

**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, July 20, 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 John Cococcia for a variance from Section 220-18 A (3) and Section 220-18 B (2) of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 1220 Ferry Road, Niskayuna, New York, located in the R-R: Rural Residential Zoning District, to construct a garage exceeding the accessory structure height limit and the quantity of accessory structures on a property. Section 220-18 A (3) states: "Unless otherwise specified, accessory structures shall not exceed fifteen (15) feet in height." As proposed, the garage would have an average height of nineteen feet nine inches (19' 9"); therefore, a four foot nine inch (4' 9") building height variance is required. Section 220-18 B (2) states that "there shall not be more than three accessory structures on a lot." As proposed, one (1) new accessory structure will be added on the property: a garage. The property already has more than three (3) pre-existing accessory structures upon it, plus a variance for a pool; therefore, a variance for one (1) additional accessory structure is required.
2. Appeal by Denise Cashmere for a variance from Section 220-18 B (3) (c) and Section 220-4 of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 949 Pearse Road, Niskayuna, New York, located in the R-1: Low Density Residential Zoning District, to maintain an 8' x 8' shed partially within the side yard setback. Section 220-18 B (3) (c) states that "Minor accessory structures are not permitted closer than five feet to the side or rear lot lines." Section 220-4 defines a minor accessory structure as detached accessory buildings or other structures 120 square feet or less in area. The shed, at 64 square feet, is a minor accessory structure. As constructed, the shed is located two feet six inches (2' 6") from the side property line. Therefore; a two foot six inch (2' 6") side yard setback variance is required.
3. Appeal by Joseph and Laurie DiCaprio 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 1278 Ardmore Court, Niskayuna, New York, located in the R-1: Low Density Residential Zoning District, to construct a six (6) foot fence exceeding 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 proposed, a six (6) foot high fence will be located in the side yard; therefore, a two (2) foot fence height variance is required.
4. Appeal by Michael Bertone for a variance from Section 220-13, Schedule I-C of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 3822 Albany Street, Niskayuna, New York, located in the R-2: Medium Density Residential Zoning District, to construct a 28' x 40' single family dwelling partially within the front yard setback and both side yard setbacks. Section 220-13, Schedule I-C requires a thirty (30) foot minimum front yard setback and a fifteen (15) foot minimum side yard setback. As proposed, the house would be located twenty five (25) feet from the front property line and ten (10) feet from each side property line. Therefore, a five (5) foot front yard setback variance and five (5) foot side yard setback variances are required.

**NEXT MEETING: August 24, 2022 at 7 PM**

**TOWN OF NISKAYUNA**  
**ZONING BOARD OF APPEALS**  
**One Niskayuna Circle**  
**Niskayuna, New York 12309**  
**Meeting Minutes**  
**June 15, 2022**

**Members Present:**

Keith Frary, Chairperson

John Hoke

Nicolas Ltaif

William Stein

Vincent Daly

Richard Greene

Patrick Antonikowski

**Also Present:**

Laura Robertson, Town Planner

Alaina Finan, Town Attorney

**A. Roll Call**

All members were present.

**B. Minutes**

The minutes from the May meeting were reviewed. Chairperson Frary requested a change in the minutes on lines 566 and 567. He proposed the vote of the motion to read 'The vote on the motion was 4-3; however the motion is denied as the Town Code requires a unanimous vote to pass the motion.'

Chairperson Frary placed a motion to amend the May minutes. Mr. Hoke seconded the motion. The May minutes were amended by a vote of 7-0.

Mr. Hoke Aye

Mr. Ltaif Aye

Mr. Stein Aye

Mr. Daly Aye

Mr. Greene Aye

Mr. Antonikowski Aye

Chairperson Frary Aye

Mr. Ltaif placed a motion to approve the amended minutes. Mr. Daly seconded the motion. The May minutes were approved by a vote of 7-0.

Mr. Hoke Aye

Mr. Ltaif Aye

Mr. Stein Aye

Mr. Daly Aye

Mr. Greene Aye

Mr. Antonikowski Aye

Chairperson Frary Aye

Chairperson Frary 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. He informed the attendees that when they present their case to the Board, they need to state their name and address for the record. He also noted the Board will be asking them a variety of questions. He noted the Board members reviewed the case packets and possibly visited the property. He noted the Board uses questions to determine the need for variance and how the applicant mitigated the need for the variance.

### C. Cases

1. Appeal by Sean Muldowney for a variance from Section 220-18 B (2), Section 220-18 B (3) (b) and Section 220-13 Schedule I-C of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 2955 Troy Schenectady Road, Niskayuna, New York, located in the R-2: Medium Density Residential Zoning District, to construct a 12' x 24' in ground pool exceeding the number of accessory structures on the property and partially within the side yard setback. Section 220-18 B (2) states that "there shall not be more than three accessory structures on a lot." The property already has three (3) pre-existing accessory structures upon it: a fence, a shed and a hot tub. Therefore, a variance for one (1) additional accessory structure is required. Section 220-18 B (3) (b) states that "the required side and rear yard dimensions for major accessory structures shall be the same as applies to the principal building." As defined, major accessory structures are "detached accessory buildings or other structures in excess of 120 square feet." The pool, at 288 square feet, is a major accessory structure. Section 220-13 Schedule I-C, establishes a side setback minimum of fifteen (15) feet. As proposed, the pool will be located ten (10) feet from the side property line. Therefore; a five (5) foot side yard setback variance is required.

6 notices were mailed with 1 response. The office received an email from the owners of 2946 Troy Schenectady Road who approved the appeal.

Sean Muldowney, owner was present. He noted the property is on a ravine with a hill behind the property. He noted the proposed location is the only level area of the property. On one side of the property, the driveway slopes down from Troy Schenectady Road. He noted behind that and to the side is a ravine area.

Mr. Greene asked who the neighbor on the right is. Mr. Muldowney stated the property is owned by Capital Forestry. Mr. Greene asked about the neighbor on the left. Mr. Muldowney stated there was a ravine and a family he has not met. Mr. Greene asked if there were houses across the street. Mr. Muldowney stated there are homes but there are 4 to 5 lanes of Route 7 in front of his house.

Mr. Greene asked about the existing fence. Mr. Muldowney stated that he has sections of six foot fencing along the right side of his property blocking the view from Capital Forestry. Mr. Greene asked if there is any fence in the rear of the property. Mr. Muldowney stated there was none. Mr. Greene asked if there was fencing toward the left neighbor. Mr. Muldowney stated the neighbor on the other side of the ravine had fencing. He noted it was not on his property. Mr. Greene asked what view the left neighbor would see. Mr. Muldowney stated they would see trees in the ravine, the driveway and then the proposed pool. Mr. Greene asked what trees were in the ravine. Mr. Muldowney stated they were mostly maples.

Mr. Greene asked for a description of the shed. Mr. Muldowney stated it was a 12' x 20' shed at the base of the driveway. He noted he stored lawn maintenance equipment, lawn furniture. He noted they use the hot tub frequently. Mr. Greene asked where the items in the shed could be stored if the shed was removed. Mr. Muldowney stated he did not have alternate storage space and the items will be left out on the lawn.

Mr. Ltaif asked what the plan is for drainage during pool maintenance. Mr. Muldowney stated they had no plans yet. He noted the yard currently drains into the ravine.

84 Mr. Stein asked where the hot tub is located. Mr. Muldowney stated it is located next to the deck so it  
85 does stick out into the yard. Mr. Stein noticed the hill noted on the image. He asked if the hill goes up or  
86 down. Mr. Muldowney states it goes down into the ravine. He noted that Troy Schenectady Road is the  
87 highpoint on his property. The driveway slopes down to the rear yard. After some yard space, there is  
88 another down slope into the ravine.

89 Mr. Hoke asked if the applicant spoke with the neighbor most affected. Mr. Muldowney stated he did not.  
90 Mr. Hoke asked what is on the neighboring property near where the pool is proposed. Mr. Muldowney  
91 stated they have a dirt road, an old Christmas tree lot, a wood pile, and miscellaneous equipment. Mr.  
92 Hoke asked what is at the back of the property past the ravine. Mr. Muldowney stated there are woods  
93 and then the Town Highway Department property. Mr. Hoke asked if he heard of anyone objecting to the  
94 location of the pool. Mr. Muldowney stated he did not.

95 Chairperson Frary asked about the fencing for the pool. Mr. Muldowney stated he will install a fence  
96 around the apron of the Pool. Chairperson Frary asked if that would create another accessory structure.  
97 Ms. Robertson stated it would not. She noted that fences around the yard are accessory structures, but  
98 fences around the pool apron are considered part of the pool.

99 Chairperson Frary asked where the letter writer resides in relation to the applicant. Ms. Robertson stated  
100 they live across the road. Mr. Muldowney stated they are across the street on the driveway side of the  
101 house. Mr. Muldowney noted that you could not see the pool from the front of the house because of its  
102 location and the way the land slopes.

103 Chairperson Frary asked if the applicant considered different pool sizes. Christina Muldowney, wife of  
104 owner, stated they had originally looked at a larger pool. After laying it out on their property, they chose a  
105 smaller pool to allow for seating around the pool.

106 Mr. Hoke asked the applicant the purpose of the existing 6' fence. Mr. Muldowney stated it was for  
107 privacy. He asked if the applicant considered removing the fence. Mr. Muldowney stated he prefers the  
108 fence to stay. He noted Capital Forestry does their wood splitting near where the pool is proposed. He  
109 noted that they constantly hire different people and he prefers the privacy.

110 Chairperson Frary asked if there was anyone in the audience who wished to speak. Hearing none, he  
111 asked if anyone on the Board would like to make a motion.

112 Mr. Ltaif made a motion to grant both variances. He noted the benefit could not be achieved by an  
113 alternate means because of the unique property, the hills and the ravine. He noted the pool is located on  
114 the only flat area available. He noted there was no undesirable change in the character of the  
115 neighborhood. It is an in ground pool which is not visible. He noted the request is substantial but none of  
116 the neighbors wrote in with a complaint. He stated there were no environmental effects. He also  
117 commented the pool company will work with the owner to deal with pool maintenance and drainage. He  
118 stated the issue is self-created but noted the applicant reduced the pool size and requested a smaller  
119 variance than originally planned.

120 Mr. Ltaif seconded the motion for the reasons stated.

121 Upon voting, the motion was granted 7-0. The variances were granted.

122 Mr. Hoke Aye  
123 Mr. Hoke voted to grant the motion.

124 Mr. Ltaif Aye  
125 Mr. Ltaif voted to grant the motion.



126 Mr. Stein Aye  
127 Mr. Dollman voted to grant the motion.

128 Mr. Daly Aye  
129 Mr. Daly voted to grant the motion.

130 Mr. Greene Aye  
131 Mr. Greene voted to grant the motion for the reasons stated. He noted he visited the property and saw  
132 first-hand the limitations the homeowner was dealing with (septic system, ravine). He noted the applicant  
133 chose the most feasible location for the pool.

134 Mr. Antonikowski Aye  
135 Mr. Antonikowski voted to grant the motion for the reasons stated.

136 Chairperson Frary Aye  
137 Chairperson Frary voted to grant the motion for the reasons stated.

138 2. Appeal by Whitney Lopez for a variance from Section 220-18 B (3) (b) and Section 220-13 Schedule  
139 I-B of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 1620 Van  
140 Antwerp Road, Niskayuna, New York, located in the R-1: Low Density Residential Zoning District,  
141 to maintain, as built, a 10' x 24' shed partially within the side and rear yard setbacks. Section 220-18  
142 B (3) (b) states that "the required side and rear yard dimensions for major accessory structures shall  
143 be the same as applies to the principal building." As defined, major accessory structures are  
144 "detached accessory buildings or other structures in excess of 120 square feet." The shed, at 240  
145 square feet, is a major accessory structure. Section 220-13 Schedule I-B, establishes a side setback  
146 minimum of twenty (20) feet and a rear setback minimum of twenty five (25) feet. As constructed,  
147 the shed is located seven (7) feet from the side property line and ten (10) feet from the rear property  
148 line. Therefore; both, a thirteen (13) foot side yard setback variance and a fifteen (15) foot rear yard  
149 setback variance are required.

150 10 notices were sent out. Two responses were received. David Williams, 1580 Van Antwerp Rd, stated he  
151 was against the variances and noted he should not have to look at this large of a shed so close to his lot  
152 line. Richard and Eric Wagle, executors of the family trust for 8 Antonia Dr stated they were against the  
153 variance and requested the shed to be moved to where it complies with the Town's building codes.

154 Whitney Lopez, owner was present along with Matthew Ward. She noted that that the shed size was  
155 chosen to store their golf cart, kayaks, lawn mower, bikes, and seasonal decorations. She noted that to  
156 meet the setbacks, the shed would need to be placed in the middle of the rear yard. She stated she has  
157 young children that play in the yard. She stated Van Antwerp Road is busy so the children need to play in  
158 the rear yard to be safe. She noted that the back of the shed faces the empty Polsinelli property and the  
159 front faces the Gaylord property. She noted the shed matches the siding on the home to make it  
160 aesthetically pleasing. She noted that she does not believe the neighbor told her their objection about the  
161 required setbacks before the shed was installed mostly because they no longer communicate after a  
162 previous incident. She noted there is a continued land use dispute with this neighbor. Ms. Lopez noted she  
163 has spoken to other neighbors and they all had no issue with the shed and its location. Mr. Frary noted  
164 that the packet for this case contained a note with five signatures of neighbors in favor of the project. Ms.  
165 Lopez apologized for installing the shed without a permit. She noted that she was her father's caregiver  
166 before he passed and there was a lot going on.

167 Chairperson Frary asked if the applicant considered other locations. Ms. Lopez stated she did. She noted  
168 they considered the other corner of the property. However, her neighbor on that side has a sump pump

169 drain to that corner of his land and the rear neighbor had excess drainage. They determined that portion of  
170 the yard would be too wet and not a good location for the shed.

171 Ms. Lopez noted that the rear neighbor would have a more prominent view of the shed if it was located  
172 with the correct rear yard setback. Currently it sits lower than some arborvitae trees. The ground is higher  
173 in the middle of her yard so the shed would be more visible.

174 Mr. Hoke asked when the applicant discovered the shed location did not meet setbacks. Ms. Lopez stated  
175 she was told when she applied for the permit. Mr. Hoke asked what prompted her to send in the  
176 application. Ms. Lopez stated she applied when an inspector visited the property about their rear addition  
177 and noticed the shed. Mr. Hoke asked if she was aware, before being told, that a permit was needed. Ms.  
178 Lopez admitted that her life was a blur of events and she spent most of her time in the city taking care of  
179 her father. Mr. Hoke thanked her for the information and noted that one of the criteria is whether the need  
180 for the variance is self-created. Ms. Lopez stated that they ordered the shed in April and was told it would  
181 not be delivered until the end of the year. She noted that she didn't apply for the permit because she had  
182 'plenty of time' to get it done and then her father became ill and she wasn't getting things done like she  
183 should have. Mr. Ward stated the contract for the shed did not state anything about a permit so he was  
184 unaware that one was needed. Mr. Hoke again asked for clarification as to when they realized a permit  
185 was needed. Ms. Lopez stated it was when the inspector prompted her in November.

186 Mr. Hoke noted that the applicants did not want to move the shed further from the rear property line  
187 because it would be more visible to the rear neighbor. He asked what buffer exists to the neighbor on the  
188 side. Ms. Lopez stated she installed arborvitae but they have since died out. She noted that she will  
189 replant them. Mr. Hoke asked for the height of the shrubs vs the height of the shed. Ms. Lopez stated they  
190 were 10' tall and the shed is 10' tall. With the shrubs, the neighbor's view of the shed should be obscured.

191 Mr. Stein asked if the applicant spoke with the rear neighbor. Ms. Lopez stated she did try but the owner  
192 was heading out on an errand. She noted a short time later the owner's son stopped over and stated his  
193 mother was not able to sign any documents.

194 Mr. Stein asked if the portion of the yard where the shed is currently located is level. Ms. Lopez stated it  
195 was. Mr. Stein asked if the land continues to be level as you move away from the property line. Ms.  
196 Lopez stated the land drops down and that is where they have the drainage problems. Ms. Lopez believes  
197 there is an underground stream that has been causing problems over the years. Mr. Ward stated that they  
198 installed drainage lines when they installed the addition to help alleviate future problems. He noted there  
199 is a massive willow tree on the property that helps suck up a lot of water.

200 Mr. Greene asked what type of foundation exists for the shed. Mr. Ward stated they dug down 1.5 feet  
201 and laid down crusher run stones with 2 and 3 type stones for drainage. Along the rear property line there  
202 is rip rap used for retaining walls. Mr. Greene asked if the shed has sunk since installed. Mr. Ward stated  
203 it has not.

204 Mr. Hoke asked if any neighbors have sheds. Mr. Ward stated there are sheds in the rear yards of  
205 neighbors to the right and two the left. The neighbor on the right has a shed in the far corner away from  
206 their property. The neighbor on the left has a shed in the same location as theirs. Mr. Hoke asked if they  
207 believe these sheds meet the setbacks on their properties. Ms. Lopez stated she does not believe they meet  
208 the setbacks.

209 Chairperson Frary asked if there was anyone in the audience who wished to speak.

210 Eric Wagle, the son of the residents of 8 Antonia Drive, was present virtually. He noted his parents are the  
211 rear neighbor. He also noted that he and his brother legally own the house but their parents live at the  
212 property. Mr. Wagle stated the shed is large and unsightly. It is visible because the arborvitae is not dense

and you can see through them. He didn't believe that moving the shed would make it more visible. He noted there is a swale in backyards that tends to hold water. He believed that the shed as a large structure would add to the drainage problem. He stated that sheds are not intended to prevent dogs from running into neighboring yards. A fence would be a more appropriate structure for that purpose. He noted that arborvitae plants need sun to thrive. He believes the shed will block some of the sun and potentially damage the arborvitae. He noted that the rear yard of 8 Antonia Drive is pretty flat and Ms. Lopez's lot slopes down toward the rear of the property. He is concerned that the addition of the shed will add to the drainage problems at 8 Antonia Drive. Mr. Wagle finished by noting the Town has the Code and the setbacks for a reason otherwise anyone can build anything on their property. He noted he hoped the Board considers the reason for the Code carefully when they make their decision.

Chairperson Frary asked if there was anyone else who wished to speak.

Richard Wagle, the son of the residents of 8 Antonia Drive, was present virtually. He noted that the applicants were aware of the required setbacks. He noted that when they spoke originally about the shed Ms. Lopez stated that the setback to the side neighbor was an issue but the setback to the rear property line was sufficient. He remembered that statement being odd but accepted what she said at the time. He noted that Mr. Ward is a contractor and should be familiar with Town codes but chose to ignore the issue. He agrees with his brother that the structure will block light from the arborvitae and potentially causing them damage and add to the water problems in the yard. He noted that if the structure were installed as Code allows, he has no issue with it.

Chairperson Frary asked if there was anyone in the audience who wished to speak. Ms. Lopez asked if she could respond to comments made by the callers. Chairperson Frary agreed. Ms. Lopez noted that both the Wagle sons do not live on Antonia Drive. She stated that the sun rises in front of 8 Antonia Drive and sets in front of 1620 Van Antwerp Road so the shed does not block the sun from the arborvitae trees. She also noted that when she spoke to one of the sons, she did not know what the required rear setback was and thought the shed was located further away from the property line than the survey shows. She noted that they did a substantial amount of drainage work on their property as noted on the permit for their addition that helps the rear yard neighbor. They noted that they installed a drain line to the street storm drain. Mr. Hess stated that drainage work required for a permit is not work done for the good of the neighbors. Mr. Ward stated they increased the size of the drainage system to be larger than what was required to help with the drainage issue felt by all the neighbors. He noted they were not required to add the drain line to the storm drain but to simply grade the property away from the shed. Ms. Lopez noted that they also needed to redirect their sump pump drain away from the back of the property. Chairperson Frary noted he wanted to redirect the discussion back to the variance and asked if there was anyone on the Board with a question.

Mr. Hoke asked how long the upgraded drainage system has been working. Mr. Ward stated it has been in for 2 years and noted that neighboring yards have dried up. Mr. Hoke asked how they made their determination that water is not collecting at 8 Antonia Drive. Mr. Ward stated that he sees water draining to the swale at the back of his property which is connected to the drain line to the storm sewer on the street. He noted in the past you could see standing water on the property.

Mr. Hoke asked for a comparison of the shed in their yard verses sheds visible from their property. Ms. Lopez stated that her shed is larger but the shed siding matches the siding on the house. She also noted the neighboring sheds are old and an eyesore. Mr. Hoke asked for a percentage comparison of the shed sizes. Ms. Lopez estimated her shed was 40% larger and another neighbor has multiple sheds lined up together.

Mr. Ltaif asked to confirm the setback for a smaller shed like a 10' x 12' shed. Ms. Robertson confirmed that the smaller accessory structure (120 sq ft or less) only needs to be five feet off the property line. Mr.

258 Stein asked if that is also true for multiple small sheds. Ms. Robertson agreed as long as they stay  
259 separated but there is a limit to the number of accessory structures on a property.

260 Mr. Ltaif asked if the shed can be moved. Mr. Ward stated the shed can be moved. Mr. Ltaif restated the  
261 requested variance. He asked if the applicant can minimize the requested variance. Mr. Ward stated he  
262 can move it another 5' off the rear yard and 3' off the side yard.

263 Mr. Hess stated the applicant can amend the requested variances on the record.

264 Chairperson Frary stated that the Board's goal is to minimize the variances requested. Mr. Ward noted  
265 that they considered placing on the other side of the property but that makes the shed more visible from  
266 the road. Chairperson Frary stated that the applicant was willing to move the shed an additional 3' off the  
267 side yard which would require a 10' side yard setback. He also stated the applicant was willing to move  
268 the shed an additional 5' off the rear yard which would require a 10' rear yard setback. Ms. Lopez and  
269 Mr. Ward agreed to amend the variance request as stated.

