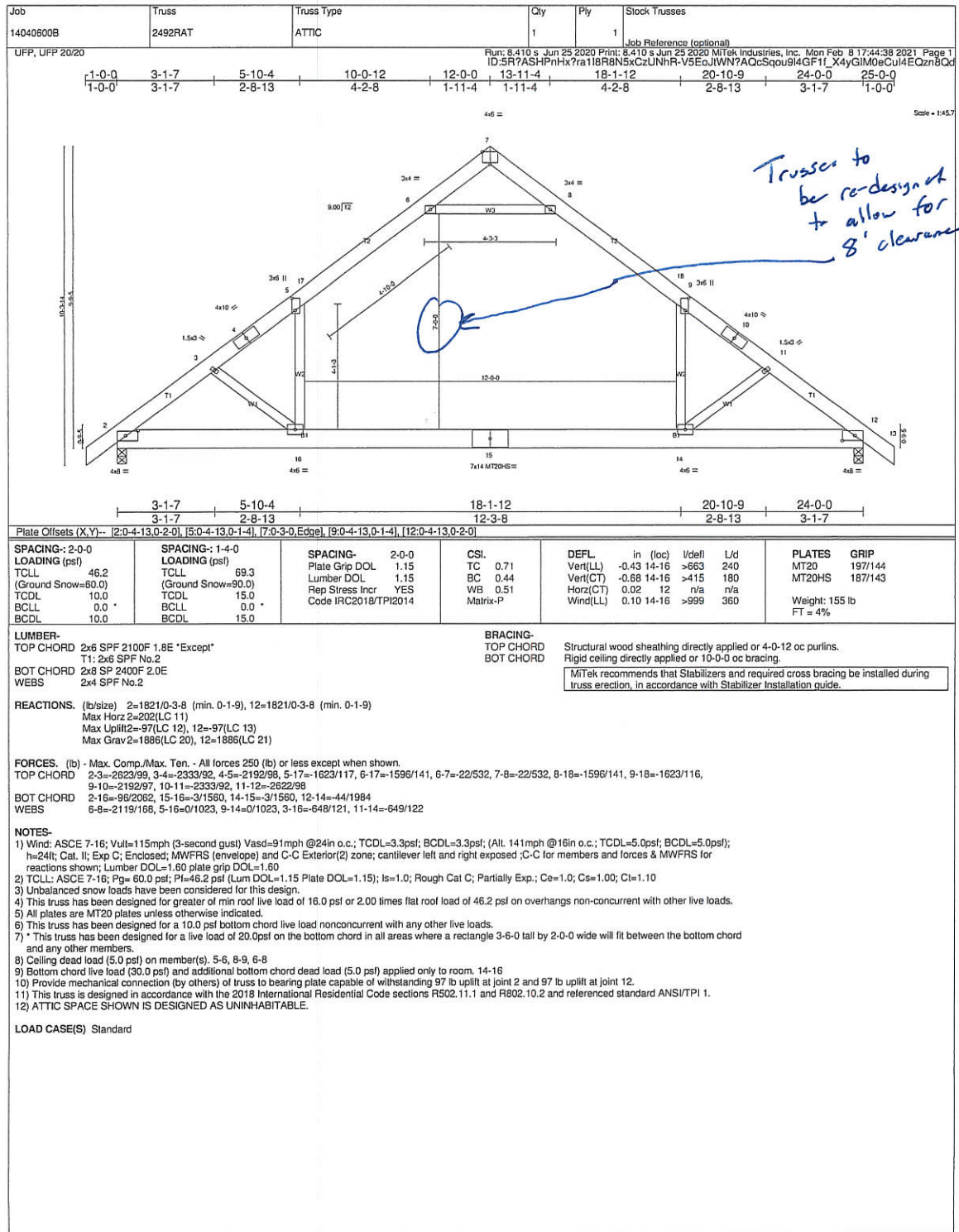


Eave 1



Gable 1

Road
 ↓



Received
JAN 31 2022
Niskayuna Building Dept.

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

March 4, 2022

TO WHOM IT MAY CONCERN:

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

DATE: March 16, 2022

TIME: 7:00 P.M.

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

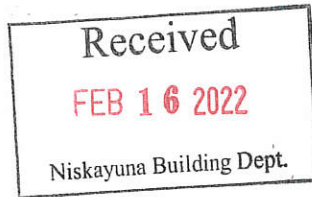
AT THIS TIME THE BOARD WILL CONSIDER THE REQUEST OF:

Appeal by Tiffany Harris and David DiTonno for a variance from of Section 220-25 B (1) (a) of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 991 Hillside Avenue, Niskayuna, New York, located in the R-2: Medium Density Residential Zoning District, to maintain a six (6) foot fence which exceeds the height limit in both side yards.

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 constructed, a six (6) foot high fence is located in both side yards; therefore, a two (2) foot fence height variance is required.

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: David DiTanno and Tiffany Harris

RE: Property at 991 Hillside Avenue, Niskayuna, NY 12309

I, David DiTanno and Tiffany Harris, the (owner) (agent of the owner) of the property located at 991 Hillside Avenue, 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

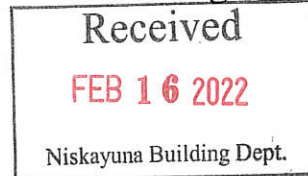
Signature of Agent: Tiffany Harris and David DiTanno Date 2/15/22

Signature of Owner (if different from Agent) _____

Telephone Number: 518-878-3015

Email Address: tiffoneonta@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.

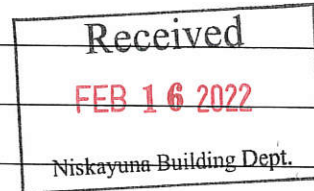
This matter was just brought to our attention by the Town of Niskayuna. It is the direct result of negligence by the previous owner.

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:

Granting the variance will not cause a detriment to nearby properties or an undesirable change in the neighborhood character because on one side is woods, and on the other side is a Half-way house, which was not disclosed by the previous owner.

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

The requested variance is not substantial because it hurts no one.



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:

The requested variance will not have an adverse physical or environmental effect on the neighborhood or district because it doesn't negatively affect anyone.

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:

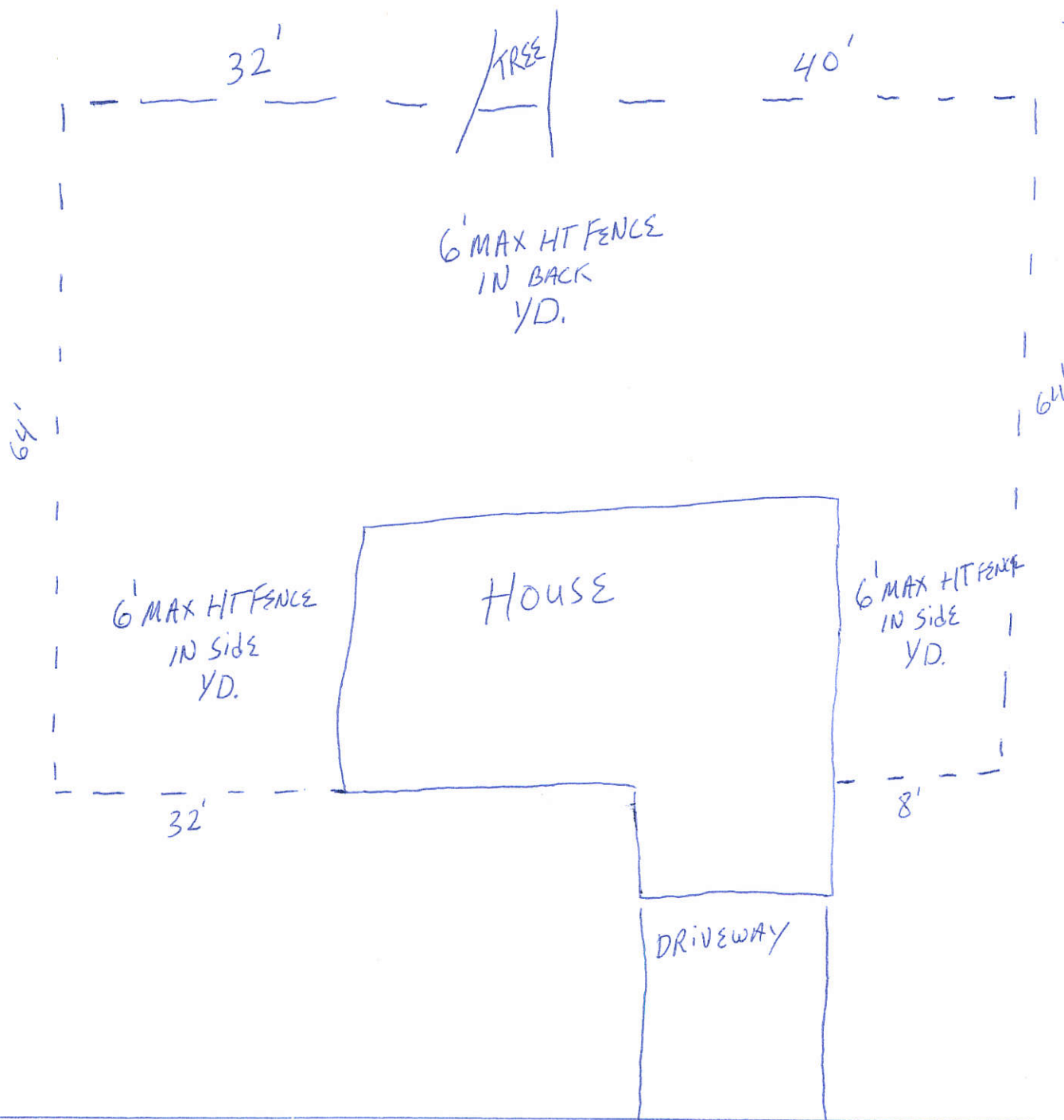
The alleged difficulty was not self-created. It was created by the previous owner's negligence.