270 Mr. Eric Wagle noted the standing water issue still exists at 8 Antonia Drive and he doesn't believe  
271 moving the shed 5' will make a difference. He also noted that there are no accessory structures on the  
272 property. Mr. Hoke asked if the water issue has always existed. Mr. Wagle stated it did. Mr. Hoke asked  
273 if Mr. Wagle recognized that drainage work was done at 1620 Van Antwerp Road. Mr. Wagle admitted  
274 he was aware of the work. Mr. Hoke asked if he believed there was any change in the drainage at 8  
275 Antonia Drive. Mr. Wagle stated he has not noticed any change.

276 Mr. Ltaif asked if Mr. Wagle understood that a 120 sq ft shed could be located five feet from the property  
277 line. Mr. Wagle stated he did and noted he has no objections to a smaller shed.

278 Mr. Richard Wagle asked about the timing of the shed placement and the timing of permits considering  
279 Ms. Lopez has been doing improvements to her home and has been processing multiple building permits.  
280 He noted the first case heard by the Board was for a swimming pool that was to be installed unlike this  
281 shed that was already installed. He noted Ms. Lopez should have known about the setbacks because of her  
282 previous projects. He would have no objection to the placement if it satisfied Town Code. He agreed that  
283 it is a good looking structure. He continues to be concerned that the size of the shed will cause additional  
284 drainage issues to his property so close to the property line. Chairperson Frary thanked him for his  
285 comments and closed the public comment.

286 Chairperson Frary asked the Board for a motion.

287 Mr. Stein placed a motion to deny the variances as amended. He noted he appreciated the drainage work  
288 the applicants performed. He noted that the two neighbors most affected by the reduced setbacks of the  
289 shed are against the variance.

290 No one seconded the motion so the motion failed. Chairperson Frary asked the Board for another motion.

291 Mr. Hoke placed a motion to grant the amended variances. He noted the fact that the shed is already  
292 installed makes this a difficult decision. One of the criteria for consideration is whether the issue is self-  
293 created. The fact that the shed is installed can be construed as forcing the Board's hand into a decision to  
294 grant the variance. He noted how life can be crazy when you lose a parent, but the applicant was also  
295 doing other home improvements and should have been aware of the Code or at least the possibility of  
296 needing a variance. He noted there were no alternative locations available on the property. He thanked the  
297 applicant for being agreeable to amend the application. He noted he does not believe the shed would  
298 create an undesirable change in the character of the neighborhood. He noted one neighbor agreed that the  
299 shed looked nice. He noted that he will take the word of the applicant that the drainage improvements will  
300 reduce the environmental problems the applicant and neighbors are dealing with. He noted the request is

301 substantial. Balancing the factors he considers his decision is a close call but he motioned to grant the  
302 variance.

303 Mr. Daly seconded the motion for the reasons stated. He noted the applicant could have just placed the  
304 shed in its proposed location but they added crushed stone and a drainage pipe resulting in better drainage  
305 to all the neighboring rear yards.

306 1:12:24

307 Upon voting, the motion was granted 6-1. The amended variances were granted.

308 Mr. Hoke Aye  
309 Mr. Hoke voted to grant the motion.

310 Mr. Ltaif Aye  
311 Mr. Ltaif voted to grant the motion for the reasons stated. He thanked the applicant for reducing the  
312 variances needed and the work they did to improve the drainage on the property.

313 Mr. Stein Nay  
314 Mr. Stein voted against the motion. He noted he appreciated the work done on the property to potentially  
315 improve the drainage on their land and the neighbor's properties.

316 Mr. Daly Aye  
317 Mr. Daly voted to grant the motion.

318 Mr. Greene Aye  
319 Mr. Greene voted to grant the motion. He noted that the decision was difficult. He stated that there is a  
320 big risk when applicants build first and then apply for the permit.

321 Mr. Antonikowski Aye  
322 Mr. Antonikowski voted to grant the motion for the reasons stated.

323 Chairperson Frary Aye  
324 Chairperson Frary voted to grant the motion. He noted he does not want to create the habit of residents  
325 installing structures and then coming to the Board to ask for the variance. He noted it is a risk and some  
326 applicants may not be pleased if the variance is denied. He noted the property has environmental issues  
327 because of the lack of drainage but they have been long standing and not a result of the shed being  
328 installed. He noted that he commended the applicant for making drainage improvements along with the  
329 installation of the shed. He asked the applicant to replace the shrubs along the property line to the side  
330 neighbor most affected.

331 Chairperson Frary stated the amended variances were granted and thanked the applicants for their time.

332 Ms. Robertson noted that because of the State redistricting there is an added week for voting that conflicts  
333 with the August meeting. With that in mind, she has rescheduled the August meeting to August 24<sup>th</sup>  
334 pending the Town Board approving their rescheduled meeting date. The Board recognized the new date  
335 and noted they were not aware of any conflicts.

336 Chairperson Frary thanked Mr. Hess for stepping in and helping with the meeting.

337 Chairperson Frary asked if there was any business the Board wished to talk about. Hearing none, he asked  
338 for a motion to adjourn.

339 Mr. Daly made a motion to adjourn. Mr. Hoke seconded the motion. All the Board approved the motion.  
340 The meeting was adjourned at 8:25 p.m.

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

July 8, 2022

**TO WHOM IT MAY CONCERN:**

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

**DATE: July 20, 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 John Cococcia for a variance from Section 220-18 A (3) and Section 220-18 B (2) of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 1220 Ferry Road, Niskayuna, New York, located in the R-R: Rural Residential Zoning District, to construct a garage exceeding the accessory structure height limit and the quantity of accessory structures on a property.

Section 220-18 A (3) states: "Unless otherwise specified, accessory structures shall not exceed fifteen (15) feet in height." As proposed, the garage would have an average height of nineteen feet nine inches (19' 9"); therefore, a four foot nine inch (4' 9") building height variance is required.

Section 220-18 B (2) states that "there shall not be more than three accessory structures on a lot." As proposed, one (1) new accessory structure will be added on the property: a garage. The property already has more than three (3) pre-existing accessory structures upon it, plus a variance for a pool; therefore, a variance for one (1) additional accessory structure is required.

A copy of the permit application and appeal is available for inspection at the Niskayuna Building Department in the Niskayuna Town Office Building and will be available at the public hearing. A copy of the agenda packet for the above referenced meeting date, which will include information for this variance request, will be available online after 5pm the Friday before the meeting at <https://www.niskayuna.org/node/1606/agenda/2022>.

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

**ZONING BOARD OF APPEALS**



# TOWN OF NISKAYUNA

## MEMORANDUM

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**DATE:** JULY 14, 2022  
**TO:** ZONING BOARD OF APPEALS  
**FROM:** Laura Robertson, Town Planner, AICP, CFM  
**RE:** Technical Memo on Floodplain Regulations for 1220 Ferry Road

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Between December 2021 and March 2022, John Coccocia worked with the Town of Niskayuna on his proposed upgrades to the primary home at 1220 Ferry Road. During these discussions – as the Building Inspector was preparing the denial, the Town and the Building Inspector reviewed the new garage – which was originally proposed to be detached. The Building Inspector and Mr. Coccocia, working to reduce the number of variances requested, decided to attach the garage to the existing home, thereby reducing the need for an additional accessory structure request and a height variance request. With the garage attached to the home, the height of the structure was allowed to be up to 35 feet instead of 15.

At this time, some floodplain information was supplied by the applicant but it was not fully reviewed by staff as the overall project required an area variance and was going to the ZBA in May.

In May of 2022, the ZBA took action on the variance for an additional accessory structure (a pool) but did not discuss the garage because at that time – it was proposed to be attached to the home. Following the ZBA decision, the building permit went into full review at the Building Department.

Because the majority of the property is in the floodplain – the Town Planner, Laura Robertson, CFM, required an initial floodplain development permit and proposed elevations certificate to be submitted with the building plans. Development in a floodzone is regulated by NYS Code and, because the Town of Niskayuna participates in the National Flood Insurance Program (NFIP), development is also regulated by FEMA. The existing home without the addition of the garage is contained within a small pocket of lower flood risk (Zone X) - because the home sits on a knoll. The existing home is considered out of the Special Flood Hazard Area (SFHA) and has not previously been subject to SFHA regulations.

The Special Flood Hazard Area (SFHA) represents a 1% annual chance of flooding and requires the lowest floor elevation for any new home or substantial improvement to a home be built 2 feet above the regulatory base flood elevation (BFE). The BFE directly adjacent to the home is 200 feet. Therefore in the SFHA, any substantial improvement would require the home to be at 202 feet. Because the home was constructed outside the SFHA – the lowest floor elevation is currently at 196.3 (a finished basement). If the home was placed into the SFHA – the homeowner would either be required to abandon and fill in the existing basement or they would be required to carry extremely expensive flood insurance for a non-compliant structure in the SFHA. Flood damage is not covered in regular home insurance policies.



On June 1, 2022 the Town asked the architects to delineate the floodplain around the home to make sure the additions would not go outside of Zone X because Ms. Robertson was concerned that even if a small corner of the overall improvements attached to the home enters into the SFHA, the entire structure would then be placed in the SFHA by FEMA and the NFIP.

Attached to this memo is a highlighted drawing showing the regulatory boundaries of the SFHA in Blue and the 200 foot contour in green (please note – boundaries cannot be changed by adding fill to get the property above the BFE without a specific map amendment process through FEMA to change the Flood Insurance Rate Maps [FIRMS]. Because of the basement this property is likely not eligible for a Map Amendment). After reviewing the delineated SFHA – Ms. Robertson noted the sunroom addition is fine – but the garage is well within the regulatory SFHA. Therefore if the garage is attached to the home – the home will be placed into the SFHA.

Ms. Robertson spoke with FEMA on two occasions – one for clarification on whether or not a corner of the structure places the entire home in the floodplain (it does) and one on whether or not the breezeway / roof connection is considered connected enough to trigger the entire home to be put in the SFHA (it is). Therefore the initial decision to attached the structures and help with the Zoning Code requirements created an unintended consequence of placing the home in the SFHA.

The Town had a conference with the homeowners, architects and Building Department on June 15, 2022 explaining the FEMA ramifications of attaching the garage to the home. The homeowners opted to pursue a detached garage given the new information presented to them by the Town in June.

The plans attached to this ZBA packet now show a detached garage.

FEMA Regulatory implications of revised plans:

- A detached garage keeps the existing home out of the SFHA and the home can therefore carry relatively inexpensive flood insurance in a Zone X and maintain a basement if they so choose.
- A detached garage will require a floodplain development permit and elevation certificate – but once it is detached from the home, the lowest regulatory floor elevation is 204, which is 2 feet higher than the required elevation of 202, and in compliance.
- The in-ground pool approved by the ZBA in May 2022 also requires a floodplain development permit but with proper compaction of the fill around the pool – it will be in compliance.

Zoning Code implications of revised plans:

- Existing May 2022 ZBA approval for in-ground pool is unaffected
- A new variance is required for the detached garage – for an additional structure on the property and the overall height of the garage

NOTE: Although the revised plan may ease the homeowner burden of the FEMA and NFIP floodplain regulations – none of these proposed changes guarantee the home won't flood – the flood risk remains the same and is very high that close to the SFHA and the Mohawk.



**ZONING BOARD OF APPEALS**  
**Application and Procedures For A Variance**

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

**TO: ZONING BOARD OF APPEALS**

**FROM:** John Cococcia \_\_\_\_\_

**RE: Property at** 1220 Ferry Road, Niskayuna, NY \_\_\_\_\_

I, John Cococcia (AJA Architecture / Studio A) \_\_\_\_\_, the (owner) (agent of the owner) of the property located at 1220 Ferry 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**

X One (1) copy of plot plans

X One (1) copy of construction plans, if applicable

X 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 7/12/22

Signature of Owner (if different from Agent) 

Telephone Number: 518 - 441 - 8739 \_\_\_\_\_

Email Address: jacvc@me.com \_\_\_\_\_

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

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

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

The benefit cannot be sought by other means. The existing structures are pre-existing non-conforming on the site and have historically been located as part of this tax map parcel. In order to achieve the benefit, the applicant would have to remove the other three existing structures in order to construct a garage without a variance, which is not a feasible alternative. Purchasing additional land is also not a feasible option, and, even if it were, the garage would still need to be located in proximity to the existing residence.

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 Variance will not produce an undesirable change to the character of the neighborhood.

Garages are standard accessory structures ancillary to the main residence. Additionally, the garage are characteristic to the surrounding neighborhood. As such, the proposed project will be in context with the surrounding areas character.

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

The requested variance is not substantial. The proposed garage is approx. 30' x 36' and will be adjacent to the current residence. The garage will be buffered by mature vegetation from view of adjacent properties. The garage as an accessory structure is a standard size and is in character with the site, design, and visual attributes of the environs.

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 proposed accessory structure will not have an adverse physical or environmental effect on the neighborhood or district. The garage is a customary accessory structure to residential uses and characteristics of the neighborhood. There is ample land which is proposed to remain undisturbed and wooded. The addition of the garage will not impact any critical environmental resources. Storm water management practices are proposed which will alleviate any potential erosion or storm water runoff issue. As stated above in No. 3 the proposed elements are designed in context with the existing residential structure and are buffered from adjacent properties.

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:

No the difficulty was not self created. According to the Town of Niskayuna Zoning Ordinance, a garage is considered an accessory use, which is a standard component found on all residential lots in this area. Additionally, the built structures are pre-existing non-conforming, therefore, requiring a variance to all the garage to be built.





# FLOODPLAIN DEVELOPMENT PERMIT

## Town of Niskayuna, Planning Department

1 Niskayuna Circle, Niskayuna, NY 12309

PH: 386-4500

FAX: 386-4592

Floodplain Permit #

Associated Building Permit #

DATE:

IS THE PROPOSED DEVELOPMENT LOCATED IN THE FEMA DESIGNATED FLOODPLAIN? ☒ YES or ☐ No

If Yes, FIRM zone designation is: Zone X

FEMA Community No. 360739

FIRM Panel No. 0187D

Effective Date January 8, 2014

- If the project site is located in a Zone B or Zone C, *no Floodplain Development Permit is required.*
- If the project site is partially located in the Special Flood Hazard Area (SFHA) (Zones A, AE, A1-A30, AH or AO) but the building/development is not, *no Floodplain Development Permit is required.*
- If the project site and building/development is located within the SFHA (Zones A, AE, A1-A30, AH or AO), a Floodplain Development Permit is required:

Regulatory Base Flood Elevation at the site is: 200 Ft (NAVD 1988)

### A. PROPERTY INFORMATION

Site Address:	1220 Ferry Road, Niskayuna, NY
Legal Description	Lot :239.8Blk: 1 Subd: 21
Owner Name:	John Cococcia
Owner Address:	same as site

### B. APPLICANT INFORMATION

Name:	John Cococcia
Mailing Address:	same as property
Phone Number:	518-441-8739

The undersigned hereby makes application for a permit to develop on a parcel all or a portion of which is located in a designated flood hazard area. The work to be performed is described below and in attachments hereto. The undersigned agrees that all such work shall be done in accordance with the requirement of the Town of Niskayuna Code (Chapter 117 Flood Damage Prevention) and with all other applicable local, state and federal regulations. This application does not create liability on the part of the Town of Niskayuna or any officer or employee thereof for any flood damage that results from reliance on this application or any administrative decision made lawfully thereunder. **This application MUST be accompanied by site plans of the proposed development. Plans and/or survey data provided by a licensed professional may also be required.**

Applicant Signature [Signature]

Date March 29, 2022

### C. FOR STRUCTURAL DEVELOPMENT

#### ACTIVITY

- ☐ New Structure
- ☒ Addition
- ☒ Alteration
- ☐ Relocation
- ☐ Demolition
- ☐ Replacement

#### STRUCTURE TYPE

- ☒ Single Family Residential
- ☐ Multi-Family Residential
- ☐ Commercial
- ☐ Combined Use
- ☐ Manufactured & Mobile Home

Project Description: Renovate the existing residence and add a three-season porch, mudroom, solarium, and two car garage.

ESTIMATED TOTAL COST OF PROJECT \$ 800,000.00

## ELEVATION CERTIFICATES

a. For New Structures and Building Sites - Elevation Certificate Required

Required lowest floor elevation (including basement) is: 196.33 Ft (NAVD 1988) existing basement

Elevation to which all attendant utilities, including all heating and electrical equipment will be protected from flood damage is: 196.33 Ft (NAVD 1988) located in existing basement - electrical boxes mounted on wall per code / heating equipment existing to remain.

b. For Alterations, Additions, or Improvements to Existing Structures – Elevation Certificate Required only if project qualifies as a substantial improvement

What is the estimated market value of the existing structure? \$ 1.2 - 1.4 Million

What is the cost of the proposed construction? \$ 800,000.00 entire project

*If the cost of the proposed construction equals or exceeds 50% of the market value of the structure, or if this project's construction costs, in addition to previous alterations additions and improvements, exceed 50% of the market value, then the substantial improvement provisions apply and an Elevation Certificate is required.*

Is the alteration, addition or improvement a substantial improvement? ☒ YES ☐ NO

c. Is an Elevation Certificate required?

☒ YES ☐ NO

i. Is the Elevation Certificate attached? ☒ YES ☐ NO

ii. Is it completed by a registered engineer or surveyor? ☒ YES ☐ NO

*For many projects in which an Elevation Certificate is required, the applicant may be issued a provisional Floodplain Development Permit provided the Elevation Certificate is submitted to the City upon the project's completion. For most projects however, it is to the applicant's own benefit to begin working with a surveyor at the very start of the project to ensure all elevation requirements are met. It is much more cost effective to build it right the first time than bring in a surveyor after the fact and find out the entire structure needs to be raised another six inches.*

## FLOODPROOFING CERTIFICATE WE ARE RESIDENTIAL CONSTRUCTION

d. For non-residential floodproofed construction – Floodproofing Certificate Required

Type of floodproofing method is: \_\_\_\_\_

The required floodproofing elevation is: \_\_\_\_\_ Ft (NAVD 1988)

Floodproofing certification by a registered engineer is attached: ☐ YES ☐ NO

## D. FOR OTHER DEVELOPMENT ACTIVITIES

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Clearing           | <input checked="" type="checkbox"/> Excavation (except for Structural Development checked above) | <input checked="" type="checkbox"/> Road, Street, Bridge Construction |
| <input checked="" type="checkbox"/> Filling |  | <input type="checkbox"/> Subdivision (New or Expansion)               |
| <input type="checkbox"/> Mining             | <input type="checkbox"/> Watercourse Alteration (Including dredging and channel modification)    | <input type="checkbox"/> Individual Water or Sewer System             |
| <input type="checkbox"/> Drilling           | <input type="checkbox"/> Drainage Improvements (Including Culvert Work)                          | <input type="checkbox"/> Other (please specify) _____                 |
| <input checked="" type="checkbox"/> Grading |  | _____   |

Project Description: Landscaping improvments include building a pool, outdoor kitchen, and patio area. Reconfiguring the driveway layout is also proposed.

ESTIMATED TOTAL COST OF PROJECT \$ 800,000.00 for entire project

**PERMANENT FILL IN FLOODPLAIN**

- a. For development involving permanent fill in the floodplain - Final Elevation Required  
Top of new compacted fill elevation is: 200.5 (pool) Ft (NAVD 1988)

**SUBDIVISIONS AND PLANNED UNIT DEVELOPMENTS N/A**

- b. Will the subdivision or other development contain 50 lots or 5 acres? ☐ YES ☒ NO
- c. If yes, does the plat or proposal clearly identify base flood elevations? ☐ YES ☒ NO
- d. Is the 100-year floodplain delineated on the site plan? ☐ YES ☒ NO

**E. APPLICATION CHECKLIST**

- ☒ Development Plans, drawn to scale, and specifications, including (where applicable): details for anchoring structures, proposed elevation of lowest floor (including basement), types of water resistant materials used below first floor, and details of enclosures below first floor. SEE BUILDING PERMIT DRAWINGS
- ☒ All site plans MUST include:
- ☒ Property dimensions SEE ATTACHED SITE SURVEYS & PROPOSED SITE DRAWINGS & MAPS
  - ☒ Dimensions and locations of proposed structures and existing structures
  - ☒ Location of proposed and existing septic/drainfield/well and utilities
  - ☒ Location of source of flooding and distance from proposed development
  - ☒ Location of fill/excavation from development with distance amounts.