991 Hillside Ave
Niskayuna, NY 12309
David Ditunno
518 878-3015
2/21/22

COMMERCIAL
PROPERTY

HALFWAY
House.

woods



Received

FEB 24 2022

Niskayuna Building Dept.



Thomas J. Cannizzo
Building Inspector

TOWN OF NISKAYUNA

BUILDING DEPARTMENT

One Niskayuna Circle
Niskayuna, New York 12309-4381
(518) 386-4522
FAX: (518) 386-4592
building@niskayuna.org

Kenneth P. Hassett
Building Inspector

Building and Zoning Permit Denial

Address: 991 Hillside Avenue

Application Date: 2/9/22

Tiffany Harris and David Ditunno
991 Hillside Avenue
Niskayuna, New York 12309

Dear Madam and 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 maintain 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 constructed, a six (6) foot high fence is located in both side yards; 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.

2/9/22
Date


Zoning Enforcement Officer

How far?

Application # B19-218



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

Renewal

Received

FEB 09 2022

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

991 Hillside Avenue

DESCRIBE WORK APPLIED FOR

To expand a fence from 4 feet to 6 feet

ESTIMATED VALUE OF ALL WORK (labor and materials):

TOTAL \$ 0

Please submit three sets of plans with this application.

APPLICANT

David Ditunno

DAY PHONE

518 878-3015

CHECK ONE:

☐ CONTRACTOR

☒ HOMEOWNER

☐ OTHER (explain) _____

ADDRESS

991 Hillside Ave

CITY

NISKAYUNA

STATE

NY

ZIP

12309

EMAIL ADDRESS

N/A

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

David Ditunno

DAY PHONE

518 878 3015

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 ^{41.0} 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

DAVID DITONNO
Printed Name

2/9/22

Notary Public, State of New York

Date

(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 _____

32'

40'

Tree

991 Hillside Ave
Niskayuna NY

12309

~~Tim LeBlanc~~

~~518-859-9403~~

**** NEW OWNERS WANTS TO
PURSUE A VARIANCE FOR
EXIST 6' HT FENCE INSIDE YDS**

(7)

6' MAX HT FENCE
IN REAR
YD.

64'

64'

House

~~4' MAX HT FENCE
INSIDE
YD.~~

6' HT FENCE AS BUILT

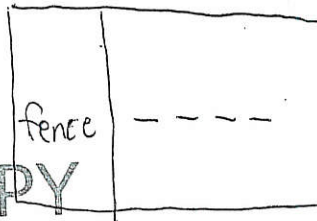
32'

~~4' MAX HT
FENCE IN
SIDE YD.~~

6' HT FENCE AS BUILT

Driveway

RECEIVED
MAY 16 2019
BUILDING DEPARTMENT
NISKAYUNA, NY



OFFICE COPY

ROAD

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

March 4, 2022

TO WHOM IT MAY CONCERN:

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

DATE: March 16, 2022

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 Corrie Whalen, agent for GE Global Research, for a variance from of Section 220-17 A of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 1 Research Circle, Niskayuna, New York, located in the I-R: Research and Development Zoning District, to construct an 80' x 220' research building exceeding the allowable building height.

Height: Section 220-17 A states: "No building or structure shall exceed a height of 35 feet above the average finished grade adjoining the building unless otherwise specified in this chapter. The finished grade of artificial berms or similar earthen structures created for insulation or other purposes adjacent to the building shall be disregarded in the determination of average finished grade." As proposed the new building measures 55 feet high. Therefore a 20 foot ($55' - 35' = 20'$) area variance for the height of the building is required.

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

PAID

FEB 28 2022

Building Department
Town of Niskayuna

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

TO: ZONING BOARD OF APPEALS

FROM: General Electric Research

RE: Property at 1 Research Circle

I, Corrie Whalen, the (owner) (agent of the owner) of the property located at 1 Research Circle 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: Corrie Whalen Date 2/28/22

Signature of Owner (if different from Agent) _____

Telephone Number: 518-391-9182

Email Address: Corrie.Whalen@ge.com

Received

FEB 28 2022

Niskayuna Building Dept.

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.

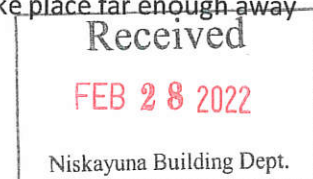
We are asking for a variance to exceed the 35' height limit for buildings within the town, because the building is being designed as essentially a clear span "warehouse" structure. We considered lowering the building into the ground 20' but this would create an issue with the specialized equipment that will be in the building for testing purposes. The building height will need to be more than 35' to accommodate the ~26' part that will be lowered into a test chamber inside the building that will be 25' below floor level. We have strategically placed the new building in a location on site that will minimize it being seen from outside the property to avoid adverse reactions to the surrounding neighborhoods.

2. Whether by 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 new building will be constructed in an area that from River Rd. the view of the building is obstructed by vegetation both directly at the roadway near the walking/bike path and immediately south of where the building is to be constructed. The areas to the north facing the river, west toward Balltown Rd., and east KAPL, GE is the owner of the property and from the property boundaries the new structure would not be visible due to the landscape or distance from the property boundaries. The building will maintain the same design of the other structures on the GE Research site, it will be set back from all property boundaries to not become an eyesore to the surrounding community, and there will be no noise or environmental emissions from the building that will require special permitting. When construction is complete, we will decommission two other buildings on the property and demolish them. The reason for the new building is to provide new state of the art equipment for current research processes on campus so there will not be added traffic to the area, and we strategically located the building on site where there is already ample parking.

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

The variance is not substantial because although 20' above the standard zoning height, our facility is made up of several structures already above this height, the new structure would not be easily seen from the roadway that passes by the facility, and the construction would take place far enough away from the property lines that our neighbors would not be effected.



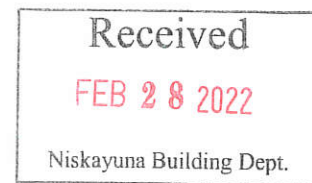
4. Whether the variance will have adverse physical or environmental effects on the neighborhood or district for the following reasons.

There will be no physical effects to the neighborhood because the building will not be seen by travelers by or from our neighbors at any of our property boundaries. Environmentally there will be no adverse

effects on the neighborhood or district because there will be no greater demand on public water or sewage as this building once constructed will replace two buildings on site that will be demolished, the research in nature that will go on inside the facility will not require any special permitting for exhaust, and this new structure will not cause an increase of traffic or noise to the area.

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 difficulty was most certainly self-created. New technological advances made by the GE Research team in Niskayuna have created a need for a one-of-a-kind testing facility. We have sought out alternatives throughout the world to help with this testing, but the determination was that for the long-term success of our research and to drive the lowest cost impact to the company building our own state of the art research facility in Niskayuna is the right decision. In order to provide this one-of-a-kind state of the art research to the world the building will require a 55' structure to accommodate the tools being used and tested. Being able to do this research at the Niskayuna site instead of possible sending it across the country or the world will help to keep and possibly in the future increase jobs both here in Niskayuna and at the plant in Schenectady.





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NOTES AND SPECIFICATIONS

BUILDING ERECTION NOTES

1) THE GENERAL CONTRACTOR AND/OR ERECTOR IS RESPONSIBLE TO SAFELY AND PROPERLY ERECT THE METAL BUILDING SYSTEM IN CONFORMANCE WITH THESE DRAWINGS, OSHA REQUIREMENTS, AND MBMA STANDARDS PERTAINING TO PROPER ERECTION. THIS INCLUDES, BUT IS NOT LIMITED TO, THE CORRECT USE OF TEMPORARY DOWS AND BRACING WHERE NEEDED FOR SQUARING, PLUMBING, AND SECURING THE STRUCTURAL AND SECONDARY FRAMING. SECONDARY WALL FRAMING MEMBERS (GIRTS OR BAR JOISTS) ARE NOT DESIGNED TO FUNCTION AS A WORK PLATFORM OR PROVIDE SAFETY TO THE OFF ATTACHMENT IN ACCORDANCE WITH OSHA REQUIREMENTS. SECONDARY ROOF FRAMING MEMBERS (PURLINS OR BAR JOISTS) ARE NOT DESIGNED TO PROVIDE SAFETY TO THE OFF ATTACHMENT IN ACCORDANCE WITH OSHA REQUIREMENTS.

2) ALL HIGH STRENGTH BOLTS ARE TYPE ASTM A325 AND ARE TO BE INSTALLED TO THE "SNUG-TIGHT" CONDITION AS DEFINED BY THE BSRG SPECIFICATION. THE STRUCTURAL JOINTS USING A325 OR A490 BOLTS, 2004 EDITION, SECTION B.1, UNLESS NOTED OTHERWISE. ALSO, NOTE THAT BOLTS IN STANDARD HOLES DO NOT REQUIRE WASHERS PER THE BSRG SPECIFICATION FOR STRUCTURAL JOINTS USING A325 OR A490 BOLTS, SECTION B.

3) ALL A307 MACHINE BOLTS ARE TO BE BROUGHT TO A "SNUG TIGHT" CONDITION TO ENSURE THAT THE MATERIALS IN THE JOINT ARE BROUGHT INTO GOOD CONTACT WITH EACH OTHER.

4) WASHERS ARE REQUIRED AT ALL SLOTTED CONNECTIONS AS FOLLOWS:
-HOLE TO SLOT CONNECTION, ONE WASHER REQUIRED ON SLOTTED SIDE.
-SLOT TO SLOT CONNECTION, TWO WASHERS REQUIRED, ONE ON EACH SIDE OF THE CONNECTION. HOWEVER AT LAPPED JOINTS, BETWEEN PURLINS OR GIRTS, NO WASHERS ARE REQUIRED IN THE B-HOLE LAPPED REGION.

5) THE METAL BUILDING SUPPLIER SHALL BE NOTIFIED PRIOR TO ANY FIELD MODIFICATIONS. MODIFICATIONS SHALL BE APPROVED BY THE METAL BUILDING SUPPLIER BEFORE WORK IS UNDERTAKEN.