**F. PERMIT DETERMINATION (To be completed by Floodplain Administrator or designee)**

I have determined that the proposed activity ☐ is ☒ is not  
in conformance with provisions of the Local Floodplain and Flood Damage Protection Standards. The floodplain  
development permit is issued subject to the following conditions:

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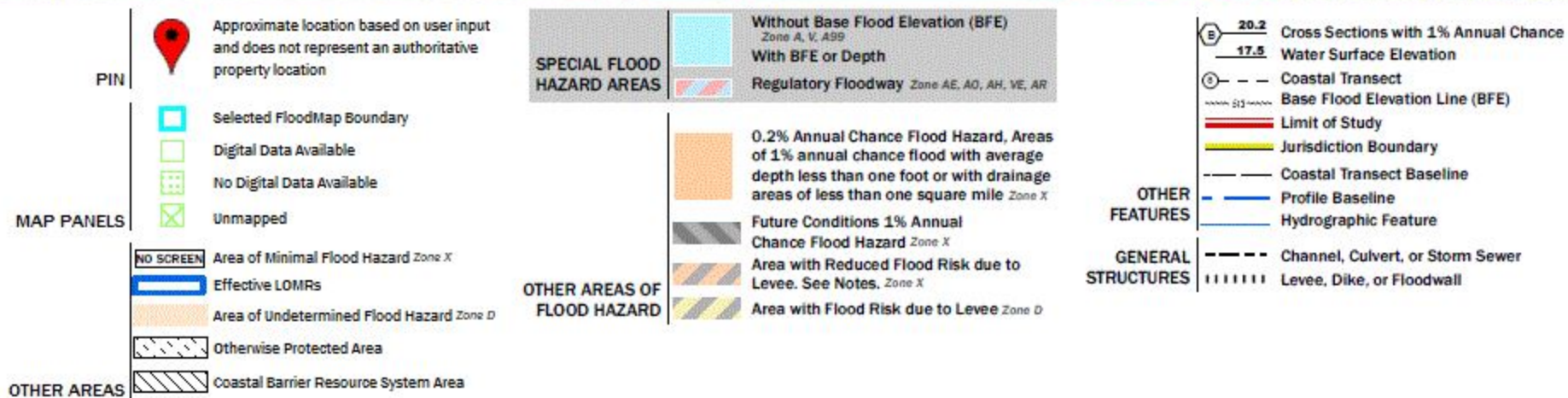
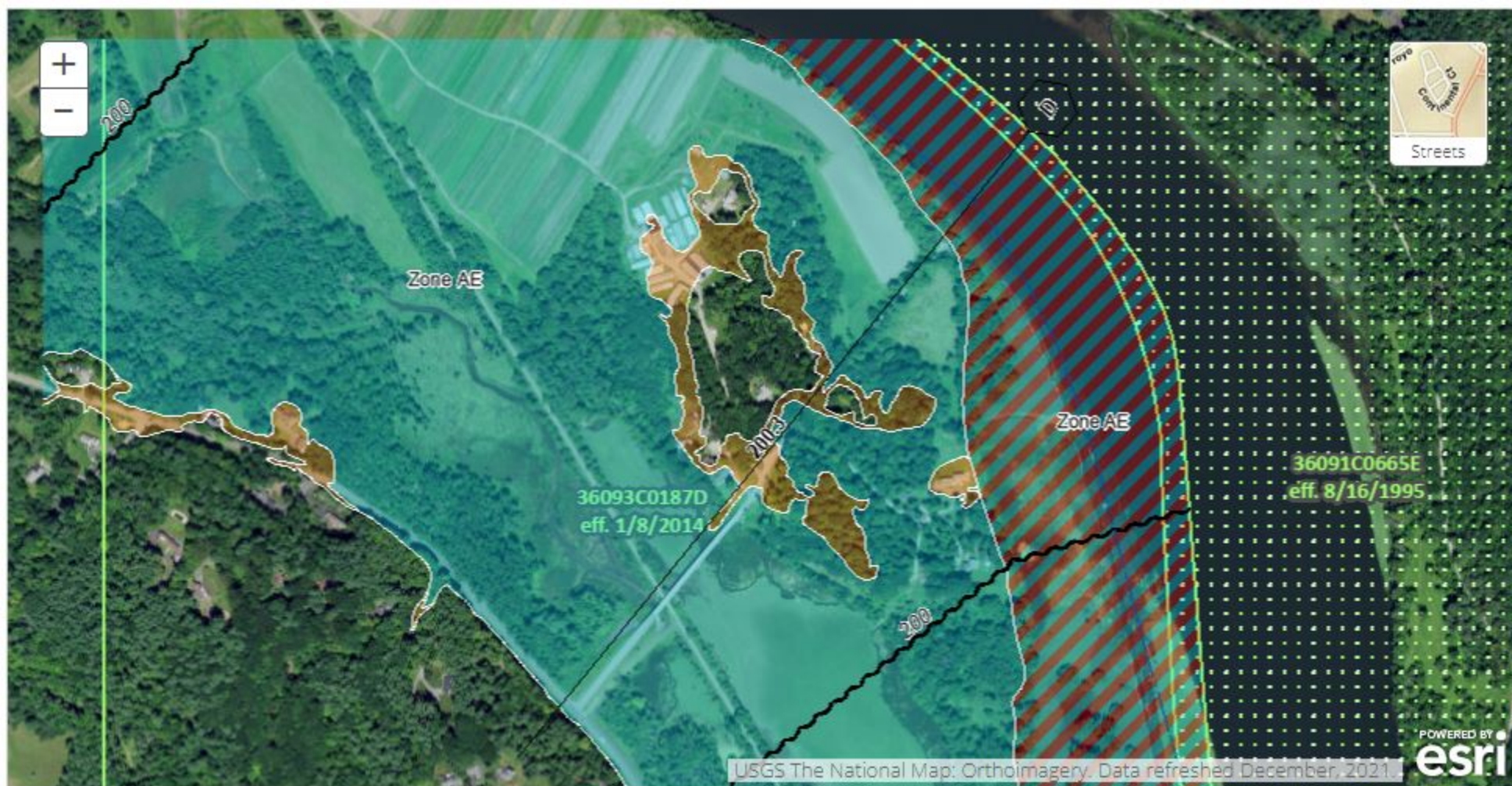
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SIGNED \_\_\_\_\_  
Name Title Date





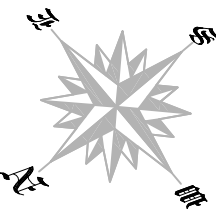






LEGEND:

- CRF ○ CAPPED IRON ROD FOUND  
CRS ○ CAPPED IRON ROD SET  
IRF ○ IRON ROD FOUND  
IRP ○ IRON PIPE FOUND  
MDF □ MONUMENT FOUND  
ELEC TRANSFORMER  
LP ○ LIGHT POLE  
WV ○ WATER VALVE  
UP ○ UTILITY POLE  
HYD ○ HYDRANT  
OW — OVERHEAD WIRES  
EM □ ELECTRIC METER  
GM □ GAS METER



LANDS N/F OF  
THE STATE OF NEW YORK  
BK. 1808, PG. 432  
SECTION 61 BLOCK 3 LOT 2

LANDS N/F OF  
THE STATE OF NEW YORK  
BK. 1808, PG. 432  
SECTION 61 BLOCK 3 LOT 2

LANDS N/F OF  
THE STATE OF NEW YORK  
BK. 1808, PG. 432  
SECTION 61 BLOCK 3 LOT 2

AREA: 16.12 ACRES

TAX PARCEL NUMBER:

TOWN OF NISKAYUNA, SCHENECTADY COUNTY, NEW YORK  
SEC. 51 — BLK. 2 — PARCEL 16.1

MAP REFERENCES:

1. "SURVEY OF THE PORTION OF LANDS OF JOHN L. SCHOOLCRAFT JR." PREPARED BY C.T. MALE ASSOCIATES, DATED NOVEMBER 22, 1971.

DEED REFERENCES:

1. JAMES T. SCHOOLCRAFT TO JOHN A. & ELIZABETH J. COCOCCIA, DATED SEPTEMBER 27, 2013 AND RECORDED IN THE SCHENECTADY COUNTY CLERKS OFFICE IN DEED BOOK 1884 AT PAGE 742.

GENERAL NOTES:

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.

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S INKED SEAL OR HIS EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

SURVEYED FROM RECORD DESCRIPTION AND AS IN POSSESSION.

SUBJECT TO COVENANTS, EASEMENTS, RESTRICTIONS, CONDITIONS AND AGREEMENTS OF RECORD.

SURVEY SUBJECT TO ANY RIGHT, TITLE OR INTEREST THE PUBLIC MAY HAVE FOR HIGHWAY USE.

SURVEY SHOWN IS SUBJECT TO ANY SUBSURFACE CONDITIONS THAT MAY EXIST, IF ANY.

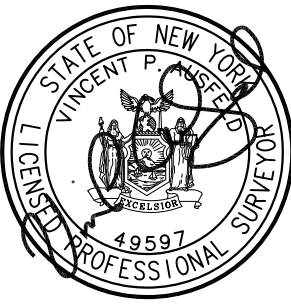
UNDERGROUND FACILITIES AND STRUCTURES SHOWN HEREON WERE TAKEN FROM DATA OBTAINED FROM PREVIOUS MAPS AND RECORD DRAWINGS. ALL ABOVE GROUND STRUCTURES AND SURFACE FEATURES SHOWN HEREON ARE THE RESULT OF A FIELD SURVEY UNLESS OTHERWISE NOTED. THERE MAY BE OTHER UNDERGROUND UTILITIES, THE EXISTENCE OF WHICH ARE NOT KNOWN OR CERTIFIED BY THE UNDERSIGNED. THE SIZE AND LOCATION OF ALL UNDERGROUND UTILITIES AND STRUCTURES MUST BE VERIFIED BY THE APPROPRIATE AUTHORITIES. THE UNDERGROUND FACILITIES PROTECTIVE ORGANIZATION MUST BE NOTIFIED PRIOR TO CONDUCTING TEST BORINGS, EXCAVATION AND CONSTRUCTION.

SHEET 1 OF 2

1220 FERRY ROAD  
SURVEY MAP  
OF THE LANDS OF  
JOHN A. & ELISABETH J. COCOCCIA

TOWN OF NISKAYUNA	SCHENECTADY COUNTY, N.Y.
SCALE: 1"=50'	APRIL 12, 2021
DRAWN BY: JH	PROJECT NO: 21-2922

**Ausfeld & Waldruff Land Surveyors LLP**  
323 CLINTON STREET, SCHENECTADY NY  
Phone: (518) 346-1595 Fax: 518-770-1655



VINCENT P. AUSFELD P.L.L.S.  
LICENSE #49597  
www.awslslp.com

LEGEND:

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- CAPPED IRON ROD SET
- IRON ROD FOUND
- IRON PIPE FOUND
- MONUMENT FOUND
- ELECTRIC TRANSFORMER
- LIGHT POLE
- WATER VALVE
- UTILITY POLE
- HYDRANT
- OVERHEAD WIRES
- ELECTRIC METER
- GAS METER



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								1220 FERRY ROAD			
								TOPOGRAPHIC SURVEY OF A PORTION OF THE LANDS OF JOHN A. COCOCCIA & ELISABETH J. COCOCCIA			
						REVISION:		TOWN OF NISKAYUNA	SCHENECTADY COUNTY, N.Y.		
								SCALE: 1"=20'	APRIL 12, 2021		
								DRAWN BY: JH	PROJECT NO: 21-2922		
						DATE:		<b>Ausfeld &amp; Waldruff Land Surveyors LLP</b> 323 CLINTON STREET, SCHENECTADY NY Phone: (518) 346-1595 Fax: 518-770-1655		VINCENT P. AUSFELD P.L.S. LICENSE #049597 <a href="http://www.awslslp.com">www.awslslp.com</a>	



**FEMA**

*NATIONAL FLOOD INSURANCE PROGRAM*

**ELEVATION CERTIFICATE**

**AND**

**INSTRUCTIONS**

**2019 EDITION**



U.S. DEPARTMENT OF HOMELAND SECURITY  
Federal Emergency Management Agency  
National Flood Insurance Program

## ELEVATION CERTIFICATE AND INSTRUCTIONS

### Paperwork Reduction Act Notice

Public reporting burden for this data collection is estimated to average 3.75 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and submitting this form. You are not required to respond to this collection of information unless a valid OMB control number is displayed on this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20742, Paperwork Reduction Project (1660-0008). **NOTE: Do not send your completed form to this address.**

### Privacy Act Statement

**Authority:** Title 44 CFR § 61.7 and 61.8.

**Principal Purpose(s):** This information is being collected for the primary purpose of estimating the risk premium rates necessary to provide flood insurance for new or substantially improved structures in designated Special Flood Hazard Areas.

**Routine Use(s):** The information on this form may be disclosed as generally permitted under 5 U.S.C. § 552a(b) of the Privacy Act of 1974, as amended. This includes using this information as necessary and authorized by the routine uses published in DHS/FEMA-003 – National Flood Insurance Program Files System or Records Notice 73 Fed. Reg. 77747 (December 19, 2008); DHS/FEMA/NFIP/LOMA-1 – National Flood Insurance Program (NFIP) Letter of Map Amendment (LOMA) System of Records Notice 71 Fed. Reg. 7990 (February 15, 2006); and upon written request, written consent, by agreement, or as required by law.

**Disclosure:** The disclosure of information on this form is voluntary; however, failure to provide the information requested may result in the inability to obtain flood insurance through the National Flood Insurance Program or the applicant may be subject to higher premium rates for flood insurance. Information will only be released as permitted by law.

### Purpose of the Elevation Certificate

The Elevation Certificate is an important administrative tool of the National Flood Insurance Program (NFIP). It is to be used to provide elevation information necessary to ensure compliance with community floodplain management ordinances, to determine the proper insurance premium rate, and to support a request for a Letter of Map Amendment (LOMA) or Letter of Map Revision based on fill (LOMR-F).

The Elevation Certificate is required in order to properly rate Post-FIRM buildings, which are buildings constructed after publication of the Flood Insurance Rate Map (FIRM), located in flood insurance Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, and AR/AO. The Elevation Certificate is not required for Pre-FIRM buildings unless the building is being rated under the optional Post-FIRM flood insurance rules.

As part of the agreement for making flood insurance available in a community, the NFIP requires the community to adopt floodplain management regulations that specify minimum requirements for reducing flood losses. One such requirement is for the community to obtain the elevation of the lowest floor (including basement) of all new and substantially improved buildings, and maintain a record of such information. The Elevation Certificate provides a way for a community to document compliance with the community's floodplain management ordinance.

Use of this certificate does not provide a waiver of the flood insurance purchase requirement. Only a LOMA or LOMR-F from the Federal Emergency Management Agency (FEMA) can amend the FIRM and remove the Federal mandate for a lending institution to require the purchase of flood insurance. However, the lending institution has the option of requiring flood insurance even if a LOMA/LOMR-F has been issued by FEMA. The Elevation Certificate may be used to support a LOMA or LOMR-F request. Lowest floor and lowest adjacent grade elevations certified by a surveyor or engineer will be required if the certificate is used to support a LOMA or LOMR-F request. A LOMA or LOMR-F request must be submitted with either a completed FEMA MT-EZ or MT-1 package, whichever is appropriate.

This certificate is used only to certify building elevations. A separate certificate is required for floodproofing. Under the NFIP, non-residential buildings can be floodproofed up to or above the Base Flood Elevation (BFE). A floodproofed building is a building that has been designed and constructed to be watertight (substantially impermeable to floodwaters) below the BFE. Floodproofing of residential buildings is not permitted under the NFIP unless FEMA has granted the community an exception for residential floodproofed basements. The community must adopt standards for design and construction of floodproofed basements before FEMA will grant a basement exception. For both floodproofed non-residential buildings and residential floodproofed basements in communities that have been granted an exception by FEMA, a floodproofing certificate is required.

Additional guidance can be found in FEMA Publication 467-1, Floodplain Management Bulletin: Elevation Certificate, available on FEMA's website at <https://www.fema.gov/media-library/assets/documents/3539?id=1727>.

# ELEVATION CERTIFICATE

**Important:** Follow the instructions on pages 1-9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A - PROPERTY INFORMATION				FOR INSURANCE COMPANY USE	
A1. Building Owner's Name John A. Cococcia and Elisabeth J. Cococcia				Policy Number:	
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 1220 Ferry Road				Company NAIC Number:	
City Niskayuna		State New York		ZIP Code 12309	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) Tax ID: 51.-2-16.1					
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>Single family residential</u>					
A5. Latitude/Longitude: Lat. <u>42.78893</u> Long. <u>-73.83263</u> Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983					
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.					
A7. Building Diagram Number _____					
A8. For a building with a crawlspace or enclosure(s):					
a) Square footage of crawlspace or enclosure(s) _____ 0.00 sq ft					
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade <u>0</u>					
c) Total net area of flood openings in A8.b _____ 0.00 sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
A9. For a building with an attached garage:					
a) Square footage of attached garage _____ 0.00 sq ft					
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade <u>0</u>					
c) Total net area of flood openings in A9.b _____ 0.00 sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION					
B1. NFIP Community Name & Community Number Town of Niskayuna 360739			B2. County Name Schenectady		B3. State New York
B4. Map/Panel Number 187 of 257	B5. Suffix D	B6. FIRM Index Date 01-08-2014	B7. FIRM Panel Effective/Revised Date 01-08-2014	B8. Flood Zone(s) Zone X	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth) 200
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9: <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____					
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input checked="" type="checkbox"/> OPA					



**ELEVATION CERTIFICATE**OMB No. 1660-0008  
Expiration Date: November 30, 2022

<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>			<b>FOR INSURANCE COMPANY USE</b>
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 1220 Ferry Road			Policy Number:
City Niskayuna	State New York	ZIP Code 12309	Company NAIC Number


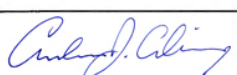
**SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)**

- C1. Building elevations are based on: ☒ Construction Drawings\* ☐ Building Under Construction\* ☐ Finished Construction  
\*A new Elevation Certificate will be required when construction of the building is complete.
- C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO.  
Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.  
Benchmark Utilized: utility pole - Elev= 199.4 Vertical Datum: \_\_\_\_\_  
Indicate elevation datum used for the elevations in items a) through h) below.  
☐ NGVD 1929 ☒ NAVD 1988 ☐ Other/Source: \_\_\_\_\_  
Datum used for building elevations must be the same as that used for the BFE.
- Check the measurement used.
- |   |              |  |                                 |
|---|--------------|--|---------------------------------|
| a) Top of bottom floor (including basement, crawlspace, or enclosure floor) <u>existing - 196.3 / proposed new work - 203.8</u> | <u>196.3</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| b) Top of the next higher floor <u>existing - 205.0 / proposed - 203.8, 204.0</u>   | <u>203.8</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| c) Bottom of the lowest horizontal structural member (V Zones only)   | <u>N/A</u>   | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| d) Attached garage (top of slab) <u>detached garage TO slab</u>   | <u>204.0</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| e) Lowest elevation of machinery or equipment servicing the building<br>(Describe type of equipment and location in Comments)   | <u>196.3</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| f) Lowest adjacent (finished) grade next to building (LAG)  | <u>201.0</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| g) Highest adjacent (finished) grade next to building (HAG)   | <u>204.0</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support                                    | <u>200.5</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |

**SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION**

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information.  
*I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.*

Were latitude and longitude in Section A provided by a licensed land surveyor? ☒ Yes ☐ No ☒ Check here if attachments.

Certifier's Name Andrew J. Allison	License Number 30221534		
Title Principal AIA			
Company Name Andrew J Allison Architect PLLC dba AJA Architecture & Planning			
Address 9 Broad Street			
City Glens Falls	State New York		ZIP Code 12834
Signature 	Date 03-29-2022	Telephone (518) 792-1651	Ext. 1

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)

e.) Existing HVAC equipment - floor mounted in basement mechanical room - new electrical panels mounted on basement walls per code.



# ELEVATION CERTIFICATE

OMB No. 1660-0008  
Expiration Date: November 30, 2022

<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>			<b>FOR INSURANCE COMPANY USE</b>
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 1220 Ferry Road			Policy Number:
City Niskayuna	State New York	ZIP Code 12309	Company NAIC Number

## SECTION E – BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)

For Zones AO and A (without BFE), complete Items E1–E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1–E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

- E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
- a) Top of bottom floor (including basement, crawlspace, or enclosure) is \_\_\_\_\_ ☐ feet ☐ meters ☐ above or ☐ below the HAG.
- b) Top of bottom floor (including basement, crawlspace, or enclosure) is \_\_\_\_\_ ☐ feet ☐ meters ☐ above or ☐ below the LAG.
- E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 1–2 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is \_\_\_\_\_ ☐ feet ☐ meters ☐ above or ☐ below the HAG.
- E3. Attached garage (top of slab) is \_\_\_\_\_ ☐ feet ☐ meters ☐ above or ☐ below the HAG.
- E4. Top of platform of machinery and/or equipment servicing the building is \_\_\_\_\_ ☐ feet ☐ meters ☐ above or ☐ below the HAG.
- E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? ☐ Yes ☐ No ☐ Unknown. The local official must certify this information in Section G.

## SECTION F – PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.

Property Owner or Owner's Authorized Representative's Name

Address City State ZIP Code  
New York

Signature Date Telephone

Comments

☐ Check here if attachments.

**ELEVATION CERTIFICATE**OMB No. 1660-0008  
Expiration Date: November 30, 2022

<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>			<b>FOR INSURANCE COMPANY USE</b>	
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 1220 Ferry Road			Policy Number:	
City Niskayuna	State New York	ZIP Code 12309	Company NAIC Number	
<b>SECTION G – COMMUNITY INFORMATION (OPTIONAL)</b>				
The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8–G10. In Puerto Rico only, enter meters.				
G1. <input checked="" type="checkbox"/> The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)				
G2. <input type="checkbox"/> A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.				
G3. <input type="checkbox"/> The following information (Items G4–G10) is provided for community floodplain management purposes.				
G4. Permit Number		G5. Date Permit Issued		G6. Date Certificate of Compliance/Occupancy Issued
G7. This permit has been issued for: <input type="checkbox"/> New Construction <input type="checkbox"/> Substantial Improvement				
G8. Elevation of as-built lowest floor (including basement) of the building: _____ <input type="checkbox"/> feet <input type="checkbox"/> meters Datum _____				
G9. BFE or (in Zone AO) depth of flooding at the building site: _____ <input type="checkbox"/> feet <input type="checkbox"/> meters Datum _____				
G10. Community's design flood elevation: _____ <input type="checkbox"/> feet <input type="checkbox"/> meters Datum _____				
Local Official's Name		Title		
Community Name		Telephone		
Signature		Date		
Comments (including type of equipment and location, per C2(e), if applicable)				
<div style="text-align: right;"><input type="checkbox"/> Check here if attachments.</div>				



# BUILDING PHOTOGRAPHS

## ELEVATION CERTIFICATE

See Instructions for Item A6.

OMB No. 1660-0008

Expiration Date: November 30, 2022

<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>			<b>FOR INSURANCE COMPANY USE</b>
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 1220 Ferry Road			Policy Number:
City Niskayuna	State New York	ZIP Code 12309	Company NAIC Number

If using the Elevation Certificate to obtain NFIP flood insurance, affix at least 2 building photographs below according to the instructions for Item A6. Identify all photographs with date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8. If submitting more photographs than will fit on this page, use the Continuation Page.



Photo One

Photo One Caption FRONT - South Elevation - Existing

Clear Photo One



Photo Two

Photo Two Caption BACK - North Elevation - existing

Clear Photo Two



# ELEVATION CERTIFICATE

## BUILDING PHOTOGRAPHS

Continuation Page

OMB No. 1660-0008

Expiration Date: November 30, 2022

<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>			<b>FOR INSURANCE COMPANY USE</b>
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 1220 Ferry Road			Policy Number:
City Niskayuna	State New York	ZIP Code 12309	Company NAIC Number

If submitting more photographs than will fit on the preceding page, affix the additional photographs below. Identify all photographs with: date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8.



Photo Three

Photo Three Caption SIDE - East Elevation - existing

Clear Photo Three

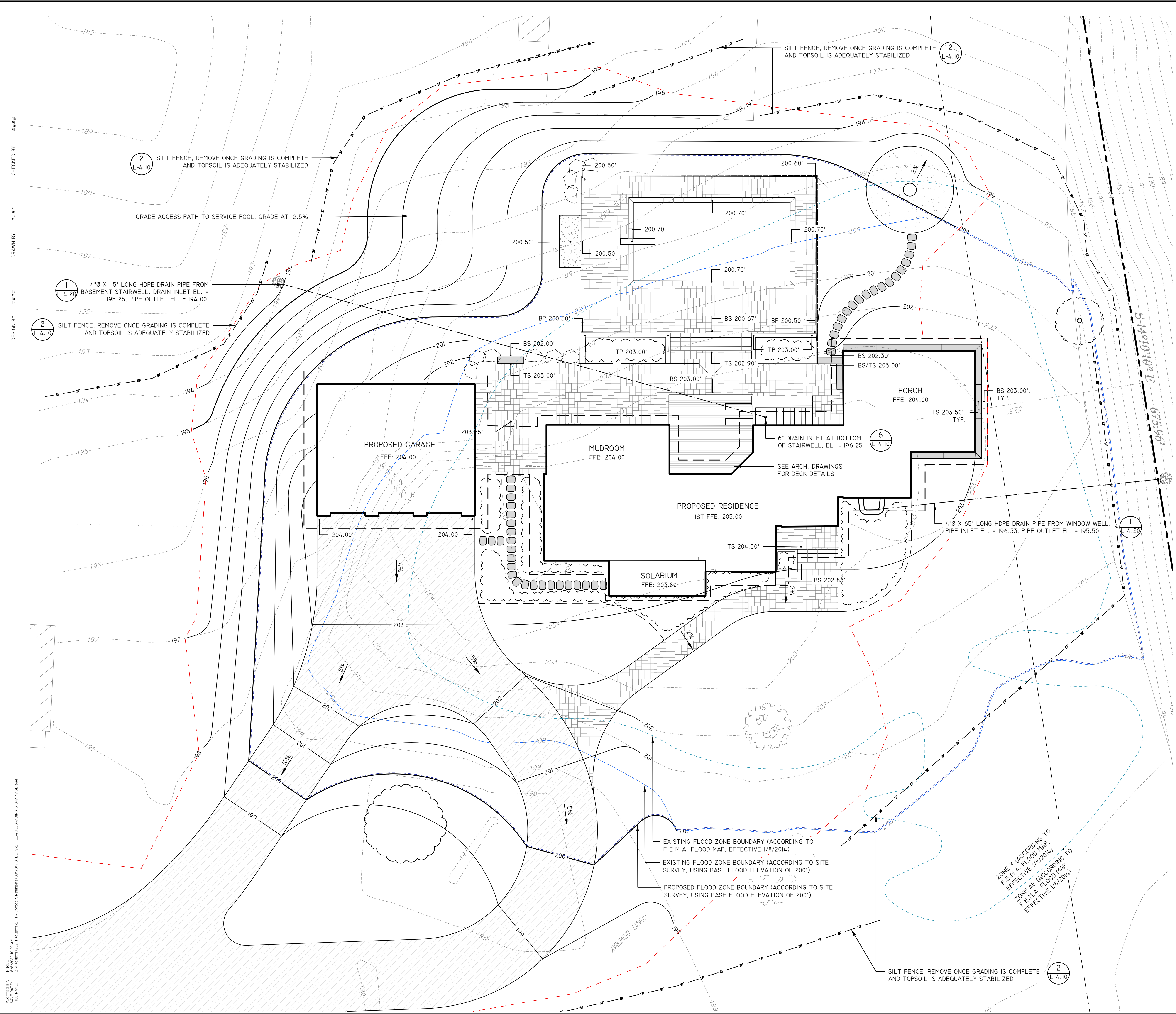


Photo Four

Photo Four Caption SIDE - West Elevation - existing

Clear Photo Four





EARTHWORK AND GRADING NOTES:

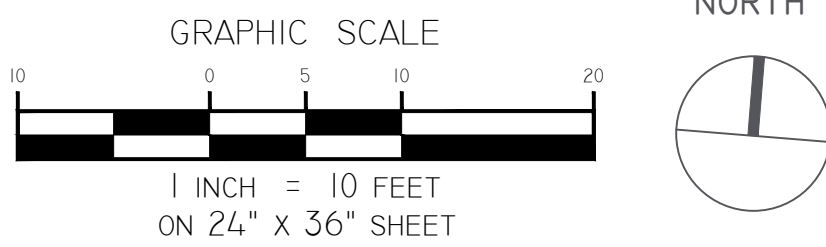
- EXISTING BASE INFORMATION DERIVED FROM SURVEY BY TITLED, "FRAUENHOFER FAMILY REVOCABLE INTERVIVOS TRUST, ESTABLISHED APRIL 30, 2007, DATED JUNE 4, 2007 BY VAN DUSEN & STEVENSON LAND SURVEYORS
- BEFORE ANY LAND CLEARING IS COMPLETED, THE CONTRACTOR SHALL ARRANGE A MEETING ON SITE WITH THE OWNER'S REPRESENTATIVE TO IDENTIFY WHICH TREES ARE TO BE PROTECTED OR REMOVED. NO CLEARING SHALL OCCUR WITHOUT A CLEAR UNDERSTANDING OF THE EXISTING CONDITIONS TO BE PRESERVED.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND PLANTS DESIGNATED TO REMAIN FOR THE LENGTH OF THE CONSTRUCTION PERIOD. THE PLACEMENT OF PROTECTION DEVICES ADDITIONAL TO THOSE NOTED SHALL, HOWEVER, BE AT THE CONTRACTORS DISCRETION. VEHICLES SHALL NOT BE PARKED WITHIN THE DRIP LINE OR WHERE DAMAGE MAY RESULT TO TREES TO BE KEPT. CONSTRUCTION MATERIALS SHALL NOT BE STORED BENEATH TREES TO BE KEPT.
- ALL TEMPORARY EROSION AND SEDIMENT (EAS) CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY EARTH DISTURBANCE. EAS CONTROL DEVICES SHALL BE REGULARLY INSPECTED AND MAINTAINED AS NEEDED TO ENSURE SATISFACTORY PERFORMANCE. ANY DAMAGE OCCURRING DURING THE COURSE OF CONSTRUCTION SHALL BE REPAIRED BY THE CONTRACTOR AT NO ADDITIONAL EXPENSE TO THE OWNER. ASSOCIATED FINES RESULTING FROM SUCH DAMAGE SHALL ALSO BE PAID BY THE CONTRACTOR.
- ALL PROPOSED GRADES SET IN THE FIELD TO BE COMPLETED BY A NEW YORK STATE LICENSED SURVEYOR.
- ALL AREAS REQUIRING FILL SHALL BE BROUGHT TO REQUIRED GRADE IN A MAXIMUM OF 12" COMPACTED LIFTS.
- ALL SLOPES 3:1 AND GREATER SHALL BE STABILIZED WITH SLOPE STABILIZATION MATS. LOCATIONS AND METHODS TO BE APPROVED BY THE OWNER'S REPRESENTATIVE.
- PITCH EVENLY BETWEEN SPOT GRADES. ALL PAVED AREAS MUST PITCH TO DRAIN AT A MINIMUM SLOPE OF ONE-EIGHTH (1/8") PER FOOT. ANY DISCREPANCIES NOT ALLOWING THIS TO OCCUR SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE IMMEDIATELY BEFORE CONTINUING WORK.
- EXCAVATION REQUIRED WITHIN 3 FEET OF EXISTING UTILITY LINE SHALL BE DONE BY HAND. CONTRACTOR SHALL REPAIR ANY DAMAGE TO EXISTING UTILITY LINES OR STRUCTURES INCURRED DURING CONSTRUCTION OPERATIONS AT NO ADDITIONAL COST TO THE OWNER. CONTRACTOR SHALL BLEND NEW EARTHWORK SMOOTHLY INTO EXISTING GRADE, PROVIDING VERTICAL CURVES OR ROUNDINGS AT THE TOP AND BOTTOM OF ALL SLOPES.
- DURING GRADING OPERATIONS, DRAINAGE OF THE SITE AND ADJACENT AREAS SHALL BE MAINTAINED CONTINUOUSLY TO PREVENT EROSION OR OTHER DAMAGE. WHEN IT IS NECESSARY TO INTERRUPT DRAINAGE OR OTHER EXISTING UTILITIES, CONTRACTOR IS TO PROVIDE TEMPORARY FACILITIES UNTIL PERMANENT WORK IS COMPLETED AT NO COST TO THE OWNER.
- GRADE AREAS ADJACENT TO BUILDING LINES TO DRAIN AWAY FROM STRUCTURE TO PREVENT PONDING. FINISHED SURFACES SHALL BE FREE FROM ANY ABRUPT OR IRREGULAR CHANGES.
- EXCAVATION REQUIRED WITHIN DRIP LINE OF TREES DESIGNATED TO REMAIN SHALL BE DONE BY HAND SO THAT NO DAMAGE OCCURS TO EXISTING ROOT SYSTEM. PLANT MATERIALS DAMAGED BY EXCAVATION SHALL BE REPLACED IN KIND AT NO ADDITIONAL EXPENSE TO THE OWNER.
- EXCAVATION SHALL BE TO ELEVATIONS INDICATED WITH A TOLERANCE OF PLUS/MINUS 1". SUBBASE COURSE MATERIAL SHALL CONFORM TO NYS DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS SECTION 304, TYPE 2 AND SHALL CONFORM TO NY 655 MODIFIED PROCTOR DENSITY. BACKFILL MATERIAL SHALL BE COMPACTED ON SITE SOIL MATERIAL.
- EMBANKMENT FILL SHALL CONFORM WITH ALL REQUIREMENTS OF NYS DOT SPEC. SECTION 305. MAXIMUM ALLOWABLE LOOSE LIFTS FOR EMBANKMENTS SHALL BE 12 INCH AND SHALL BE COMPACTED TO NOT LESS THAN 95% OF THE MAXIMUM DENSITY AS ESTABLISHED THROUGH THE STANDARD PROCTOR COMPACTION TEST PER ASTM D698.
- MATERIAL STOCKPILES, IF REQUIRED, SHALL BE LOCATED WHOLLY WITHIN THE WORK AREA. ADDITIONAL SILT FENCES SHALL BE PROVIDED AT THE BASE OF ALL STOCKPILES AS DIRECTED IN THE FIELD BY THE ENGINEER.
- ALL TRENCHES AND OTHER EXCAVATION SIDE SLOPES INDICATED ON THE DRAWINGS ARE DIAGNOSTIC ONLY AND ARE NOT INTENDED TO INDICATE A STABLE EXCAVATION SLOPE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ADEQUACY AND STABILITY OF ALL EXCAVATION SLOPES, SHEETING, SHORING, TRENCH BOXES, AND ANY OTHER MEANS REQUIRED FOR A SAFE WORK ENVIRONMENT AND FOR PROTECTION OF ADJACENT ROADWAYS AND OTHER STRUCTURES. ALL EXCAVATION WORK SHALL COMPLY WITH THE REQUIREMENTS OF THE FOLLOWING REGULATORY AGENCIES:
  - SUBPART 23-4, "EXCAVATION OPERATIONS", OF NEW YORK DEPARTMENT OF LABOR INDUSTRIAL CODE RULE 23.
  - SUBPART P, "EXCAVATIONS" OF THE UNITED STATES DEPARTMENT OF LABOR OSHA REGULATIONS FOR CONSTRUCTION
  - ALL OTHER MUNICIPAL, COUNTY, STATE OR FEDERAL AGENCIES, REGULATIONS OR LAWS PERTAINING TO EXCAVATION SAFETY AS MAY APPLY AT THE WORK SITE.
  - THE MORE STRINGENT PROVISION IN EACH OF THE ABOVE CODES SHALL APPLY. THESE PROVISIONS SHALL BE CONSIDERED MINIMUM REQUIREMENTS AND SHALL BE INCREASED IF NECESSARY TO PROVIDE SAFE WORKING CONDITIONS.
- CRUSHED STONE, WHERE CALLED FOR ON THE DRAWINGS, SHALL CONFORM TO NYS DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS SECTION 703-02, SIZE DESIGNATION 2.
- ALL SILT FENCES SHALL BE INSTALLED PRIOR TO DISTURBANCE OF EXISTING SITE FINISHES AND SHALL REMAIN IN PLACE UNTIL A STABLE GROWTH OF TURF IS ESTABLISHED.
- ALL DISTURBED AREAS NOT COVERED WITH SITE IMPROVEMENTS OR LANDSCAPING SHALL BE COVERED WITH 6" OF TOPSOIL AND SEEDED TO ESTABLISH A DENSE GROWTH OF TURF. PRIOR TO APPLYING TOPSOIL, DISTURBED AREAS SHALL BE RESTORED IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 5.1.6 "SOIL RESTORATION" OF THE NYS DEC STORMWATER DESIGN MANUAL.

STORMWATER MANAGEMENT NOTES:

- MAXIMUM DISTURBED SITE AREA FOR THIS PROJECT WITHIN THE CONSTRUCTION LIMITS (EQUALS 10.00 ACRES) IS THEREFORE A "MAJOR PROJECT" FOR STORMWATER DESIGN. SEE THE STORMWATER CONTROL SYSTEM REPORT FOR ADDITIONAL DESIGN INFORMATION.
- STORMWATER CULVERTS, PIPING AND FITTINGS SHALL BE ADS N-12 SMOOTH BORE DOUBLE WALL HIGH DENSITY POLYETHYLENE PIPE AS MANUFACTURED BY ADVANCED DRAINAGE SYSTEMS INC., OR APPROVED EQUIVALENT.
- PREFABRICATED STORMWATER INFILTRATION CHAMBERS SHALL BE STORMTECH SC-740 UNIT, AS MANUFACTURED BY ADVANCED DRAINAGE SYSTEMS, INC., OR APPROVED EQUIVALENT.
- PVC DRAIN BASINS SHALL BE THE SIZES INDICATED ON THE DRAWING, AS MANUFACTURED BY NYLOPLAST, OR APPROVED EQUIVALENT. DRAIN BASIN FRAME AND GRATES SHALL BE CAPABLE OF SUPPORTING HIS LOADING AND SHALL CORRESPOND WITH THE APPROPRIATE DRAIN BASIN DIAMETER IN ACCORDANCE W/ THE BASIN MANUFACTURER'S SPECIFICATIONS.

LEGEND:

- PROPERTY LINE SETBACK
- EXISTING FLOOD ZONE BOUNDARY (ACCORDING TO F.E.M.A. FLOOD MAP, EFFECTIVE 1/8/2014)
- EXISTING FLOOD ZONE BOUNDARY (ACCORDING TO SITE SURVEY, USING BASE FLOOD ELEVATION OF 200')
- PROPOSED FLOOD ZONE BOUNDARY (PER PROPOSED GRADING PLAN, USING BASE FLOOD ELEVATION OF 200')
- EXISTING MAJOR CONTOURS
- EXISTING MINOR CONTOURS
- PROPOSED MAJOR CONTOURS
- PROPOSED MINOR CONTOURS
- PROPOSED SPOT GRADES
- PROPOSED SWALE
- SILT FENCE



MAP REFERENCE:  
BASE INFORMATION OBTAINED FROM TAX PARCEL NO. 239.8-1-21, TOWN OF QUEENSBURY, WARREN COUNTY. SURVEY PRODUCED BY CORNER POST LAND SURVEYING, PLLC ON OCTOBER 28, 2020.

DIG SAFE NOTE:  
THIS PLAN SET WAS DRAFTED WITHOUT THE BENEFIT OF "DIG SAFE" MARKINGS. UTILITIES SHOWN ARE NOT WARRANTED TO BE EXACT OR COMPLETE. THE CONTRACTOR SHALL CONTACT "DIG SAFE" AT 811 BEFORE COMMENCING ANY WORK AND SHALL PRESERVE EXISTING UTILITIES WHICH ARE NOT SPECIFIED TO BE REMOVED IN THIS PLAN SET.

studioA

Landscpe Architecture + Engineering, DPC

STUDIO A

LANDSCAPE ARCHITECTURE + ENGINEERING, DPC

MAILING:  
PO BOX 272  
SARATOGA SPRINGS, NY 12866

OFFICE LOCATION:  
38 HIGH ROCK AVE, SUITE 3  
SARATOGA SPRINGS, NY 12866  
(518) 450-4030

IT IS A VIOLATION OF NEW YORK STATE EDUCATION LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OR LAND SURVEYOR, TO ALTER ANY ITEM IN ANY WAY, IF ANY ITEM BEARING THE STAMP OF A LICENSED PROFESSIONAL IS ALTERED. THE ALTERING LICENSED PROFESSIONAL SHALL STAMP THE DOCUMENT AND INCLUDE THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE, THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

DRAWINGS NOT FOR CONSTRUCTION

REVISIONS	DESCRIPTION	DATE

PREPARED FOR

JOHN COCOCCIA  
1220 FERRY ROAD  
NISKAYUNA, NEW YORK 12309

PROJECT

COCOCCIA RESIDENCE

DRAWING TITLE

GRADING & DRAINAGE PLAN

DATE:

03/09/2022

PROJECT NO.

21111

DRAWING NO.

L-2.10

DWG 3 OF 5





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: 1220 Ferry Road

Application Date: 3/24/22

John Cococcia  
1220 Ferry Road  
Niskayuna, NY 12309

Dear Sir:

You are hereby notified, as required by Section 220-67 F of the Zoning Ordinance of the Town of Niskayuna, that your application to construct a garage at the property noted above has been denied by reason of Section 220-18 A (3) and Section 220-18 B (2) of the Town of Niskayuna Zoning Ordinance. The property is located in the R-R: Rural Residential Zoning District.

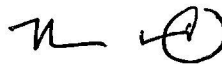
Section 220-18 A (3) states: "Unless otherwise specified, accessory structures shall not exceed fifteen (15) feet in height." As proposed, the garage would have an average height of nineteen feet nine inches (19' 9"); therefore, a four foot nine inch (4' 9") building height variance is required.

Section 220-18 B (2) states that "there shall not be more than three accessory structures on a lot." As proposed, one (1) new accessory structure will be added on the property: a garage.

The property already has more than three (3) pre-existing accessory structures upon it, plus a variance for a pool; therefore, a variance for one (1) additional accessory structure 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.

3/27/22  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Thomas J. Cannizzo  
Zoning Enforcement Officer



# COCOCCIA RESIDENCE RENOVATION

1220 FERRY ROAD, NISKAYUNA, NEW YORK 12309

**CLIENT:**

JOHN AND ELISABETH COCOCCIA  
1220 FERRY ROAD  
NISKAYUNA, NY 12309

**ARCHITECT:**

AJA ARCHITECTURE AND PLANNING  
9 BROAD STREET  
GLEN FALLS, NY 12801  
CONTACT: ANDREW ALLISON  
TELE: 518.792.1651

**STRUCTURAL:**

SB ENGINEERING, PLLC  
900 NY-149  
CLIFTON PARK, NY 12065  
CONTACT: SCOTT BURLINGAME  
TELE: 518.724.0733

***SITE & CIVIL:***

STUDIO A LANDSCAPE  
ARCHITECTURE, ENGINEERING  
& PLANNING  
38 HIGH ROCK AVENUE, SUITE 3  
P.O. BOX 272  
SARATOGA SPRINGS, NY 12866  
CONTACT: MATT HUNTINGTON  
TELE: 518.832.4005