6) ALL WELDING MUST BE PERFORMED BY AWS QUALIFIED WELDERS FOR THE WELDING PROCESSES AND POSITIONS INDICATED. ALL WORK MUST BE COMPLETED AND INSPECTED IN ACCORDANCE WITH THE APPLICABLE AWS SPECIFICATIONS. WELD ELECTRODES USED FOR THE SMAW (OR STICK) WELD PROCESS MUST BE 70 KSI STEEL AND LOW HYDROGEN CONTENT.

7) COMMON ABBREVIATIONS:

a) TYP UNO-TYPICAL UNLESS NOTED OTHERWISE	i) SIM-SIMILAR
b) SVL-SHORT LEG VERTICAL	j) NIC-NOT IN CONTRACT
c) LW-LONG LEG VERTICAL	k) SL-STEEL LINE
d) NS & FS-NEAR SIDE AND FAR SIDE	l) N/A-NOT APPLICABLE
e) C/L-CHORDAL LENGTH	m) MB-METAL BUILDING SUPPLIER

8) CONSTRUCTION LOADS SHALL NOT BE PLACED ON ANY STRUCTURAL STEEL FRAMEWORK UNLESS SUCH FRAMEWORK IS SAFELY BOLTED, WELDED, OR OTHERWISE ADEQUATELY SECURED.

9) PURLINS AND GIRTS SHALL NOT BE USED AS AN ANCHORAGE POINT FOR A FALL ARREST SYSTEM UNLESS WRITTEN APPROVAL IS OBTAINED FROM THE METAL BUILDING SUPPLIER.

10) PURLINS MAY ONLY BE USED AS A WALKING/WORKING SURFACE WHEN INSTALLING SAFETY SYSTEMS, AFTER ALL PERMANENT BRACING HAS BEEN INSTALLED AND FALL PROTECTION IS PROVIDED.

11) CONSTRUCTION LOADS MAY BE PLACED ONLY WITHIN A ZONE THAT IS WITHIN 8 FEET OF THE CENTER-LINE OF THE PRIMARY SUPPORT MEMBER. OFF DUNDLES SHOULD BE PLACED DIRECTLY OVER THE ROOF FRAMES.

12) ALL LIFTING DEVICES MUST MEET OSHA OR MBMA STANDARDS AND IN NO CASE IS IT ACCEPTABLE TO USE STRUCTURAL MEMBERS SUPPLIED BY THE MBMA AS A SPREADER BAR OR LIFTING DEVICE.

GENERAL DESIGN NOTES AND MATERIAL SPECIFICATIONS

1) ALL STRUCTURAL STEEL SECTIONS AND WELDED PLATE MEMBERS ARE DESIGNED IN ACCORDANCE WITH THE AISC "SPECIFICATIONS FOR STRUCTURAL STEEL BUILDINGS-ALLOWABLE STRESS DESIGN", NINTH EDITION, OR THE AISC "SPECIFICATIONS FOR STRUCTURAL STEEL BUILDINGS", THIRTEENTH EDITION, AS REQUIRED BY THE SPECIFIED BUILDING CODE.

2) ALL WELDING OF STRUCTURAL STEEL IS BASED ON AWS D1.1 "STRUCTURAL WELDING CODE", LATEST EDITION.

3) ALL COLD FORMED MEMBERS ARE DESIGNED IN ACCORDANCE WITH AISC "SPECIFICATIONS FOR THE DESIGN OF COLD FORMED STEEL STRUCTURAL MEMBERS", LATEST EDITION.

4) ALL WELDING OF COLD FORMED STEEL IS BASED ON AWS D1.3 "STRUCTURAL WELDING CODE - SHEET STEEL", LATEST EDITION.

5) IF JOISTS ARE INCLUDED WITH THIS PROJECT, THEY ARE SUPPLIED AS A PART OF THE SYSTEM-ENGINEERED METAL BUILDING AND ARE FABRICATED IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 1926.755 OF THE OSHA SAFETY STANDARD FOR STEEL ERECTION, DATED JANUARY 18, 2001.

6) MATERIAL SPECIFICATIONS:

PLATE AND FLANGE MATERIAL:
5"-12" WIDE & THRU 1" THICK _____ A572, GRADE 50
OTHERS _____ A572, GRADE 50 OR A588
BUILT-UP STRUCTURAL WEB MATERIAL _____ A1011 SS (OR HSLA CL1) OR 55
HOT-ROLLED STRUCTURAL _____ A36 OR A572, GRADE 50 OR A588, GRADE 50
STRUCTURAL TUBE _____ A500, GRADE C (46 KSI)
STRUCTURAL PIPE _____ A500, GRADE B (42 KSI)
COLD-FORMED STRUCTURAL _____ A1011 OR A1029 SS (OR HSLA CL1) OR 55
RIPS ROOF PANELS _____ A792, GRADE 80
STANDING SEAM ROOF PANELS _____ A792, GRADE 80, CLASS 1
R-PANEL AND A-PANEL SIDING _____ A553, GRADE 80, CLASS 1 OR A792, GRADE 80, CLASS 1
ROD BRACING _____ A529, GRADE 50
CABLE BRACING _____ A475 COATING CLASS A, GRADE EHS, 7-WIRE
WELDS _____ AWS D1.1 LATEST EDITION
HIGH-STRENGTH BOLTS _____ A325 TYPE 1 HEAVY HEX OR A490 TYPE 1 HEAVY HEX
MACHINE BOLTS _____ A-307 GRADE A HEX

PROJECT NUMBER: 2-21

PROJECT NAME: GE Cryo

PROJECT LOCATION: Schenectady, NY

COUNTY: Schenectady

CUSTOMER: SNK Enterprises Troy, NY



PROJECT LOADS

DESIGN CODE: NYSBC 2020 BUILDING END USE: 2A

ROOF LIVE LOAD: 20 PSF MBMA OCC. CLASS: III - Substantial Hazard

GROUND SNOW LOAD: 40 PSF SNOW EXP. FACTOR, C_e : 1
SNOW IMPORTANCE FACTOR, I_s : 1.1

WIND: 117 WIND IMPORTANCE FACTOR, I_w : 1.15

EXPOSURE: C WITHIN HURRICANE COASTLINE ☐ YES ☒ NO

UL 90 ☐ YES ☒ NO RAIN INTENSITY (in/hr) N/A

SEISMIC INFORMATION Se0.214, S1:0.064

Design S_d/S_1 : _____ Site Class: D

Seismic Imp. Factor I_e : 1.25 Seismic Design Category: _____

Analysis Procedure: Equivalent Lateral Force Method

Basic SFRS:

NOTES:

1) COLLATERAL DEAD LOADS, UNLESS OTHERWISE NOTED, ARE ASSUMED TO BE UNIFORMLY DISTRIBUTED. WHEN SUSPENDED SPRINKLER SYSTEMS, LIGHTING, HVAC EQUIPMENT, CEILING, ETC., ARE SUSPENDED FROM ROOF MEMBERS, CONSULT THE M.B.S. IF THESE CONCENTRATED LOADS EXCEED 200 POUNDS, OR IF INDIVIDUAL MEMBERS ARE LOADED SIGNIFICANTLY MORE THAN OTHERS.

2) THE DESIGN OF STRUCTURAL MEMBERS SUPPORTING GRAVITY LOADS IS CONTROLLED BY THE MORE CRITICAL EFFECT OF ROOF LIVE LOAD OR ROOF SNOW LOAD, AS DETERMINED BY THE APPLICABLE CODE.

	Office	Field	Shelter	End Bay
ROOF DEAD (PSF):	4.5	5.4		
PREL. COLL. (PSF):	7	7		
SEC. COLL. (PSF):	7	7		
SNOW C_e :	1	1.2		
ROOF SNOW (PSF):	30.8	36.96		
WIND ENCLOSURE:	Enclosed	Partially Enclosed		
DCP:				
SEISMIC R:				
SEISMIC C_e :				
BASE SHEAR (KIPS):				

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PROJECT NAME:
GE CRYO

SCHENECTADY, NY

CUSTOMER NAME:

SNK ENTERPRISES

TROY, NY

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SHEET TITLE: 2/21/2022 2:37 PM