**PROJECT LOCATION:** 1220 FERRY ROAD, NISKAYUNA, NEW YORK 12309



PERMIT DOCUMENT SET  
7/6/2022

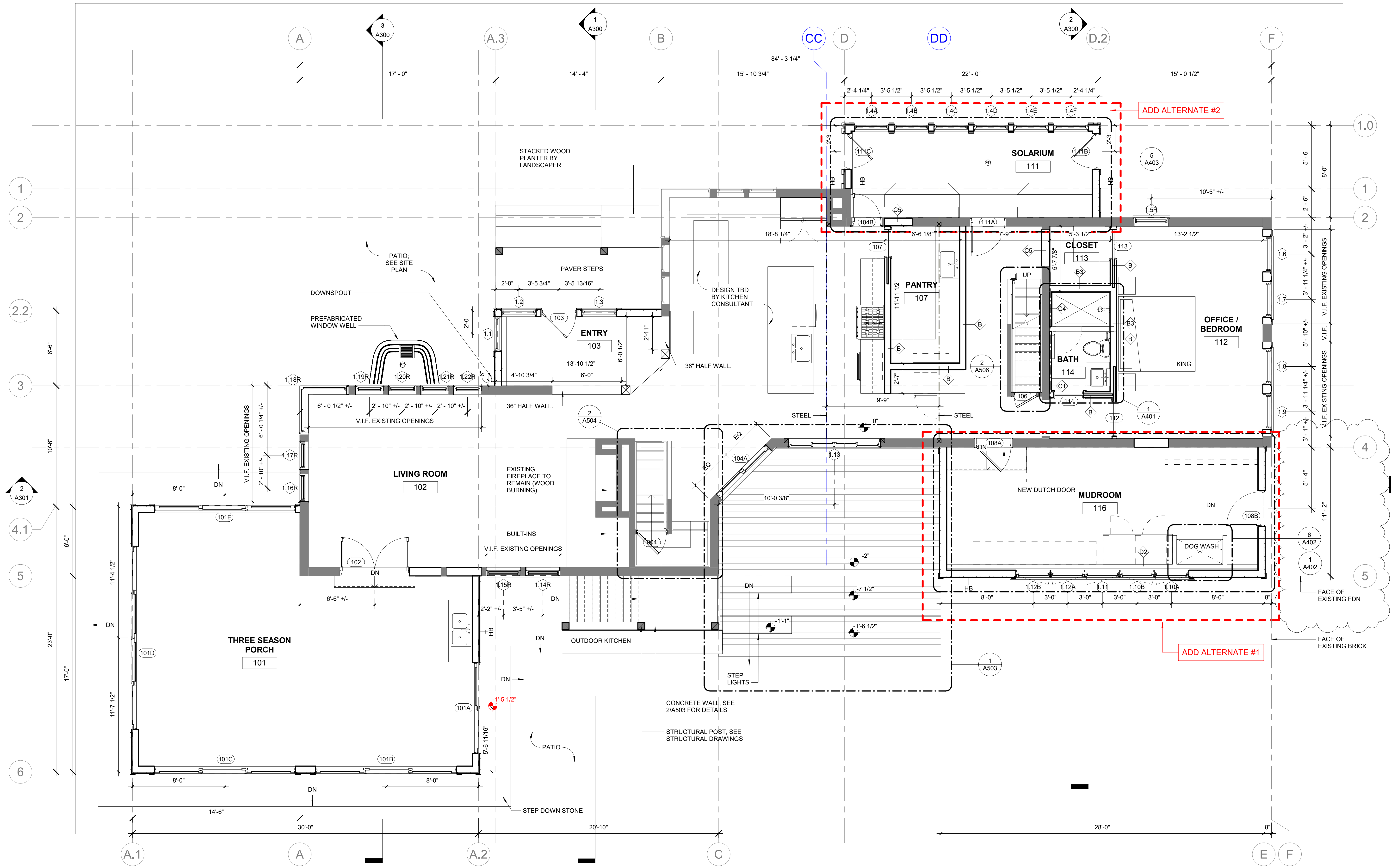
- THIS SET OF DRAWINGS IS PART OF THE CONTRACT DOCUMENTS FOR THE CONSTRUCTION OF THE PROJECT REFERENCED ABOVE. THE SPECIFICATIONS LISTED ON THE COVER SHEET AND THE CONTRACTORS CONTRACT WITH THE OWNER CONSTITUTE THE REMAINDER OF THE CONTRACT DOCUMENTS. THE CONTRACTOR MUST READ AND FOLLOW THE DRAWINGS AND THE SPECIFICATIONS FOR THE MANAGEMENT AND CONSTRUCTION OF THE PROJECT.
- ANY DISCREPANCIES FROM THE DRAWINGS OR SPECIFICATIONS. SHOULD BE BROUGHT TO THE ATTENTION OF THE ARCHITECT IMMEDIATELY
- THE CONTRACTOR IS REQUIRED TO READ AND FOLLOW THE DIVISION 01 SPECIFICATIONS AS PART OF THE PROJECT AND IS EXPECTED TO PROVIDE AND ADHERE TO THE MANAGEMENT REQUIREMENTS OUTLINED IN THE SPECIFICATIONS.
- PRODUCT SPECIFICATIONS ARE PROVIDED IN THE FORM OF MATERIAL CUT SHEETS AND PRODUCT LITERATURE. ANY DEVIATIONS OR CHANGES TO THE PRODUCTS SPECIFIED HAVE TO BE REVIEWED BY THE ARCHITECT.
- THE GENERAL NOTES PAGE OF THE DRAWING SET OUTLINES SPECIFIC MEETINGS, SITE VISITS, MOCKUP REQUIREMENTS AND SUBMITTAL REQUIREMENTS. THE CONTRACTOR IS EXPECTED TO READ THROUGH THOSE REQUIREMENTS AND MANAGE THE WORK ACCORDINGLY.

***SHEET LIST:***


SHEET #		SHEET NAME
00 GENERAL		
G000	COVER SHEET	
G001	GENERAL NOTES	
01 SITE & CIVIL		
L-0.20	DEMOLITION, EROSION & SEDIMENT CONTROL PLAN	
L-1.10	LAYOUT & MATERIALS PLAN	
L-2.10	GRADING & DRAINAGE PLAN	
L-4.10	CONSTRUCTION DETAILS	
L-4.20	CONSTRUCTION DETAILS	
02 ARCHITECTURAL DEMO		
A403	INT. ELEV. - SOLARIUM	
D100	BASEMENT DEMO	
D101	FIRST FLOOR DEMO	
D102	SECOND FLOOR DEMO	
D103	EXTERIOR DEMO	
D104	EXTERIOR DEMO	
03 STRUCTURAL		
S001	GENERAL NOTES	
S002	GENERAL NOTES	
S100	FIRST FLOOR FRAMING PLAN	
S101	SECOND FLOOR FRAMING PLAN	
S102	GARAGE FRAMING PLAN	
S200	FOUNDATION SECTIONS	
S300	FRAMING SECTIONS	
S400	TYPICAL DETAILS	
S401	TYPICAL DETAILS	
04 ARCHITECTURAL		
A100	BASEMENT PLAN	
A101	FIRST FLOOR PLAN	
A102	SECOND FLOOR PLAN	
A103	MAIN HOUSE - ROOF PLAN	
A104	GARAGE FLOOR PLANS	
A105	GARAGE - ROOF PLAN	
A110	BASEMENT RCP	
A111	FIRST & SECOND FLOOR RCP	
A200	HOUSE ELEVATIONS	
A201	GARAGE ELEVATIONS	
A300	BUILDING SECTIONS	
A301	BUILDING SECTIONS	
A302	WALL SECTIONS	
A303	WALL SECTIONS	
A400	INT. ELEV. - BASEMENT BATHROOM	
A401	INT. ELEV. - FIRST FLOOR BATH & LAUNDRY	
A402	INT. ELEV. - MUDROOM	
A500	EXTERIOR BUILDING DETAILS	
A501	ROOF DETAILS	
A502	ROOF DETAILS CTD	
A503	DECK & STEP DETAILS	
A504	INTERIOR STAIR DETAILS	
A506	INTERIOR STAIR DETAILS	
A507	FIREPLACE DETAILS	
A511	FLASHING DETAILS	
A512	FLASHING DETAILS	
A520	INTERIOR PARTITIONS	
A530	WINDOW DETAILS	
A531	DOOR DETAILS	
A532	TRIM DETAILS	
A600	DOOR SCHEDULE	
A601	WINDOW SCHEDULE	
A602	SCHEDULES	

**SPECIFICATIONS:**






**1 FIRST FLOOR PLAN**  
1/4" = 1'-0" ON 22"x34"  
1/16" = 1'-0" ON 11"x17"



ARCHITECT:  
AJA Architecture and Planning  
9 Broad Street  
Glens Falls NY, 12801  
518.792.1651

Verify all dimensions before the commencement of work. Report to the consultant any discrepancy found.

2	7-5-22	AJA	PERMIT REV. 2	REV.	DATE	APPR.	DESCRIPTION



**JOHN COCOCCIA**  
**COCOCCIA RESIDENCE RENOVATION**  
**FIRST FLOOR PLAN**

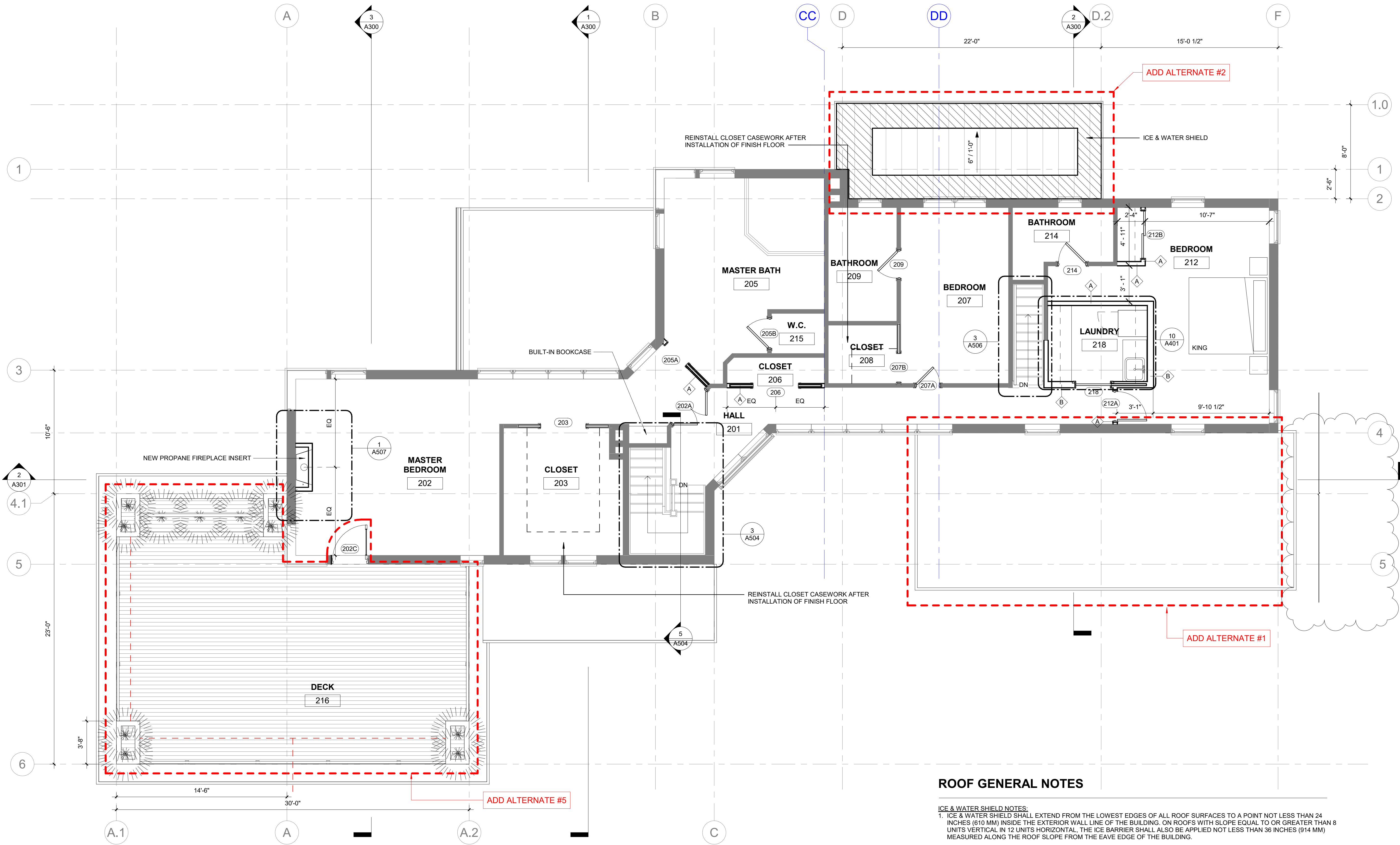
Project: A101  
Date: 7/6/2022  
Scale: 1/4" = 1'-0"  
Drawn: PK  
Checked: ST  
Project No: 20100

**A101**

Revision No. 2


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ROOF GENERAL NOTES


- ICE & WATER SHIELD NOTES:
- ICE & WATER SHIELD SHALL EXTEND FROM THE LOWEST EDGES OF ALL ROOF SURFACES TO A POINT NOT LESS THAN 24 INCHES (610 MM) INSIDE THE EXTERIOR WALL LINE OF THE BUILDING. ON ROOFS WITH SLOPE EQUAL TO OR GREATER THAN 8 UNITS VERTICAL IN 12 UNITS HORIZONTAL, THE ICE BARRIER SHALL ALSO BE APPLIED NOT LESS THAN 36 INCHES (914 MM) MEASURED ALONG THE ROOF SLOPE FROM THE EAVE EDGE OF THE BUILDING.
  - CONTRACTOR TO INSTALL ROOF MATERIALS PER MANUFACTURERS INSTRUCTIONS TO ENSURE WARRANTY. ANY DISCREPANCIES WITH MANUFACTURERS INSTALLATION REQUIREMENTS AND THESE DRAWINGS TO BE BROUGHT TO ATTENTION OF THE ARCHITECT.
  - PROVIDE FLASHING AT ALL PENETRATIONS AND ROOF JOINTS PER NATIONAL ROOFING COUNCIL STANDARDS AND AS SHOWN ON SHEET A501 & A502.



ARCHITECT:  
AJA Architecture and Planning  
9 Broad Street  
Glens Falls NY, 12801  
518.792.1651

Verify all dimensions before the commencement of work. Report to the consultant any discrepancy found.

PERMIT REV. 2	AJA	7-6-22	2	REV.	DATE	APPR.	DESCRIPTION



Project: JOHN COCOCCIA  
COCOCCIA RESIDENCE RENOVATION  
SECOND FLOOR PLAN

Date: 7/6/2022  
Scale: 1/4" = 1'-0"  
Drawn: PK  
Checked: ST  
Project No: 20100

A102

Revision No. 2

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Verify all dimensions before the commencement of work. Report to the consultant any discrepancy found

[illegible]

ject: **JOHN COCOCCIA**  
**COCOCCIA RESIDENCE RENOVATION**  
**MAIN HOUSE - ROOF PLAN**

Project:

Date: 7/6/202

Scale:  $1/4" = 1'-0"$

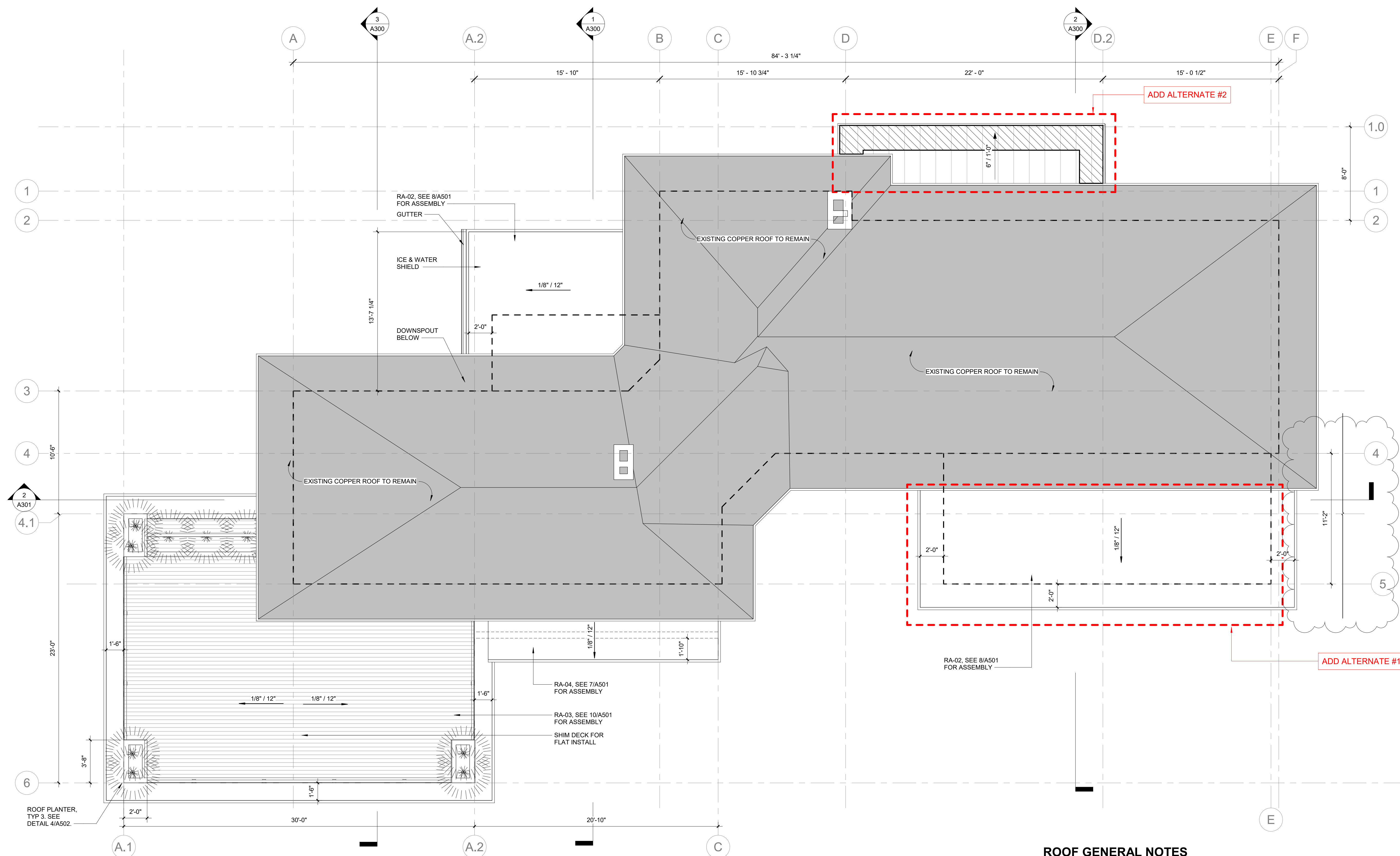
Drawn:	S
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Checked:	A.I
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Project No:	2010
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A103

Revision No.	2
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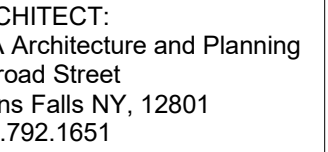
## ROOF GENERAL NOTES

1. CONTRACTOR TO INSTALL ROOF MATERIALS PER MANUFACTURERS INSTRUCTIONS TO ENSURE WARRANTY. ANY DISCREPANCIES WITH MANUFACTURERS INSTALLATION REQUIREMENTS AND THESE DRAWINGS TO BE BROUGHT TO ATTENTION OF THE ARCHITECT.
2. PROVIDE FLASHING AT ALL PENETRATIONS AND ROOF JOINTS PER NATIONAL ROOFING COUNCIL STANDARDS AND AS SHOWN ON SHEET A501 & A502.

## ROOF PLAN

1/4" = 1'-0" ON 22"x34"  
1/8" = 1'-0" ON 11"x17"





Verify all dimensions before the commencement of work. Report to the consultant any discrepancy found.

REV.	DATE	APPR.	DESCRIPTION
Z	7-8-22	AJA	PERMII REV. Z



# COCOCIA RESIDENCE RENOVATION GARAGE - ROOF PLAN

e: 7/6/2022

le:  $1/4" = 1'-0"$

ST

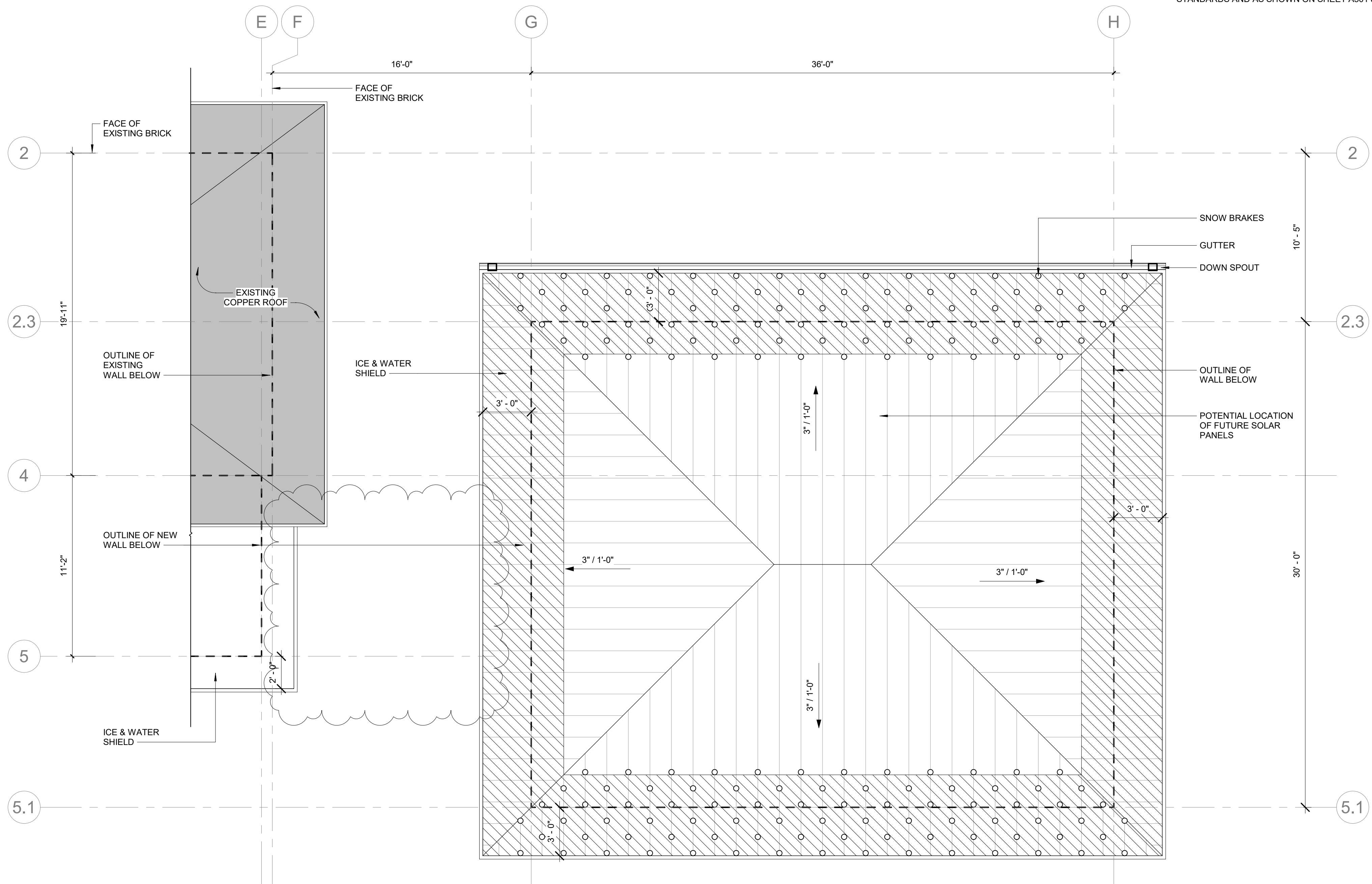
Checked: AJA

A105

Revision No. 2

ICE & WATER SHIELD NOTES:

1. ICE & WATER SHIELD SHALL EXTEND FROM THE LOWEST EDGES OF ALL ROOF SURFACES TO A POINT NOT LESS THAN 24 INCHES (610 MM) INSIDE THE EXTERIOR WALL LINE OF THE BUILDING. ON ROOFS WITH SLOPE EQUAL TO OR GREATER THAN 12 UNITS HORIZONTAL, THE ICE BARRIER SHALL ALSO BE APPLIED NOT LESS THAN 36 INCHES (914 MM) MEASURED ALONG THE ROOF SLOPE FROM THE EAVE EDGE OF THE BUILDING.
2. CONTRACTOR TO INSTALL ROOF MATERIALS PER MANUFACTURERS INSTRUCTIONS TO ENSURE WARRANTY. ANY DISCREPANCIES WITH MANUFACTURERS INSTALLATION REQUIREMENTS AND THESE DRAWINGS TO BE BROUGHT TO ATTENTION OF THE ARCHITECT.
3. PROVIDE FLASHING AT ALL PENETRATIONS AND ROOF JOINTS PER NATIONAL ROOFING COUNCIL STANDARDS AND AS SHOWN ON SHEET A501 & A502.



A105  
1/4" = 1'-0" ON 22"x34"  
1/8" = 1'-0" ON 11"x17"

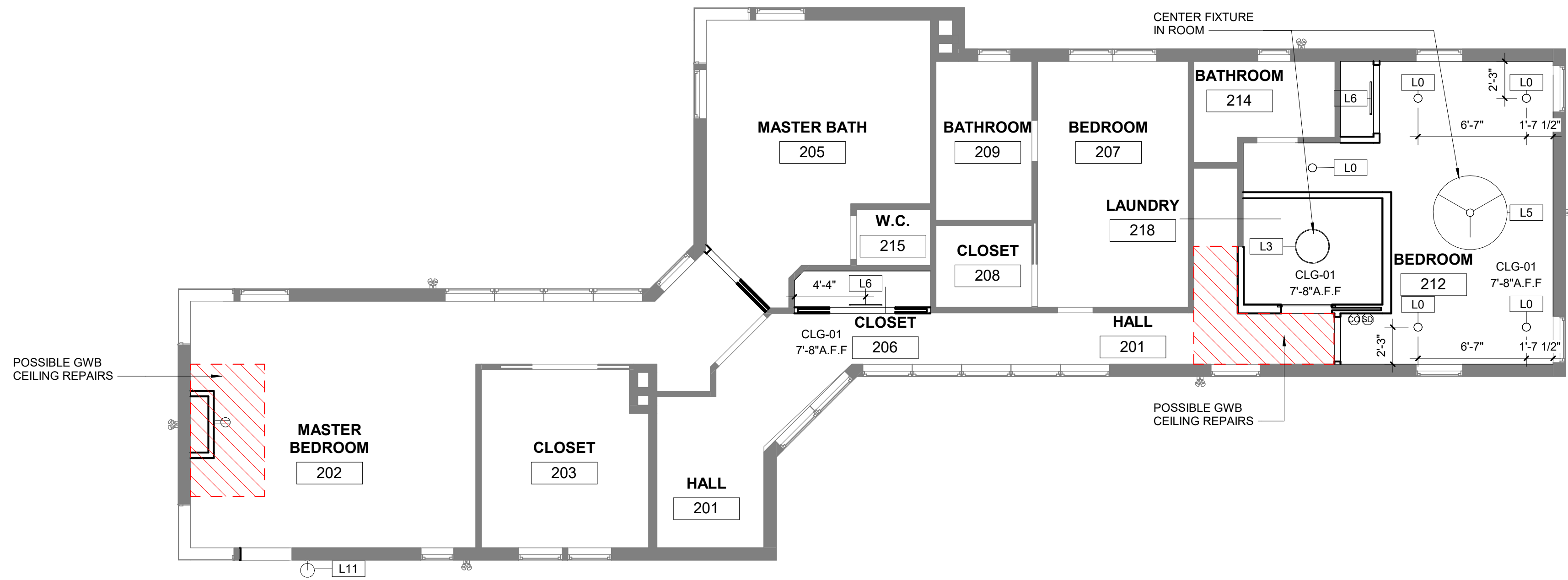
1/4" = 1'-0" ON 22"x34"  
1/8" = 1'-0" ON 11"x17"

1/8" = 1'-0" ON 11"x17"

THIS DOCUMENT CONTAINS UNPUBLISHED MATERIAL BELONGING TO THE AIRCRAFT ENGINEERING AND PLANNING, AIR UNAUTHORIZED USE, DISCLOSURE, DISSEMINATION OR DUPLICATION OF ANY INFORMATION CONTAINED HEREIN MAY RESULT IN LIABILITY UNDER APPLICABLE LAW.

2 SECOND FLOOR RCP

3/16" = 1'-0" ON 22"x34"  
3/32" = 1'-0" ON 11"x17"



CEILING LEGEND

- CLG-01**  
1/2" GWB GLUED & SCREWED TO UNDERSIDE OF FRAMING
- CLG-02**  
1/2" GWB GLUED & SCREWED TO 2x4 FRAMING/FURRING
- CLG-03**  
1x4 T&G CEDAR CLG ATTACHED TO 2x4 FURRING

GENERAL NOTES

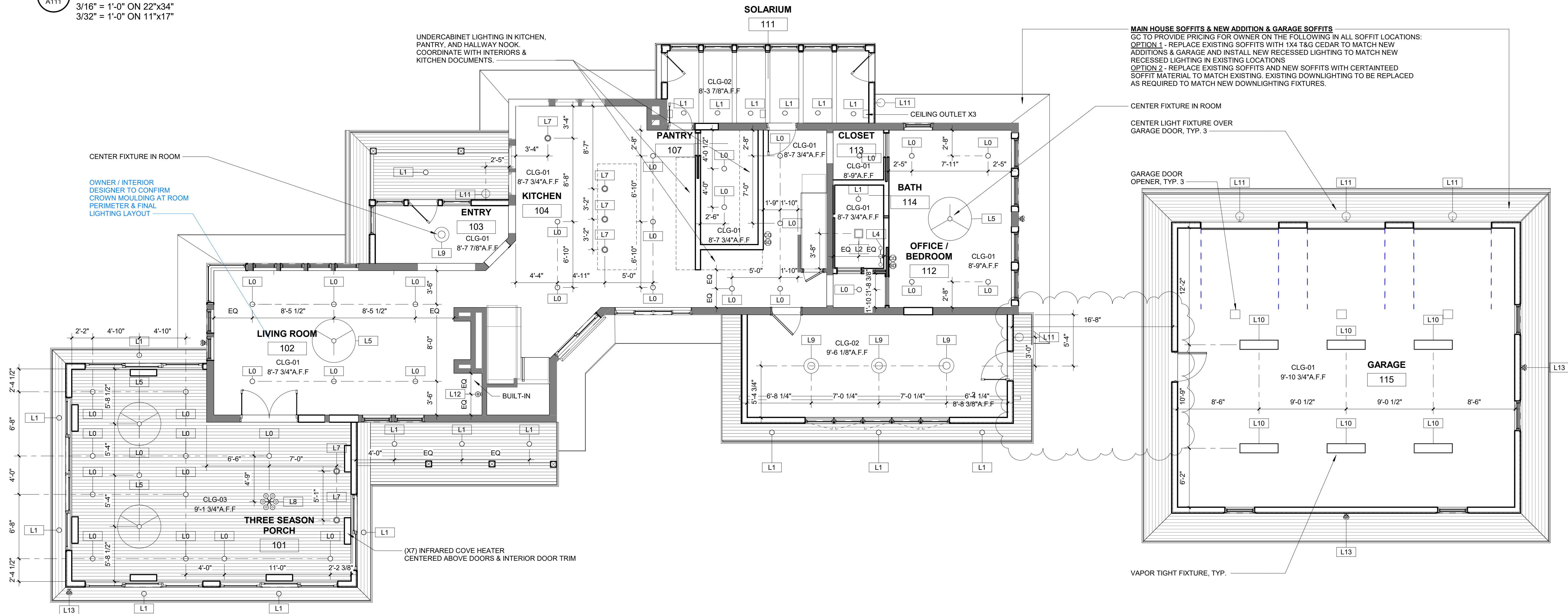
1. FINAL LIGHTING AND CEILING LAYOUTS TBD BY OWNER AND INTERIOR DESIGNER.
2. CEILING HEIGHTS TO BE COORDINATED IN THE FIELD WITH OWNER AND ARCHITECT PER HVAC INSTALLATIONS.
3. RECESSED CANS TO BE CENTERED IN SHOWER.
4. RECESSED CANS CENTERED ON ROOM IF ONE PER ROOM.
5. ALL CEILINGS NOT TAGGED REMAIN EXISTING AND LIGHTING TO REMAIN EXISTING.

FIXTURE LEGEND

- RECESSED CAN (EXTERIOR RATED AT WET LOCATIONS)
- STRIP LIGHT
- SURFACE MOUNTED LIGHT
- DECORATIVE PENDANT LIGHT (LARGE)
- DECORATIVE PENDANT LIGHT (SMALL)
- DECORATIVE CHANDELIER
- VANITY SCONCE
- SCONCE
- EXTERIOR GOOSE NECK LANTERN
- BATHROOM FAN/LIGHT COMBO
- SMOKE DETECTOR
- CARBON MONOXIDE DETECTOR
- CEILING FAN
- SURFACE MOUNT LINEAR BOX LIGHT
- CEILING OUTLET

1 FIRST FLOOR RCP

3/16" = 1'-0" ON 22"x34"  
3/32" = 1'-0" ON 11"x17"







Verify all dimensions before the commencement of work. Report to the consultant any discrepancy found.

[illegible]

JOHN COCOCCIA  
COCOCCIA RESIDENCE RENOVATION  
HOUSE ELEVATION

Project:

Date: 7/6/202

Scale:	As indicated
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Drawn:	S
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Checked:	AJ
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Project No:	2010
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# A200

Revision No.	2
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A. SIDING MATERIALS:

- CLAPBOARD SIDING - LP SMARTSIDE 6" EXPOSURE WITH SMOOTH TEXTURE; COLOR - SHERWIN WILLIAMS SW7005 - PURE WHITE
- TRIM, FASCIAS, & SKIRT BOARDS: LP SMARTSIDE TRIM & FASCIA WITH SMOOTH TEXTURE; COLOR - SHERWIN WILLIAMS SW7005 - PURE WHITE
- SOFFITS: 1x4 CEDAR; CLEAR FINISH

B. ALL SIDING TO BE PRE-FINISHED; BASIS OF DESIGN - LEGACY PREFINISHING; CUSTOM COLOR - SHERWIN WILLIAMS SW7005 - PURE WHITE

C. ALL CORNER TRIM TO BE 5/4" X 6" UNLESS OTHERWISE NOTED.

D. ALL GABLE/RAKE TRIM TO BE 5/4" X 8" UNLESS OTHERWISE NOTED.

E. ALL SKIRT BOARD TRIM TO BE 5/4" X 8" UNLESS OTHERWISE NOTED.

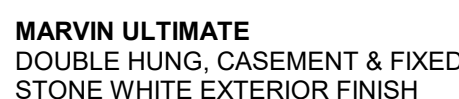
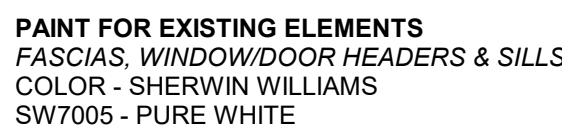
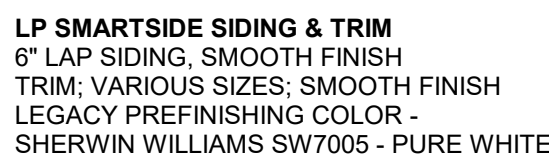
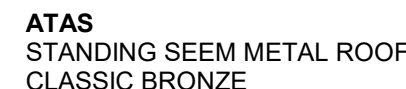
F. ALL FASCIAS TO BE 1X & 5/4X PER TYPICAL DETAILS ON A500 SERIES.

G. STAINED ELEMENTS:

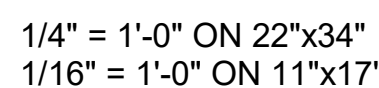
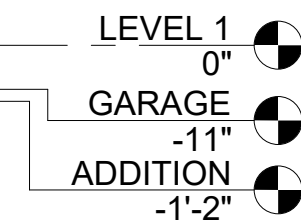
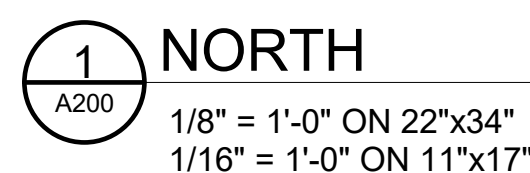
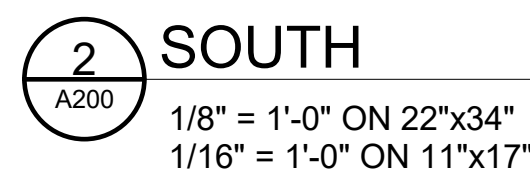
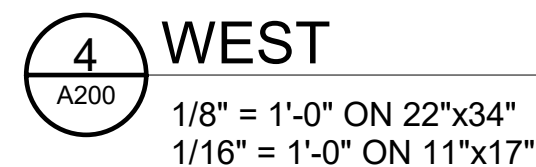
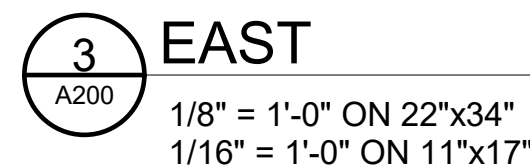
- a. ENTRY PORCH BEAMS AND COLUMNS
- b. BREEZEWAY BEAMS
- c. DECK FLOORING, DECK RAILING, DECK/BASEMENT STAIR COLUMNS
- d. WOOD CAPS
- e. PLANTERS

H. GUTTERS AND DOWNSPOUTS TO BE WHITE TO MATCH SIDING & FASCIAS. SUBMIT COLOR SAMPLES TO ARCHITECT/OWNER FOR SELECTION.

**SEE SHEET A202 FOR COLOR STUDIES**

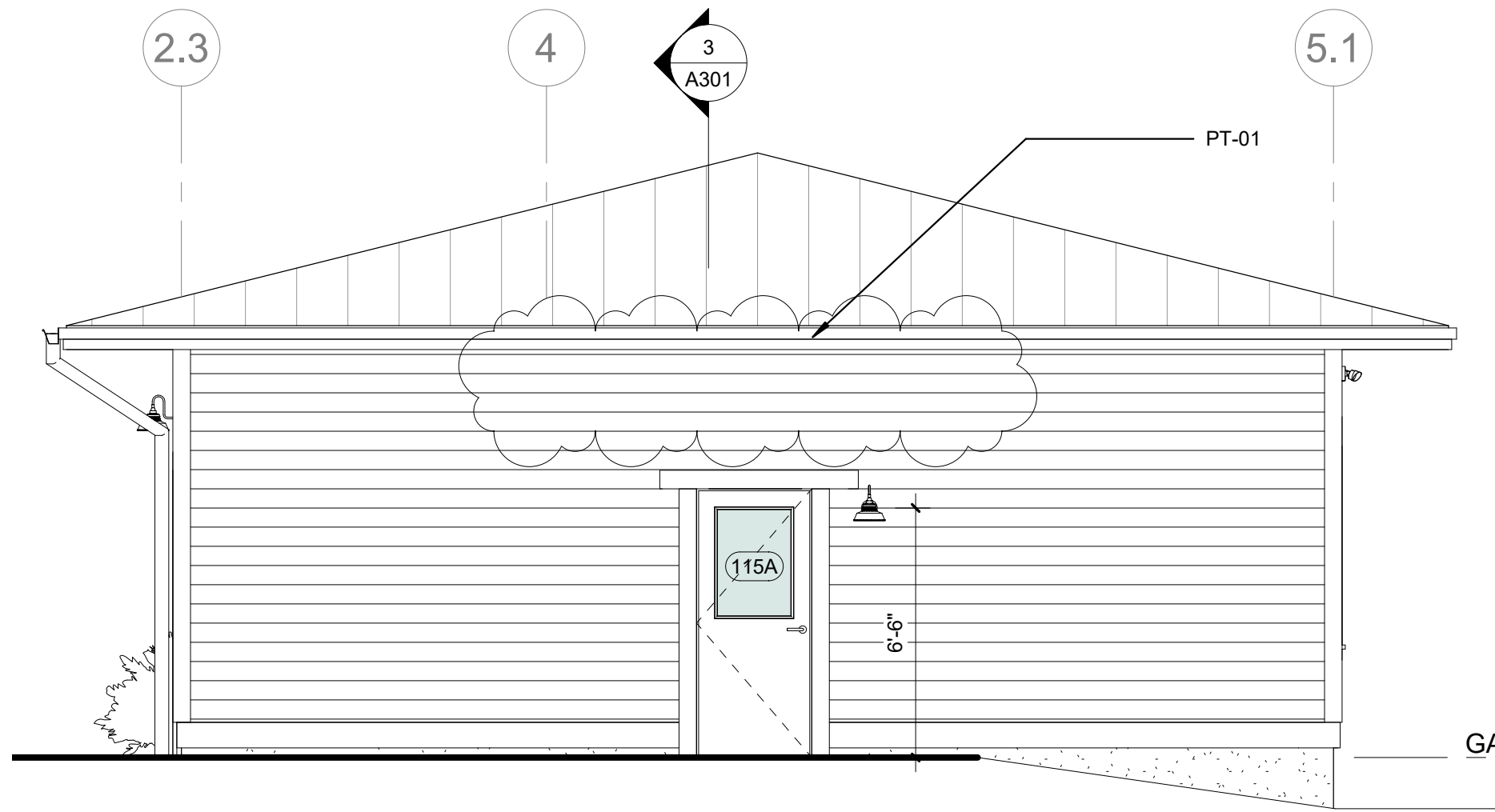


NOT TO SCALE

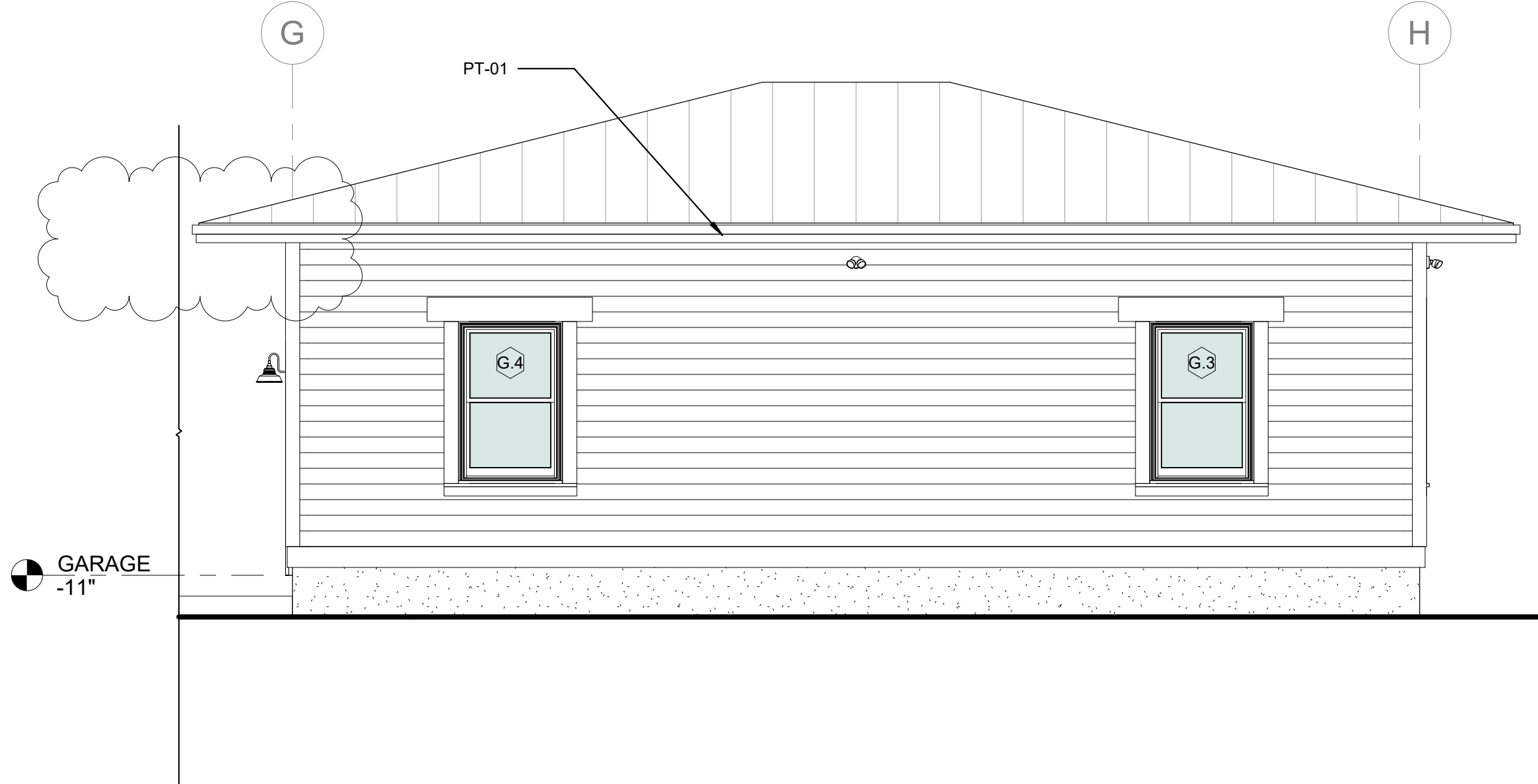


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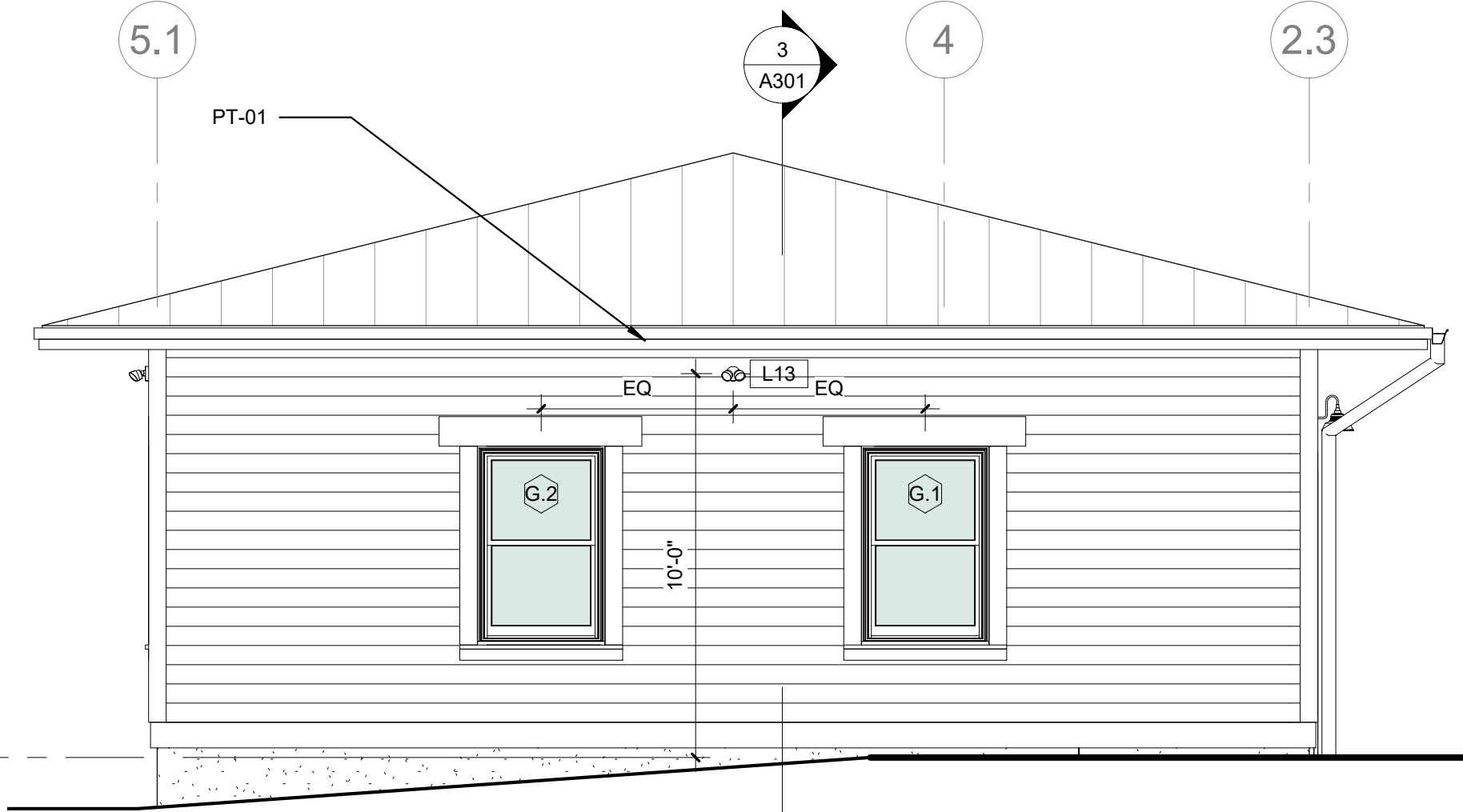