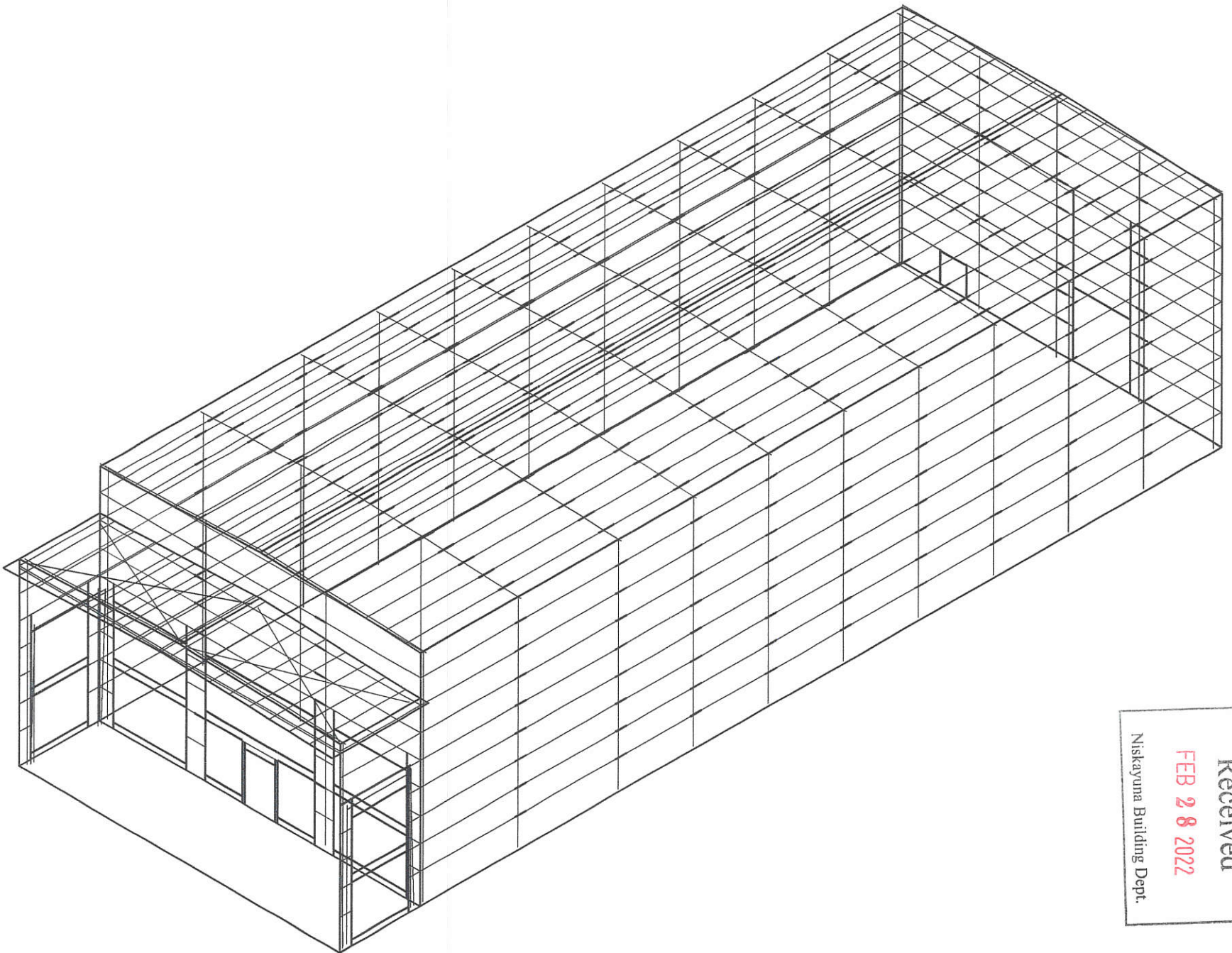
PRELIMINARY COVERSHEET DRAWING

SHEET NUMBER: C1

QUOTE NUMBER:

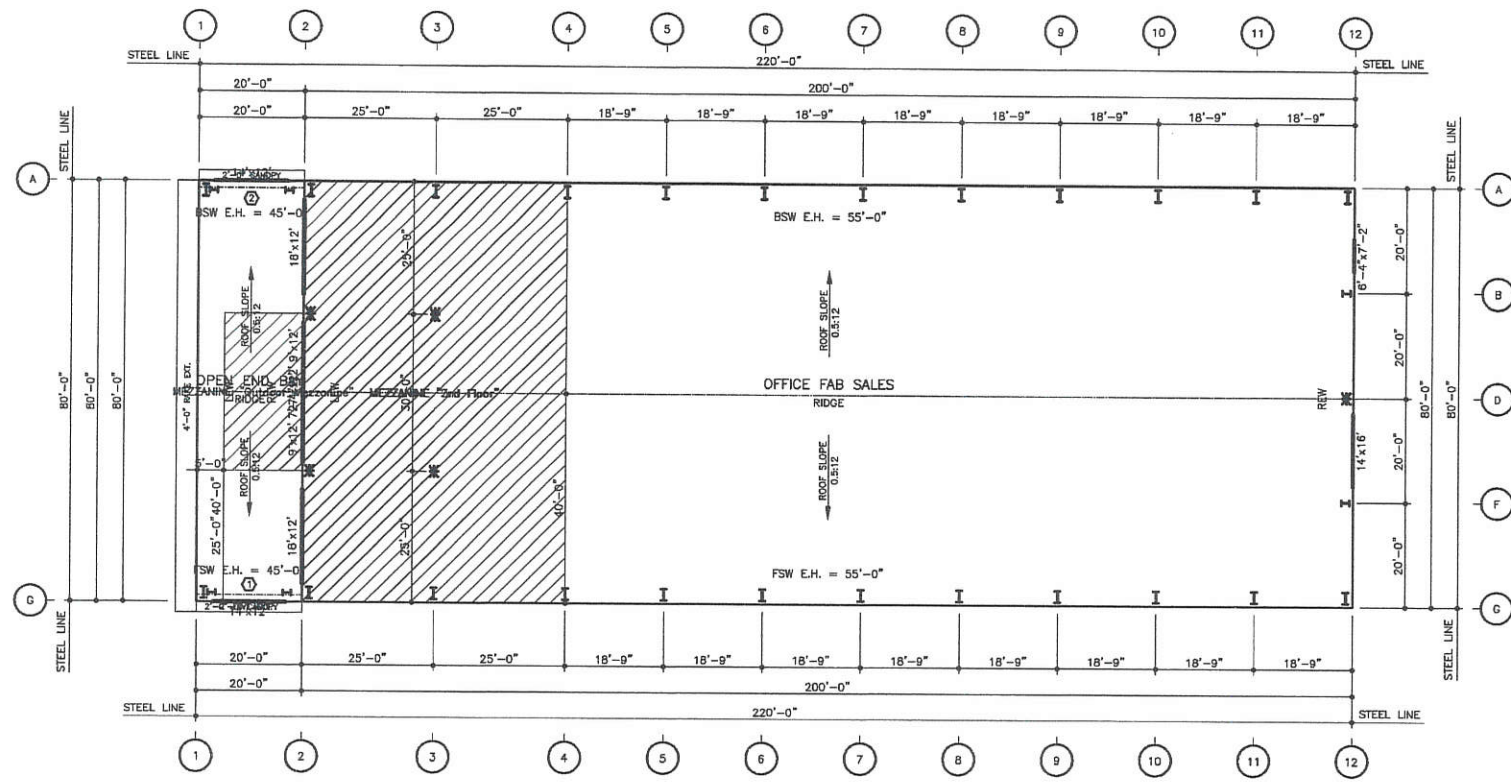
2-21





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WALL LINER PANEL SCHEDULE				
NO.	LINER TYPE	DIST. FROM LEFT BOTTOM OF PANEL AFF TOP OF PANEL AFF	FULL HEIGHT	FULL WIDTH
1	FULL WALL	0'-0"	0'-0"	FULL HEIGHT
2	FULL WALL	0'-0"	0'-0"	FULL HEIGHT



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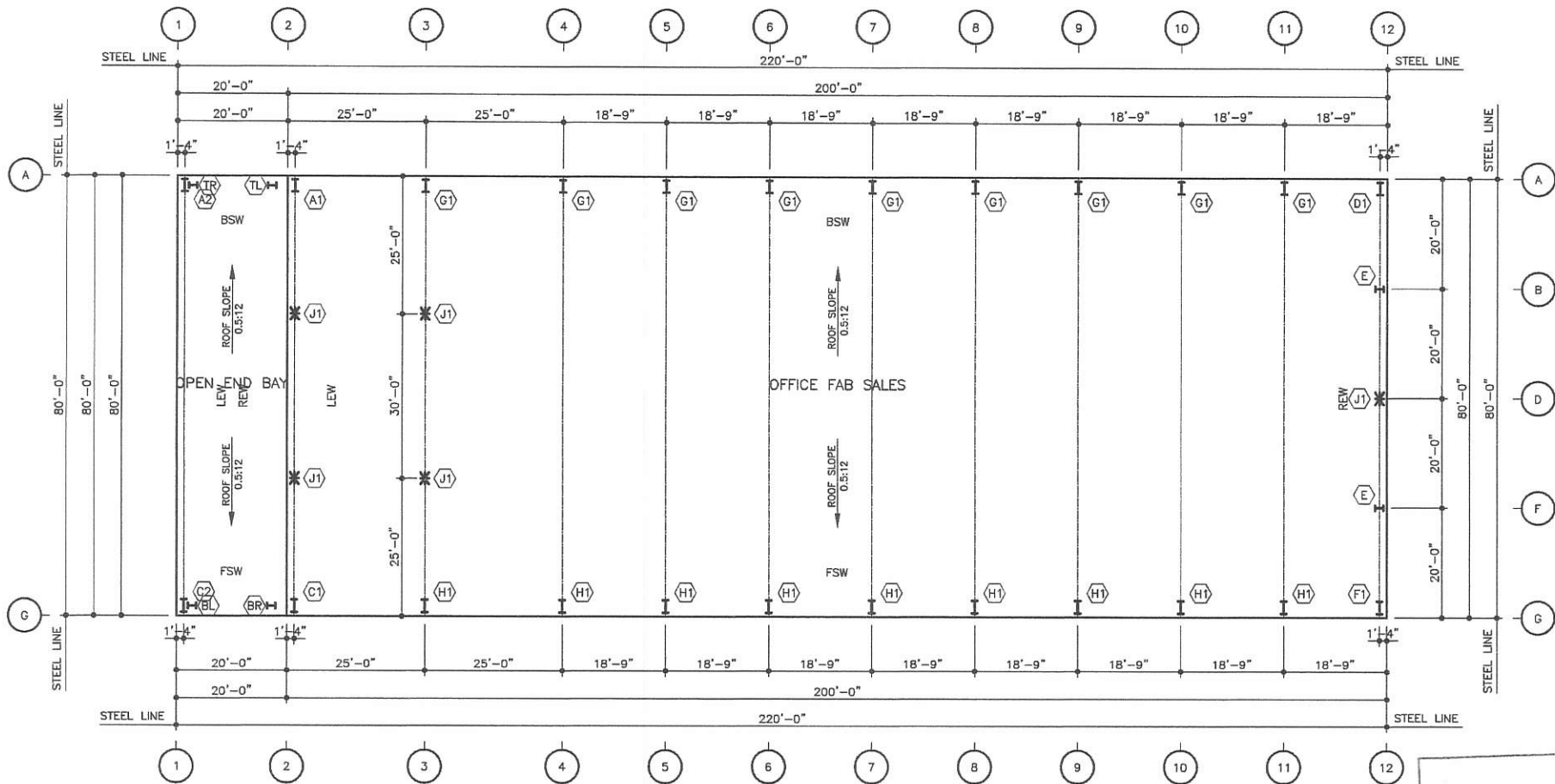
AMERICAN BUILDINGS COMPANY
 A PROCESSION COMPANY
 eQuote

PROJECT NAME: GE CRYO
 SCHEDULE: SCHENECTADY, NY
 CUSTOMER NAME: SNK ENTERPRISES
 TROY, NY

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 SHEET TITLE: PRELIMINARY FLOOR PLAN
 SHEET NUMBER: FP1

2/21/2022 2:57 PM
 QUOTE NUMBER: 2-21

Column locations marked with "*" are designated as Most Economical (Pipe, Tube, or I-Shape) and will be determined at final design.