**4 EAST - GARAGE**  
A201  
1/4" = 1'-0" ON 22"x34"  
1/8" = 1'-0" ON 11"x17"



**1 NORTH - GARAGE**  
A201  
1/4" = 1'-0" ON 22"x34"  
1/8" = 1'-0" ON 11"x17"



**3 WEST - GARAGE**  
A201  
1/4" = 1'-0" ON 22"x34"  
1/8" = 1'-0" ON 11"x17"



**2 SOUTH - GARAGE**  
A201  
1/4" = 1'-0" ON 22"x34"  
1/8" = 1'-0" ON 11"x17"

## ELEVATION GENERAL NOTES:

- A. **SIDING MATERIALS:**
- CLAPBOARD SIDING - LP SMARTSIDE 6" EXPOSURE WITH SMOOTH TEXTURE; COLOR - SHERWIN WILLIAMS SW7005 - PURE WHITE
  - TRIM, FASCIAS, & SKIRT BOARDS; LP SMARTSIDE TRIM & FASCIA WITH SMOOTH TEXTURE; COLOR - SHERWIN WILLIAMS SW7005 - PURE WHITE
  - SOFFITS; 1X4 CEDAR; CLEAR FINISH
- B. ALL SIDING TO BE PRE-FINISHED; BASIS OF DESIGN - LEGACY PREFINISHING; CUSTOM COLOR - COLOR - SHERWIN WILLIAMS SW7005 - PURE WHITE
- C. ALL CORNER TRIM TO BE 5/4" X 6" UNLESS OTHERWISE NOTED.
- D. ALL GABLE/RAKE TRIM TO BE 5/4" X 8" UNLESS OTHERWISE NOTED.
- E. ALL SKIRT BOARD TRIM TO BE 5/4" X 8" UNLESS OTHERWISE NOTED.
- F. ALL FASCIAS TO BE 1X & 5/4X PER TYPICAL DETAILS ON A500 SERIES.
- G. STAINED ELEMENTS:
- ENTRY PORCH BEAMS AND COLUMNS
  - BREEZEWAY BEAMS
  - DECK FLOORING, DECK RAILING, DECK/BASEMENT STAIR COLUMNS
  - WOOD CAPS
  - PLANTERS
- H. GUTTERS AND DOWNSPOUTS TO BE WHITE TO MATCH SIDING & FASCIAS. SUBMIT COLOR SAMPLES TO ARCHITECT/OWNER FOR SELECTION.

SEE SHEET A202 FOR COLOR STUDIES



**ATAS**  
STANDING SEEM METAL ROOF  
CLASSIC BRONZE



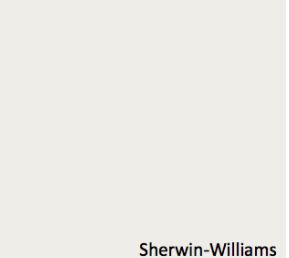
**LP SMARTSIDE SIDING & TRIM**  
6" LAP SIDING, SMOOTH FINISH  
TRIM; VARIOUS SIZES; SMOOTH FINISH  
LEGACY PREFINISHING COLOR -  
SHERWIN WILLIAMS SW7005 - PURE WHITE



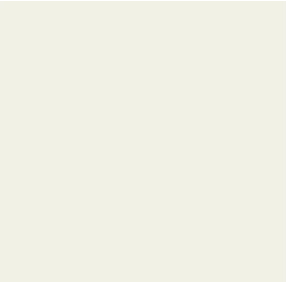
**CYPRESS - MEDIUM**  
FINISH FOR GARAGE DOORS,  
DECKING & PLANTERS



**PAINT FOR RAILING ELEMENTS**  
SHERWIN WILLIAMS  
SW6991 BLACK MAGIC



**PAINT FOR EXISTING ELEMENTS**  
FASCIAS, WINDOW/DOOR HEADERS & SILLS  
COLOR - SHERWIN WILLIAMS  
SW7005 - PURE WHITE



**MARVIN ULTIMATE**  
DOUBLE HUNG, CASEMENT & FIXED  
STONE WHITE EXTERIOR FINISH

## ELEVATION MATERIALS

NOT TO SCALE

Verify all dimensions before  
the commencement of work.  
Report to the consultant any  
discrepancy found.

PERMIT REV. 2	AJA	7-6-22	2	REV.	DATE	APPR.	DESCRIPTION



## JOHN COCOCCIA COCOCCIA RESIDENCE RENOVATION GARAGE ELEVATIONS

Project:	
Date:	7/6/2022
Scale:	As indicated
Drawn:	BR
Checked:	AJA
Project No:	20100

**A201**



Verify all dimensions before the commencement of work. Report to the consultant any discrepancy found

[illegible]

JOHN COCOCCHIA  
COCOCCHIA RESIDENCE RENOVATION  
BUILDING SECTIONS

Project:

Date: 7/6/202

Scale:  $3/16" = 1'-0"$

Drawn:	P
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Checked:	A.I
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Project No:	2010
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# A301

Revision No.	2
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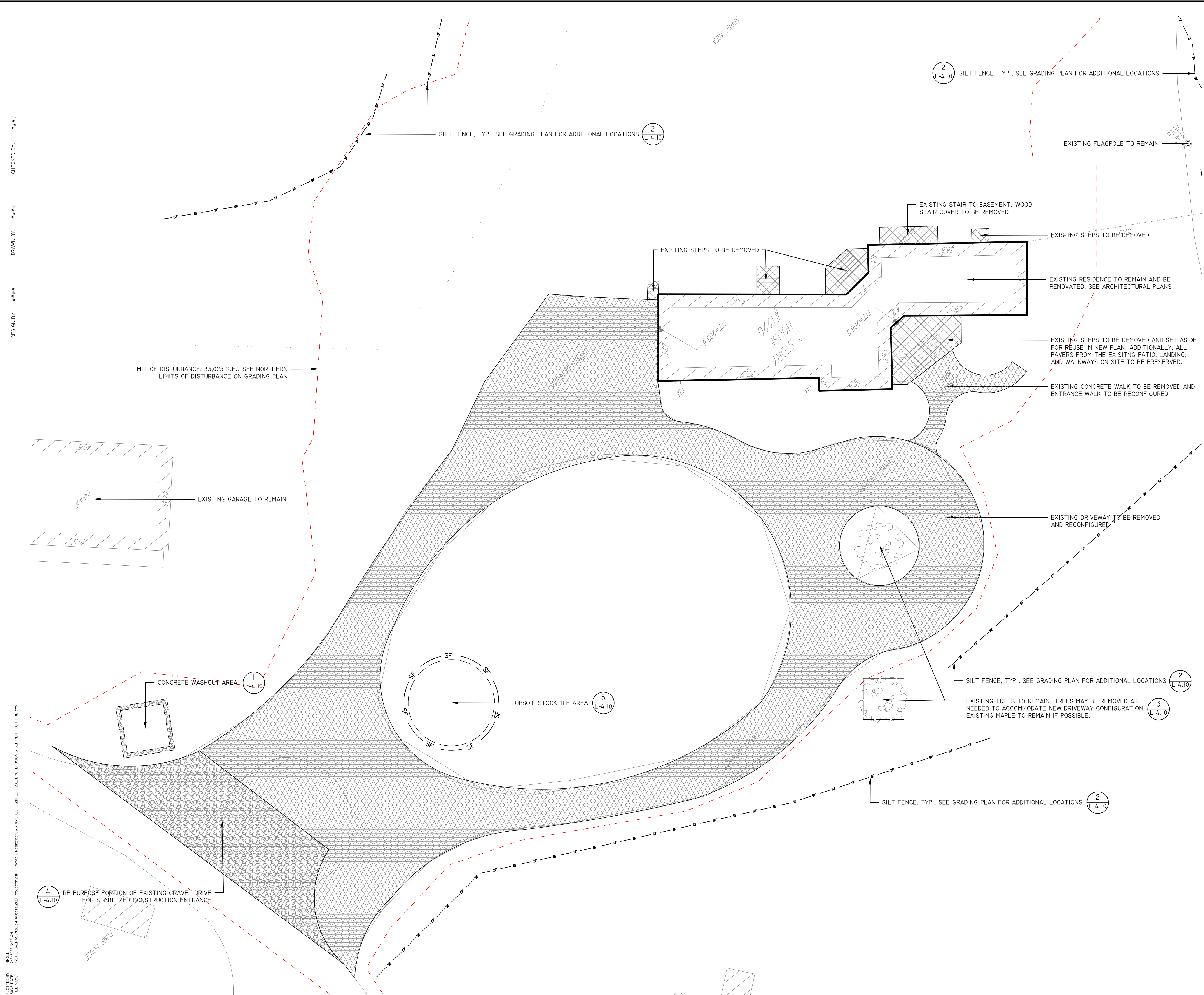



 3/16" = 1'-0" ON 22"x34"  
 3/32" = 1'-0" ON 11"x17"




 3/16" = 1'-0" ON 22"x34"  
 3/32" = 1'-0" ON 11"x17"





SITE PREPARATION AND DEMOLITION NOTES:

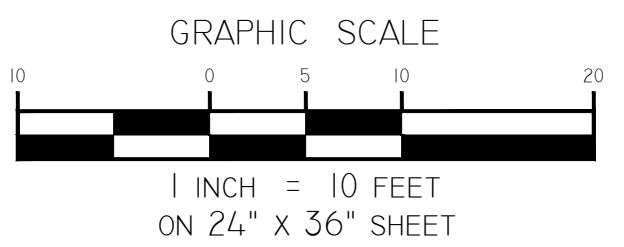
1. CONTRACTOR SHALL FIELD VERIFY ALL EXISTING UTILITIES AND SUBSURFACE CONDITIONS PRIOR TO THE START OF WORK. COORDINATE ALL UTILITY REQUIREMENTS AND WORK WITH THE APPROPRIATE UTILITY PROVIDER. NOTIFY OWNER'S REPRESENTATIVE OF ANY AND ALL DISCREPANCIES.
2. ALL REFUSE, DEBRIS AND MISCELLANEOUS ITEMS TO BE REMOVED. MATERIALS THAT ARE NOT TO BE STOCKPILED FOR LATER USE ON THE PROJECT OR DELIVERED TO THE OWNER, SHALL BE LEGALLY DISPOSED OF OFF-SITE BY THE CONTRACTOR IN A TIMELY FASHION SO AS NOT TO DISRUPT PROGRESS AND TO ENSURE SAFE SITE CONDITIONS.
3. CONTRACTOR SHALL NOT REMOVE OR DISTURB ANY ITEMS KNOWN TO CONTAIN HAZARDOUS MATERIALS OR SUBSTANCES. CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY OF HAZARDOUS MATERIALS OR SUBSTANCES DISCOVERED DURING THE COMPLETION OF SPECIFIED WORK.
4. CONTRACTOR SHALL STRIP AND STOCKPILE EXISTING TOPSOIL TO FULL DEPTH WITHIN THE LIMIT OF GRADING BEFORE COMMENCING EXCAVATION AND GRADING OPERATIONS. TOPSOIL SHALL NOT BE REMOVED FROM THE SITE UNLESS APPROVED BY THE OWNER'S REPRESENTATIVE.
5. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO EXISTING CONDITIONS AND WHICH ARE OUTSIDE THE LIMIT OF WORK.
6. CONTRACTOR SHALL IMPLEMENT AND BE RESPONSIBLE FOR ALL NECESSARY MEASURES AND PROCEDURES TO MAINTAIN AND PROTECT EXISTING UTILITIES TO REMAIN, PEDESTRIANS, LOCAL TRAFFIC AND ROADWAYS, ADJACENT PROPERTIES, AND ETC. FOR DURATION OF PROJECT AND UNTIL PROJECT COMPLETION. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DAMAGES AND/OR RESTORATION REQUIRED AS A RESULT OF DEFICIENT PROTECTION MEASURES.
7. THE CONTRACTOR SHALL COORDINATE ALL ADJUSTMENT OR ABANDONMENT OF UTILITIES WITH THE RESPECTIVE UTILITY COMPANY AND PAY ALL ASSOCIATED COSTS.
8. ALL POINTS OF CONSTRUCTION INGRESS AND EGRESS SHALL BE PROTECTED TO PREVENT MUD ONTO PUBLIC WAYS. ANY MUD ON PUBLIC WAYS ORIGINATING FROM THE JOB SITE SHALL BE CLEANED DAILY BY THE CONTRACTOR ONLY.
9. CONTRACTOR SHALL BE REQUIRED TO SECURE ALL PERMITS THAT MAY BE REQUIRED FROM ALL JURISDICTIONS AFFECTED BY THIS WORK.
10. CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES NOT TO BE REMOVED.

EROSION AND SEDIEMTN CONTROL NOTES:

1. ALL EXPOSED SOIL DISTURBANCE SHALL BE IN ACCORDANCE WITH THE NYS DEC REQUIREMENTS. ANY EXPOSED SOIL SHALL BE PROPERLY STABILIZED WITH EITHER PERMANENT SEED AND MULCH IF SOIL DISTURBANCE IS COMPLETED OR TEMPORARILY SEEDED AND MULCHED IF IT WILL BE MORE THAN 14 DAYS BEFORE ADDITIONAL SOIL DISTURBANCE WILL OCCUR. EXPOSED SOIL SHALL RECEIVE TEMPORARY OR PERMANENT SEED AND MULCH WITHIN 14 DAYS OF DISTURBANCE.
2. THE CONTRACTOR SHALL LIMIT THE AREA OF CLEARING AND GRUBBING, EXCAVATION, BORROW, AND EMBANKMENT OPERATIONS IN PROGRESS, COMMENSURATE WITH THEIR CAPABILITY AND PROGRESS IN KEEPING THE FINISH GRADING AND MULCHING, SEEDING AND OTHER TEMPORARY AND/OR PERMANENT CONTROL MEASURES IN ACCORDANCE WITH THESE PLANS.
3. THE CONTRACTOR SHALL DESIGNATE TO THE OWNER'S REPRESENTATIVE A QUALIFIED EROSION AND SEDIMENT CONTROL SUPERVISOR WITH ADEQUATE TRAINING, EXPERIENCE, AND AUTHORITY TO IMPLEMENT AND MAINTAIN ALL EROSION AND SEDIMENT CONTROL MEASURES AS PER THE NYS DEC REQUIREMENTS.
4. CONSTRUCTION IS TO PROCEED IN ACCORDANCE WITH THE CONSTRUCTION PHASING SCHEDULE SUPPLIED BY THE CONTRACTOR OR SHOWN ON THE PLANS. GRASSES SHALL BE ESTABLISHED ON ALL DISTURBED AREAS AS SOON AS POSSIBLE. FOR TIME FRAMES OUTSIDE THE GROWING SEASON, OTHER METHODS OF SOIL STABILIZATION (SUCH AS THE USE OF JUTE MESH EXCLOSOR MATTING) WILL BE USED UNTIL SUCH A TIME AS GRASS CAN BE ESTABLISHED.
5. ALL APPLICABLE EROSION AND SEDIMENT CONTROL PRACTICES SHALL BE IN PLACE PRIOR TO ANY SITE DISTURBANCE. THIS INCLUDES GRADING OPERATIONS, UTILITY OR STRUCTURE INSTALL.
6. SOIL EROSION AND SEDIMENT CONTROL PRACTICES ON THIS PLAN SHALL BE CONSTRUCTED IN ACCORDANCE WITH NYS DEC REQUIREMENTS.
7. APPLICABLE EROSION AND SEDIMENT CONTROL PRACTICES SHALL BE LEFT IN PLACE UNTIL THE CONTRIBUTING DRAINAGE AREA SERVED IS STABILIZED.
8. THE CONTRACTOR SHALL PERFORM ALL WORK, FURNISH ALL MATERIALS AND INSTALL ALL MEASURES REQUIRED TO REASONABLY CONTROL SOIL EROSION RESULTING FROM CONSTRUCTION OPERATIONS AND PREVENT EXCESSIVE FLOW OF SEDIMENT FROM THE CONSTRUCTION SITE.
9. THE SITE SHALL AT ALL TIMES BE GRADED AND MAINTAINED SUCH THAT ALL STORMWATER RUNOFF IS DIVERTED TO SOIL EROSION AND SEDIMENT CONTROL FACILITIES.
10. ALL SEDIMENTATION STRUCTURES WILL BE INSPECTED AND MAINTAINED AFTER EVERY STORM EVENT.
11. THE CONTRACTORS ATTENTION IS DIRECTED TO THE FACT THAT THROUGHOUT THE DURATION OF THE PROJECT IT WILL BE THE CONTRACTOR'S RESPONSIBILITY TO PROTECT ALL WATER COURSES FROM WATER BORNE SEDIMENT OR POLLUTANTS ORIGINATING FROM ANY WORK DONE ON OR IN SUPPORT OF THIS PROJECT.
12. ALL NECESSARY PRECAUTIONS SHALL BE TAKEN TO PREVENT CONTAMINATION OF WATERBODIES BY SILT, SEDIMENT, FUELS, SOLVENTS, LUBRICANTS, EPOXY COATINGS, CONCRETE LEACHATE, OR ANY OTHER POLLUTANT ASSOCIATED WITH CONSTRUCTION AND CONSTRUCTION PROCEDURES.

LEGEND:

- LIMITS OF DISTURBANCE
- - - SILT FENCE
- EXISTING TREE TO REMAIN
- - - TREE PROTECTION FENCE
- - - EXISTING MAJOR CONTOURS
- - - EXISTING MINOR CONTOURS
- ▨ EXISTING STRUCTURE TO BE DEMOLISHED/ REMOVED
- ▨ EXISTING HARDSCAPE TO BE DEMOLISHED/ REMOVED
- ▨ STABILIZED CONSTRUCTION ENTRANCE



MAP REFERENCE:  
BASE INFORMATION OBTAINED FROM TAX PARCEL NO. 239.8-1-21,  
TOWN OF QUEENSBURY, WARREN COUNTY, SURVEY PRODUCED BY  
CORNER POST LAND SURVEYING, PLLC ON OCTOBER 28, 2020.

DIG SAFE NOTE:  
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SAFE" MARKINGS. UTILITIES SHOWN ARE NOT WARRANTED TO  
BE EXACT OR COMPLETE. THE CONTRACTOR SHALL CONTACT  
"DIG SAFE" AT 811 BEFORE COMMENCING ANY WORK AND SHALL  
PRESERVE EXISTING UTILITIES WHICH ARE NOT SPECIFIED TO  
BE REMOVED IN THIS PLAN SET.

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DRAWINGS  
NOT FOR  
CONSTRUCTION

REVISIONS	DESCRIPTION	BREEZEWAY REMOVED
DATE	07/05/22	

PREPARED FOR

JOHN COCOCCIA  
1220 FERRY ROAD  
NISKAYUNA, NEW YORK 12309

PROJECT

COCOCCIA RESIDENCE

DRAWING TITLE

DEMOLITION, EROSION & SEDIMENT CONTROL PLAN

DATE:

03/09/2022

PROJECT NO.