Finish floor elevation assumed to be 100'-0" unless noted otherwise.
 Column locations marked with * are designated as Most Economical (Pipe, Tube, or I-Shape) and will be determined at final design.

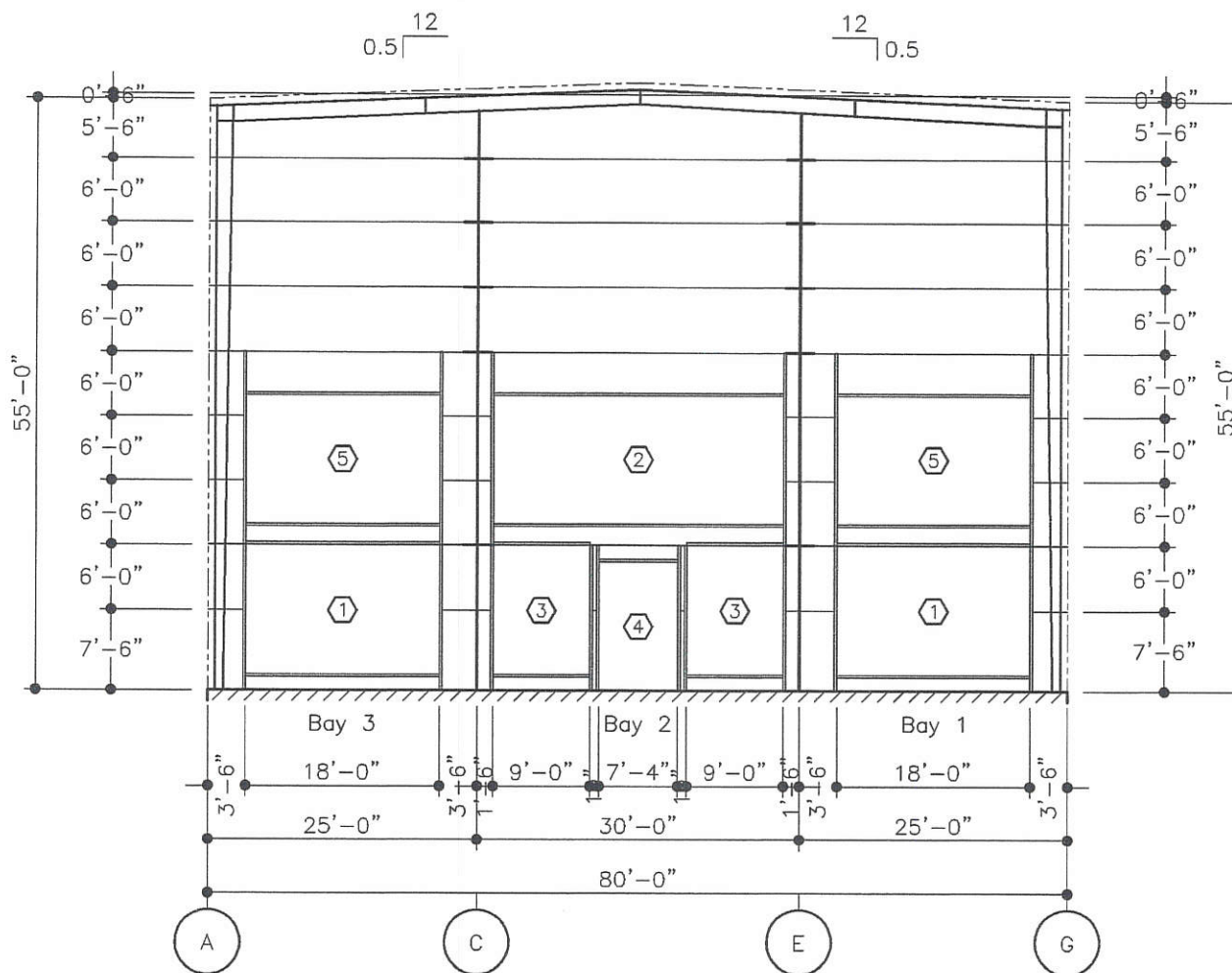
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DO NOT USE FOR FINAL CONSTRUCTION	
SHEET TITLE:	2/21/2022 2:57 PM
PRELIMINARY ANCHOR BOLT PLAN	
SHEET NUMBER:	AB1
QUOTE NUMBER:	2-21
PROJECT NAME:	
GE CRYO	
SCHEMATIC, NY	
CUSTOMER NAME:	
SNK ENTERPRISES	
TROY, NY	

OPEN END BAY OFFICE FAB SALES

ID	QTY	WIDTH	HEIGHT	SILL HEIGHT	LOCATED
1	2	18'-0"	12'-0"	1'-6"	FACTORY
2	1	27'-0"	12'-0"	15'-6"	FACTORY
3	2	9'-0"	12'-0"	1'-6"	FACTORY
4	1	7'-4"	12'-0"	0'-0"	FACTORY
5	2	18'-0"	12'-0"	15'-6"	FACTORY



ELEVATION AT LINE 2

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PROJECT NAME: GE CRYO

SCHEENECTADY, NY

CUSTOMER NAME:
SNK ENTERPRISES
TROY, NY

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SHEET TITLE: PRELIMINARY STRUCTURAL ELEVATIONS
2/21/2022 2:57 PM

PRELIMINARY STRUCTURAL ELEVATION	QUOTE NUMBER:	2-21
SHEET NUMBER:	ST5	

PROJECT NAME:

GE CRYO

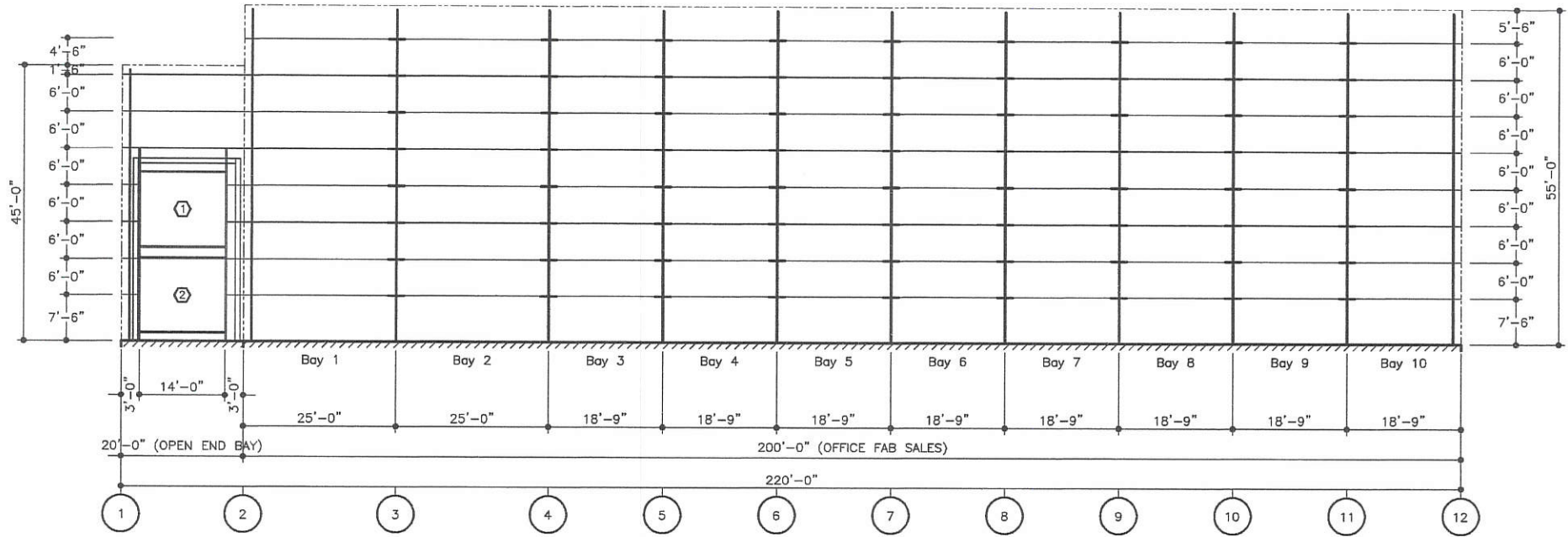
SCHENECTADY
CUSTOMER NAME:

CUSTOMER NAME:
SNK ENTERPRISES
TROY, NY

KEY PLAN

OPEN END BAY OFFICE FAB SALES

FRAMED OPENING SCHEDULE				
ID	QTY	WIDTH	HEIGHT	SILL HEIGHT
1	1	14'-0"	12'-0"	15'-6"
2	1	14'-0"	12'-0"	1'-6"



ELEVATION AT LINE G

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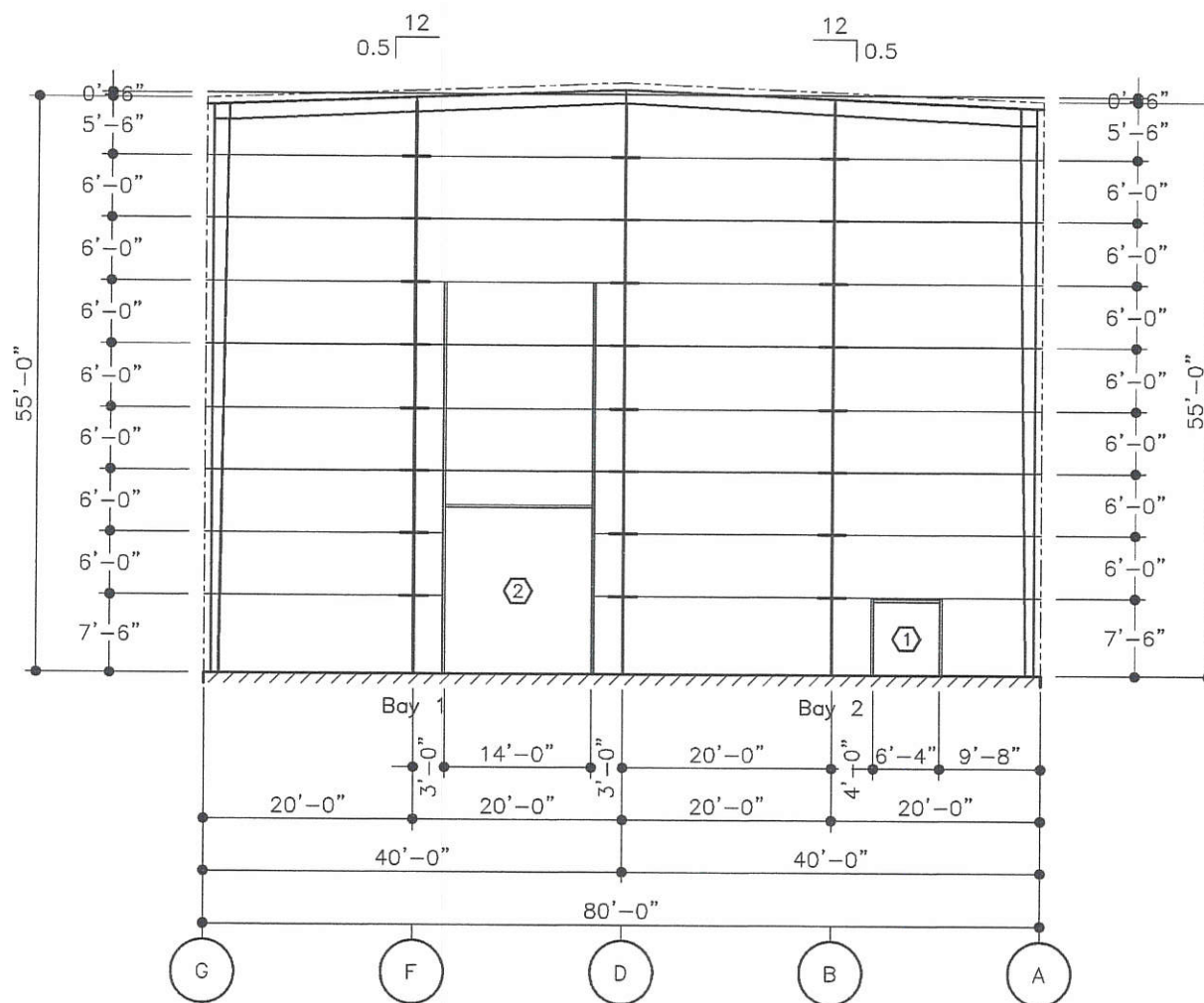


PROJECT NAME: GE CRYO
SCHEENECTADY, NY
CUSTOMER NAME: SNK ENTERPRISES
TROY, NY

DO NOT USE FOR FINAL CONSTRUCTION
SHEET TITLE: PRELIMINARY STRUCTURAL ELEVATIONS
SHEET NUMBER: ST6
2/21/2022 2:57 PM
QUOTE NUMBER: 2-21

OPEN END BAYOFFICE FAB SALES

FRAMED OPENING SCHEDULE					
QTY	WIDTH	HEIGHT	SILL HEIGHT	LOCATED	
1	6'-4"	7'-2"	0'-0"	FACTORY	
2	14'-0"	16'-0"	0'-0"	FACTORY	



ELEVATION AT LINE 12

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PROJECT NAME:

PROJECT NAME:
GE CRYO

SCHEENECTADY, NY

CUSTOMER NAME:
SNK ENTERPRISES
TROY, NY

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SHEET TITLE: 2/21/2022 2:57 PM

PRELIMINARY STRUCTURAL E

SHEET NUMBER:	QUOTE NUMBER:
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ST7

2-21

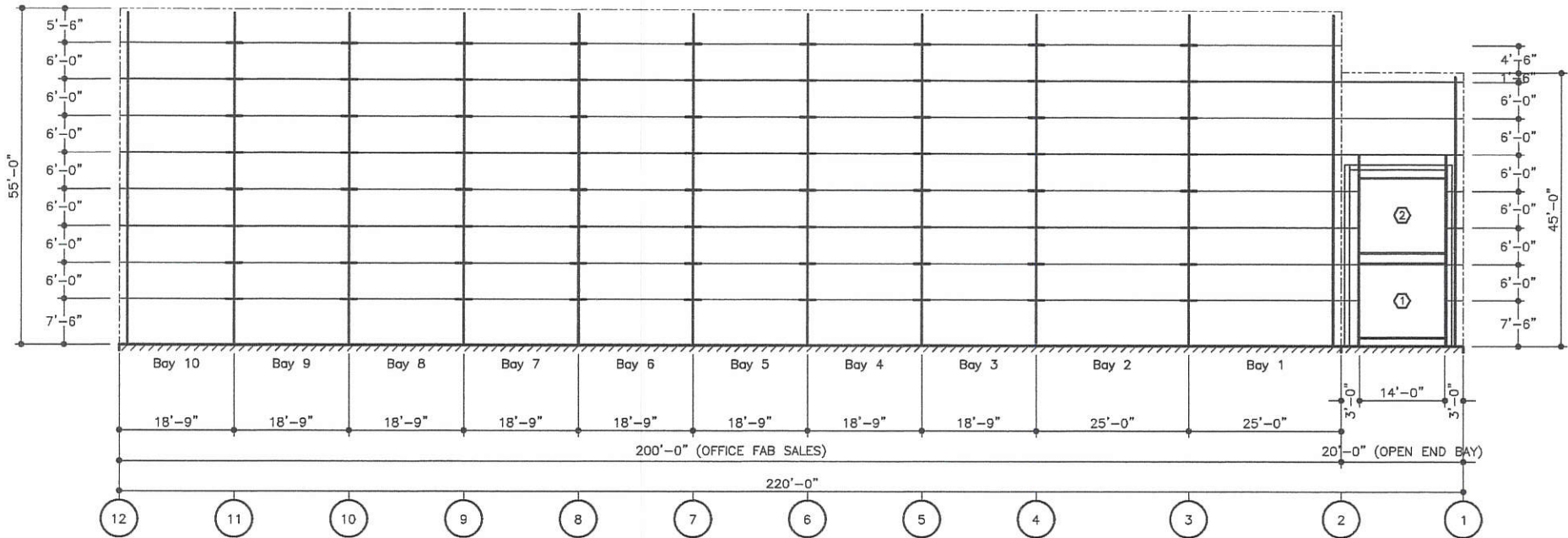


KEY PLAN

OPEN END BAY

OFFICE FAB SALES

FRAMED OPENING SCHEDULE					
ID	QTY	WIDTH	HEIGHT	SILL HEIGHT	LOCATED
1	1	14'-0"	12'-0"	1'-6"	FACTORY
2	1	14'-0"	12'-0"	15'-6"	FACTORY



ELEVATION AT LINE A

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eQuote

PROJECT NAME:

CE CRYO

SHEET TITLE:

PRELIMINARY STRUCTURAL ELEVATIONS

DO NOT USE FOR FINAL CONSTRUCTION

DATE:

2/21/2022 2:57 PM

CUSTOMER NAME:

SCHENECTADY, NY

SHEET NUMBER:

2-21

QUOTE NUMBER:

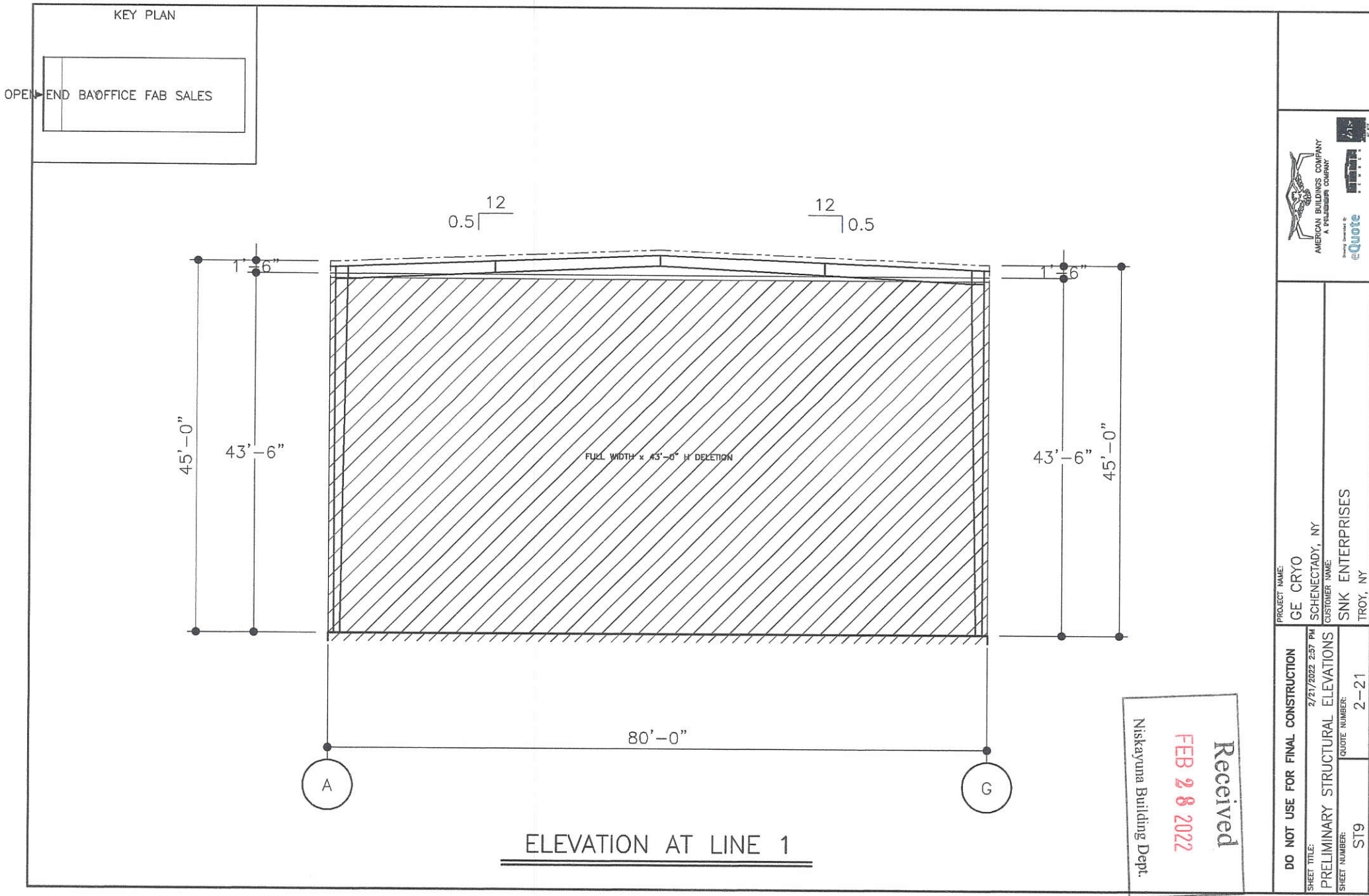
ST8

CUSTOMER NAME:

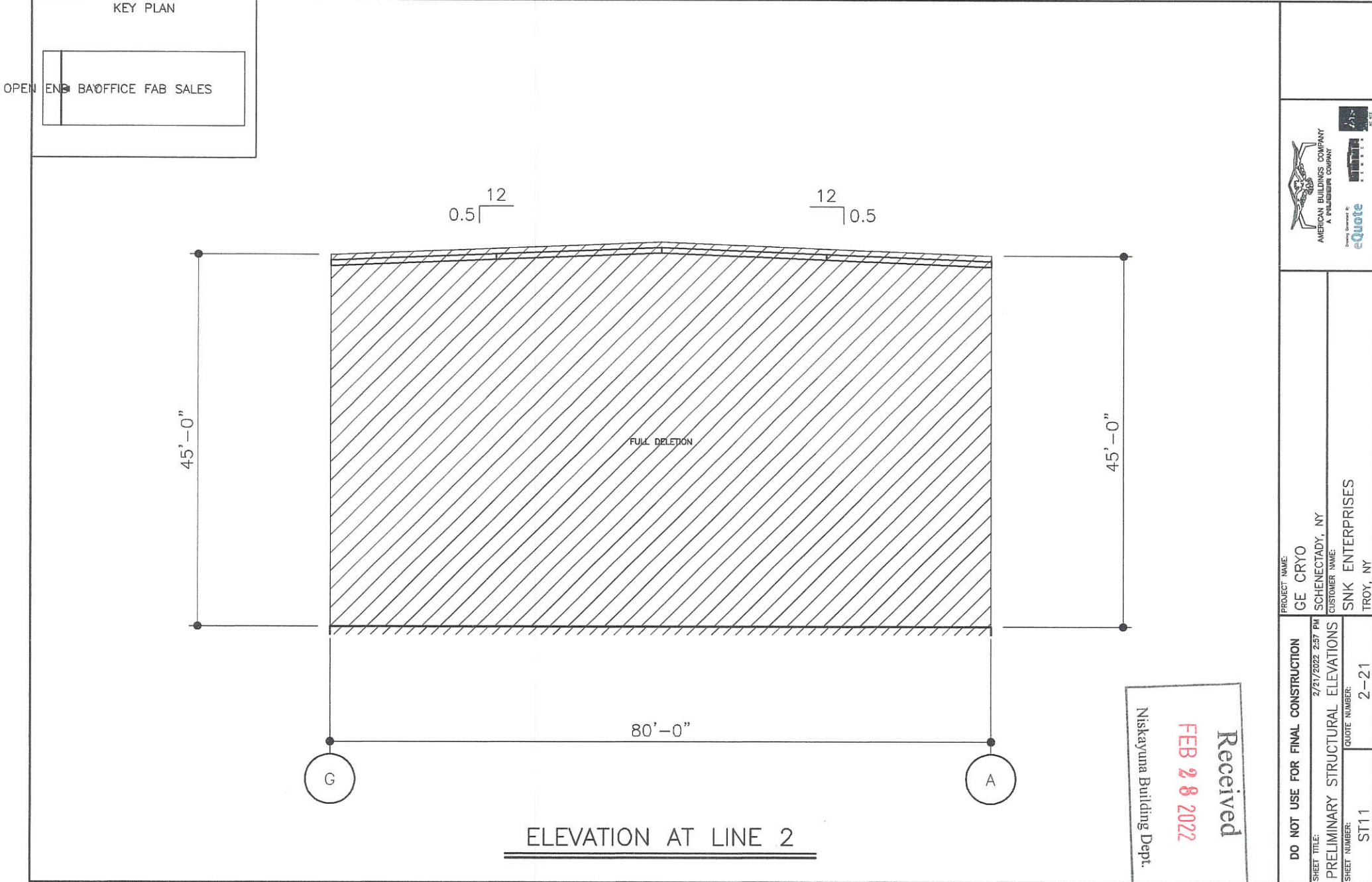
SNK ENTERPRISES

LOCATION:

TROY, NY



PROJECT NAME GE CRYO SCHENECTADY, NY		CUSTOMER NAME SNK ENTERPRISES TROY, NY	
DO NOT USE FOR FINAL CONSTRUCTION SHEET TITLE: PRELIMINARY STRUCTURAL ELEVATIONS		ST9 SHEET NUMBER: 2-21	
2/21/2022 2:57 PM		QUOTE NUMBER: 2-21	
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ELEVATION AT LINE 2

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

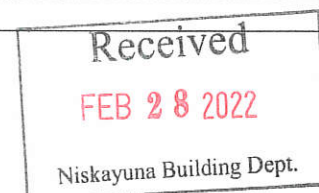
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available.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

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

Part 1 – Project and Sponsor Information			
Name of Action or Project: GE Research Cryogenics Facility			
Project Location (describe, and attach a location map): Western part of our 1 Research Circle Property			
Brief Description of Proposed Action: Construct a 200' x 80' building 55' tall with a vessel 25' in the ground inside the facility to cryogenic-ally test MRI parts and new state of the art technology for wind turbines.			
<div style="border: 1px solid black; padding: 5px; display: inline-block;"> <p style="margin: 0; font-weight: bold; font-size: 1.2em;">Received</p> <p style="margin: 0; color: red; font-weight: bold; font-size: 1.1em;">FEB 28 2022</p> <p style="margin: 0; font-size: 0.9em;">Niskayuna Building Dept.</p> </div>			
Name of Applicant or Sponsor: General Electric Research/ Corrie Whalen		Telephone: 518-391-9182 E-Mail: corrie.whalen@ge.com	
Address: 1 Research Circle			
City/PO: Niskayuna	State: NY	Zip Code: 12309	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		522 acres	
b. Total acreage to be physically disturbed?		5 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		522 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

		NO	YES	N/A
<div style="border: 1px solid black; padding: 5px; text-align: center;"> Received FEB 28 2022 Niskayuna Building Dept. </div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Is the proposed action,		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. A permitted use under the zoning regulations?				
b. Consistent with the adopted comprehensive plan?				
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES	
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES	
If Yes, identify: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES	
b. Are public transportation services available at or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:				
Proposed action is still being designed but we are working closely with both National Grid and NYSERDA to ensure the building meets or exceeds current energy standards		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?		NO	YES	
If No, describe method for providing potable water: _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?		NO	YES	
If No, describe method for providing wastewater treatment: _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?		NO	YES	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Corrie Whalen</u> Date: <u>2/28/2022</u>		
Signature: _____ Title: _____		





TOWN OF NISKAYUNA

PLANNING DEPARTMENT

Laura Robertson
Town Planner

One Niskayuna Circle
Niskayuna, New York 12309-4381

(518) 386-4522
AX: (518) 386-4592

BUILDING AND ZONING PERMIT DENIAL

Address: One Research Circle
GE Global Research

Application Date: 2/23/22

GE Global Research
One Research Circle
Niskayuna, NY 12309
corrie.whalen@ge.com

Dear Mr. Whalen:

You are hereby notified, as required by Section 220-67 F of the Zoning Ordinance of the Town of Niskayuna, that your Application for Site Plan Review for a proposed new building on the GE Global Research campus at One Research Circle has been denied by reason of failure to comply with the provisions of Niskayuna Zoning Code Section 220-17 Height regulations. The property is located in the I-R: Research and Development Zoning District.

A 12-page document package was submitted with the application. Eight (8) of the pages were entitled "GE Cryo Schenectady, NY" by American Buildings Company dated 2/21/22 with no subsequent revisions.

Your application is denied based upon the following requirements of the Zoning Ordinance:

Niskayuna Zoning Code Section 220-17 Height regulations A states: "No building or structure shall exceed a height of 35 feet above the average finished grade adjoining the building unless otherwise specified in this chapter. The finished grade of artificial berms or similar earthen structures created for insulation or other purposes adjacent to the building shall be disregarded in the determination of average finished grade."

As proposed in the aforementioned document package the new building measures 55 feet high. Therefore a 20 foot ($55' - 35' = 20'$) area variance for the height of the building is required.

Under the provisions of Section 220-69 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.

Laura Robertson, Deputy Code Enforcement Officer

2/28/22

Date



TOWN OF NISKAYUNA

One Niskayuna Circle
Niskayuna, New York 12309-4381

Phone: (518) 386-4530

Application for Site Plan Review

Applicant (Owner or Agent):

Name GE RESEARCH

Address 1 RESEARCH CIRCLE
NISKAYUNA, NY 12309

Email _____

Telephone _____ Fax _____

Location:

Number & Street 1 RESEARCH CIRCLE

Section-Block-Lot 157 - 1 - 2

Zoning District I-R

Proposal Description:

BUILD NEW RESEARCH BUILDING ON CAMPU.S.
PRELIMINARY DESIGN INCLUDES ~16,000 GSF
BUILDING, 60FT HIGH, WITH NEW NITROGEN BULK
SYSTEM.

Signature of applicant:  Corrie Whalen Date: 2/23/22

Signature of owner (if different from applicant): _____

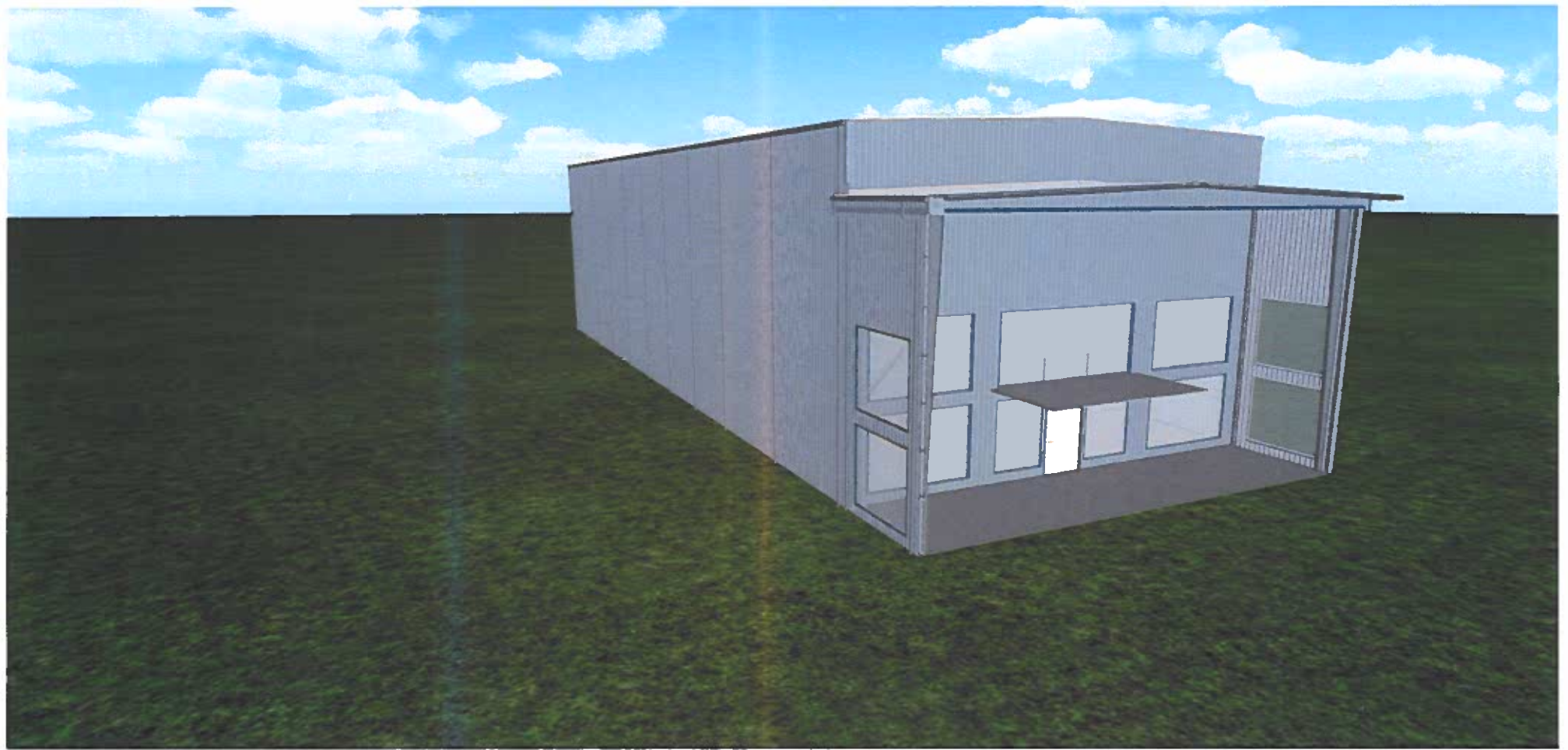
Date: _____

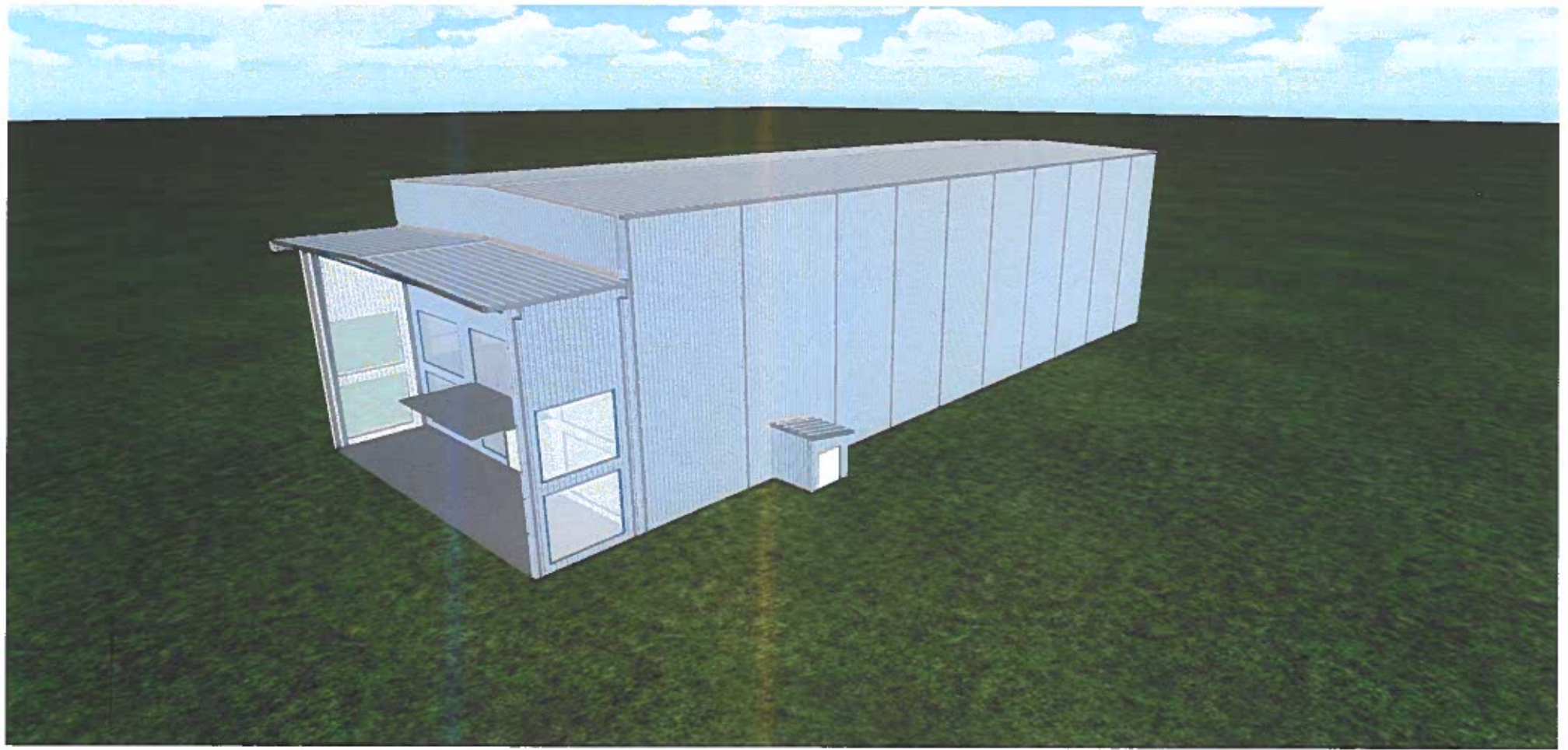
Corrie.Whalen@ge.com

RECEIVED

FEB 23 2022

PLANNING OFFICE
NISKAYUNA, NY





ZONING COORDINATION REFERRAL

For Use By SCDEDP

SCHENECTADY COUNTY DEPT. OF ECONOMIC DEVELOPMENT & PLANNING

Recommendations shall be made within 30 days after receipt of a full statement of the proposed action.

Received _____

Case No. _____

Returned _____

FROM: Legislative Body
Zoning Board of Appeals
Planning Board

Municipality: _____

TO: Schenectady County Department of Economic Development and Planning
Schaffer Heights, 107 Nott Terrace, Suite 303
Schenectady, NY 12308

(tel.) 386-2225

(fax) 382-5539

ACTION: Zoning Code/Law Amendment
Zoning Map Amendment
Subdivision Review
Site Plan Review

Special Permit
Use Variance
Area Variance
Other (specify) _____

PUBLIC HEARING OR MEETING DATE: _____

SUBJECT:

REQUIRED ENCLOSURES:

1. Public hearing notice & copy of the application.
2. Map of property affected. (Including Tax Map I.D. number if available)
3. Completed environmental assessment form and all other materials required by the referring body in order to make its determination of significance pursuant to the state environmental quality review act.

1. This zoning case is forwarded to your office for review in compliance with Sections 239-l, 239-m and 239-n of Article 12-B of the General Municipal Law, New York State.
2. This material is sent to you for review and recommendation because the property affected by the proposed action is located within 500 feet of the following:

the boundary of any city, village or town;
the boundary of any existing or proposed County or State park or other recreation area;
the right-of-way of any existing or proposed County or State parkway, thruway, expressway, road or highway;
the existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines;
the existing or proposed boundary of any County or State-owned land on which a public building or institution is situated;
the boundary of a farm operation located in an agricultural district, as defined by Article 25-AA of the agriculture and markets law. The referral requirement of this subparagraph shall not apply to the granting of area variances.

SUBMITTED BY:

Name: _____ Title: _____

Address: _____

E-mail: _____ Phone: _____

Signature Date: _____