21111









DRAWING NO.

L-0.20


DWG 1 OF 5



1. VERIFY LOCATION OF ALL BUILDINGS, WALLS, ROADS AND CURBS AFFECTING SCOPE OF WORK.
2. VERIFY LOCATION OF ALL VAULTS, ELECTRICAL DUCT BANKS, MANHOLES, CONDUIT AND PIPING, DRAINAGE STRUCTURES AND OTHER UTILITIES WITH THE APPROPRIATE ENGINEERING DRAWINGS. NOTIFY ENGINEER OF ANY CONFLICTS WITH ENGINEERING SCOPE.
3. TAKE ALL DIMENSIONS FROM FACE OF GRAVEL PARKING AREA OR BUILDING OR CENTERLINE OF DRIVE OR TREES UNLESS OTHERWISE NOTED.
4. ALL ANGLES TO BE 90 DEGREES AND ALL LINES OF PAVING AND FENCING TO BE PARALLEL, UNLESS NOTED OTHERWISE. MAINTAIN HORIZONTAL ALIGNMENT OF ADJACENT ELEMENTS AS NOTED ON THE DRAWINGS.
5. REFERENCE TO NORTH REFERS TO PLAN NORTH, REFERENCE TO SCALE IS FOR FULL-SIZE DRAWINGS ONLY. DO NOT SCALE FROM REDUCED DRAWINGS.

	PROPERTY LINE
	PROPERTY LINE SETBACK
	LIMITS OF DISTURBANCE
	PROPOSED ASPHALT SURFACE
	PROPOSED PAVERS
	PROPOSED CONCRETE PAD
	PROPOSED STEPPING STONE P
	PROPOSED BOULDERS / BOULDER WALL

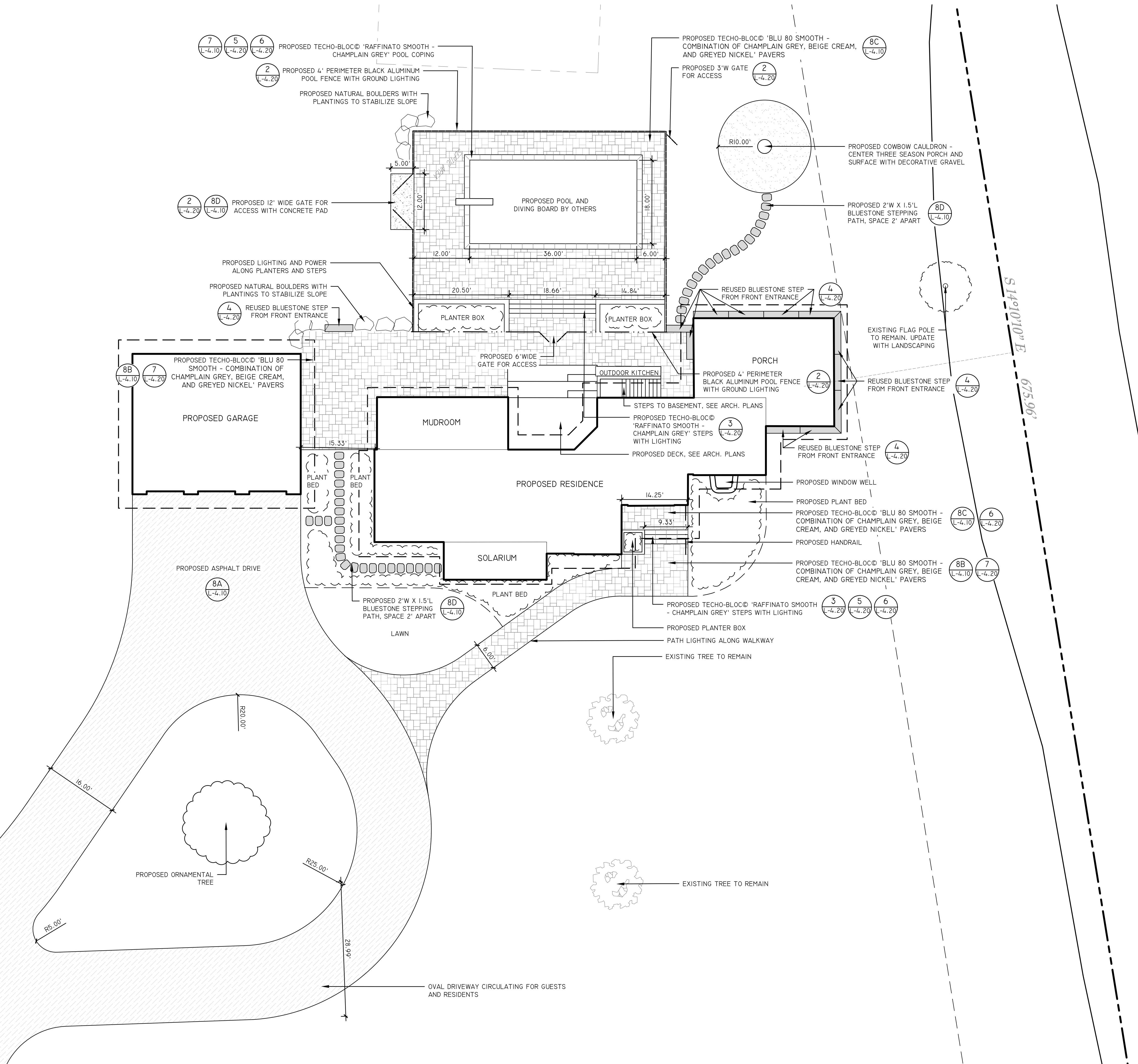
GRAPHIC SCALE



1 INCH = 10 FEET  
ON 24" x 36" SHEET

MAP REFERENCE:  
BASE INFORMATION OBTAINED FROM TAX PARCEL NO. 239.8-1-21,  
TOWN OF QUEENSBURY, WARREN COUNTY. SURVEY PRODUCED BY  
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CHECKED BY:

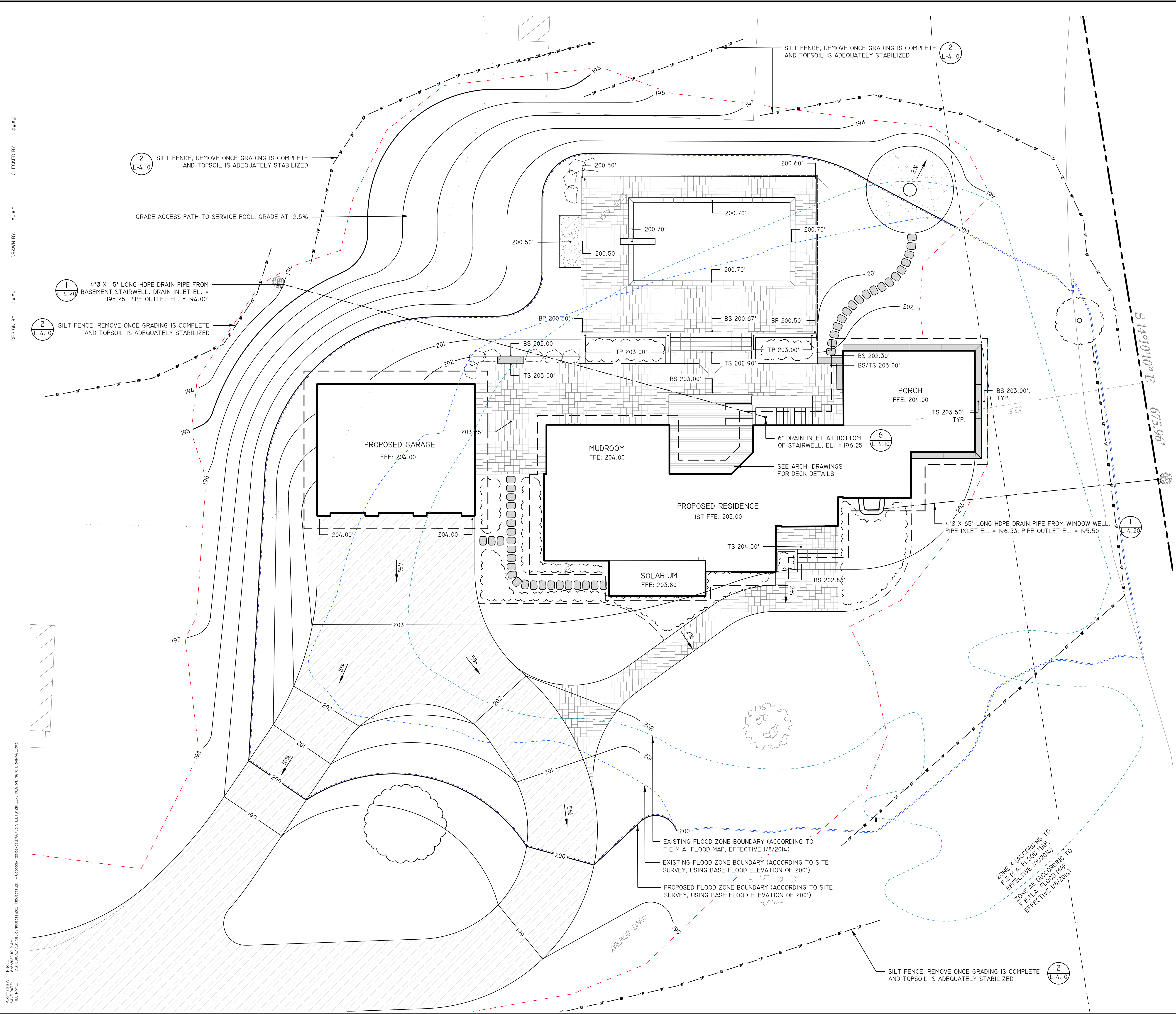
DRAWN BY:

DESIGN BY:

7/5/2022 9:33 AM  
C:\STUDIO\A\_NAS\PUBLIC\PROJECTS\2021 PROJECTS\2\111 - COCOCCA RESIDENCE\DWG\03 SHEETS\2\111-LAYOUT & MATERIALS.DWG

SAVE DATE:  
FILE NAME:





EARTHWORK AND GRADING NOTES:

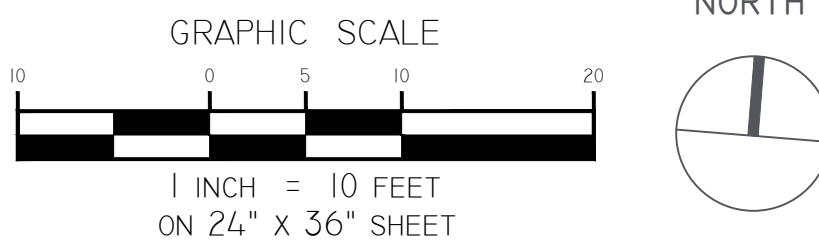
- EXISTING BASE INFORMATION DERIVED FROM SURVEY BY TITLED, "FRAUENHOFER FAMILY REVOCABLE INTERVIVOS TRUST, ESTABLISHED APRIL 30, 2007, DATED JUNE 4, 2007 BY VAN DUSEN & STEVENSON LAND SURVEYORS
- BEFORE ANY LAND CLEARING IS COMPLETED, THE CONTRACTOR SHALL ARRANGE A MEETING ON SITE WITH THE OWNER'S REPRESENTATIVE TO IDENTIFY WHICH TREES ARE TO BE PROTECTED OR REMOVED. NO CLEARING SHALL OCCUR WITHOUT A CLEAR UNDERSTANDING OF THE EXISTING CONDITIONS TO BE PRESERVED.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND PLANTS DESIGNATED TO REMAIN FOR THE LENGTH OF THE CONSTRUCTION PERIOD. THE PLACEMENT OF PROTECTION DEVICES ADDITIONAL TO THOSE NOTED SHALL, HOWEVER, BE AT THE CONTRACTORS DISCRETION. VEHICLES SHALL NOT BE PARKED WITHIN THE DRIP LINE OR WHERE DAMAGE MAY RESULT TO TREES TO BE KEPT. CONSTRUCTION MATERIALS SHALL NOT BE STORED BENEATH TREES TO BE KEPT.
- ALL TEMPORARY EROSION AND SEDIMENT (EAS) CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY EARTH DISTURBANCE. EAS CONTROL DEVICES SHALL BE REGULARLY INSPECTED AND MAINTAINED AS NEEDED TO ENSURE SATISFACTORY PERFORMANCE. ANY DAMAGE OCCURRING DURING THE COURSE OF CONSTRUCTION SHALL BE REPAIRED BY THE CONTRACTOR AT NO ADDITIONAL EXPENSE TO THE OWNER. ASSOCIATED FINES RESULTING FROM SUCH DAMAGE SHALL ALSO BE PAID BY THE CONTRACTOR.
- ALL PROPOSED GRADES SET IN THE FIELD TO BE COMPLETED BY A NEW YORK STATE LICENSED SURVEYOR.
- ALL AREAS REQUIRING FILL SHALL BE BROUGHT TO REQUIRED GRADE IN A MAXIMUM OF 12" COMPACTED LIFTS.
- ALL SLOPES 3:1 AND GREATER SHALL BE STABILIZED WITH SLOPE STABILIZATION MATS. LOCATIONS AND METHODS TO BE APPROVED BY THE OWNER'S REPRESENTATIVE.
- PITCH EVENLY BETWEEN SPOT GRADES. ALL PAVED AREAS MUST PITCH TO DRAIN AT A MINIMUM SLOPE OF ONE-EIGHTH (1/8") PER FOOT. ANY DISCREPANCIES NOT ALLOWING THIS TO OCCUR SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE IMMEDIATELY BEFORE CONTINUING WORK.
- EXCAVATION REQUIRED WITHIN 3 FEET OF EXISTING UTILITY LINE SHALL BE DONE BY HAND. CONTRACTOR SHALL REPAIR ANY DAMAGE TO EXISTING UTILITY LINES OR STRUCTURES INCURRED DURING CONSTRUCTION OPERATIONS AT NO ADDITIONAL COST TO THE OWNER.
- CONTRACTOR SHALL BLEND NEW EARTHWORK SMOOTHLY INTO EXISTING GRADE, PROVIDING VERTICAL CURVES OR ROUNDINGS AT THE TOP AND BOTTOM OF ALL SLOPES.
- DURING GRADING OPERATIONS, DRAINAGE OF THE SITE AND ADJACENT AREAS SHALL BE MAINTAINED CONTINUOUSLY TO PREVENT EROSION OR OTHER DAMAGE. WHEN IT IS NECESSARY TO INTERRUPT DRAINAGE OR OTHER EXISTING UTILITIES, CONTRACTOR IS TO PROVIDE TEMPORARY FACILITIES UNTIL PERMANENT WORK IS COMPLETED AT NO COST TO THE OWNER.
- GRADE AREAS ADJACENT TO BUILDING LINES TO DRAIN AWAY FROM STRUCTURE TO PREVENT PONDING. FINISHED SURFACES SHALL BE FREE FROM ANY ABRUPT OR IRREGULAR CHANGES.
- EXCAVATION REQUIRED WITHIN DRIP LINE OF TREES DESIGNATED TO REMAIN SHALL BE DONE BY HAND SO THAT NO DAMAGE OCCURS TO EXISTING ROOT SYSTEM. PLANT MATERIALS DAMAGED BY CONTRACTOR SHALL BE REPLACED IN KIND AT NO ADDITIONAL EXPENSE TO THE OWNER.
- EXCAVATION SHALL BE TO ELEVATIONS INDICATED WITH A TOLERANCE OF PLUS/MINUS 1". SUBBASE COURSE MATERIAL SHALL CONFORM TO NYS DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS SECTION 301, TYPE 2 AND SHALL CONFORM TO MIN 95% MODIFIED PROCTOR DENSITY. BACKFILL MATERIAL SHALL BE COMPACTED ON SITE SOIL MATERIAL.
- EMBANKMENT FILL SHALL CONFORM WITH ALL REQUIREMENTS OF NYS DOT SPEC. SECTION 203. MAXIMUM ALLOWABLE LOOSE LIFTS FOR EMBANKMENTS SHALL BE 12 INCH AND SHALL BE COMPACTED TO NOT LESS THAN 95% OF THE MAXIMUM DENSITY AS ESTABLISHED THROUGH THE STANDARD PROCTOR COMPACTION TEST PER ASTM D698.
- MATERIAL STOCKPILES, IF REQUIRED, SHALL BE LOCATED WHOLLY WITHIN THE WORK AREA. ADDITIONAL SILT FENCES SHALL BE PROVIDED AT THE BASE OF ALL STOCKPILES AS DIRECTED IN THE FIELD BY THE ENGINEER.
- ALL TRENCHES AND OTHER EXCAVATION SIDE SLOPES INDICATED ON THE DRAWINGS ARE DIAGRAMMATIC ONLY AND ARE NOT INTENDED TO INDICATE A STABLE EXCAVATION SLOPE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ADEQUACY AND STABILITY OF ALL EXCAVATION SLOPES, SHEETING, SHORING, TRENCH BOXES, AND ANY OTHER MEANS REQUIRED FOR A SAFE WORK ENVIRONMENT AND FOR PROTECTION OF ADJACENT ROADWAYS AND OTHER STRUCTURES. ALL EXCAVATION WORK SHALL COMPLY WITH THE REQUIREMENTS OF THE FOLLOWING REGULATORY AGENCIES:
  - SUBPART 23-4, "EXCAVATION OPERATIONS", OF NEW YORK DEPARTMENT OF LABOR INDUSTRIAL CODE RULE 23.
  - SUBPART P, "EXCAVATIONS" OF THE UNITED STATES DEPARTMENT OF LABOR OSHA REGULATIONS FOR CONSTRUCTION
  - ALL OTHER MUNICIPAL, COUNTY, STATE OR FEDERAL AGENCIES, REGULATIONS OR LAWS PERTAINING TO EXCAVATION SAFETY AS MAY APPLY AT THE WORK SITE.
  - THE MORE STRINGENT PROVISION IN EACH OF THE ABOVE CODES SHALL APPLY. THESE PROVISIONS SHALL BE CONSIDERED MINIMUM REQUIREMENTS AND SHALL BE INCREASED IF NECESSARY TO PROVIDE SAFE WORKING CONDITIONS.
- CRUSHED STONE, WHERE CALLED FOR ON THE DRAWINGS, SHALL CONFORM TO NYS DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS SECTION 703-02, SIZE DESIGNATION 2.
- ALL SILT FENCES SHALL BE INSTALLED PRIOR TO DISTURBANCE OF EXISTING SITE FINISHES AND SHALL REMAIN IN PLACE UNTIL A STABLE GROWTH OF TURF IS ESTABLISHED.
- ALL DISTURBED AREAS NOT COVERED WITH SITE IMPROVEMENTS OR LANDSCAPING SHALL BE COVERED WITH 6" OF TOPSOIL AND SEEDED TO ESTABLISH A DENSE GROWTH OF TURF. PRIOR TO APPLYING TOPSOIL, DISTURBED AREAS SHALL BE RESTORED IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 5.1.6 "SOIL RESTORATION" OF THE NYS DEC STORMWATER DESIGN MANUAL.

STORMWATER MANAGEMENT NOTES:

- MAXIMUM DISTURBED SITE AREA FOR THIS PROJECT WITHIN THE CONSTRUCTION LIMITS (EQUALS 10.00 ACRES) THE PROJECT IS THEREFORE A "MAJOR PROJECT" FOR STORMWATER DESIGN. SEE THE STORMWATER CONTROL SYSTEM REPORT FOR ADDITIONAL DESIGN INFORMATION.
- STORMWATER CULVERTS, PIPING AND FITTINGS SHALL BE ADS N-12 SMOOTH BORE DOUBLE WALL HIGH DENSITY POLYETHYLENE PIPE AS MANUFACTURED BY ADVANCED DRAINAGE SYSTEMS INC., OR APPROVED EQUIVALENT.
- PREFABRICATED STORMWATER INFILTRATION CHAMBERS SHALL BE STORMTECH SC-740 UNIT, AS MANUFACTURED BY ADVANCED DRAINAGE SYSTEMS, INC., OR APPROVED EQUIVALENT.
- PVC DRAIN BASINS SHALL BE THE SIZES INDICATED ON THE DRAWING, AS MANUFACTURED BY NYLOPLAST, OR APPROVED EQUIVALENT. DRAIN BASIN FRAME AND GRATES SHALL BE CAPABLE OF SUPPORTING HIS LOADING AND SHALL CORRESPOND WITH THE APPROPRIATE DRAIN BASIN DIAMETER IN ACCORDANCE W/ THE BASIN MANUFACTURER'S SPECIFICATIONS.

LEGEND:

- PROPERTY LINE SETBACK
- EXISTING FLOOD ZONE BOUNDARY (ACCORDING TO F.E.M.A. FLOOD MAP, EFFECTIVE 1/8/2014)
- EXISTING FLOOD ZONE BOUNDARY (ACCORDING TO SITE SURVEY, USING BASE FLOOD ELEVATION OF 200')
- PROPOSED FLOOD ZONE BOUNDARY (PER PROPOSED GRADING PLAN, USING BASE FLOOD ELEVATION OF 200')
- EXISTING MAJOR CONTOURS
- EXISTING MINOR CONTOURS
- PROPOSED MAJOR CONTOURS
- PROPOSED MINOR CONTOURS
- PROPOSED SPOT GRADES
- PROPOSED SWALE
- SILT FENCE



MAP REFERENCE:  
BASE INFORMATION OBTAINED FROM TAX PARCEL NO. 239.8-1-21, TOWN OF QUEENSBURY, WARREN COUNTY. SURVEY PRODUCED BY CORNER POST LAND SURVEYING, PLLC ON OCTOBER 28, 2020.

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DRAWINGS NOT FOR CONSTRUCTION

REVISIONS

DATE	DESCRIPTION
07/05/22	BREEZEWAY REMOVED

PREPARED FOR

JOHN COCOCCIA

1220 FERRY ROAD

NISKAYUNA, NEW YORK 12309

PROJECT

COCOCCIA RESIDENCE

DRAWING TITLE

GRADING & DRAINAGE PLAN

DATE:

03/09/2022

PROJECT NO.

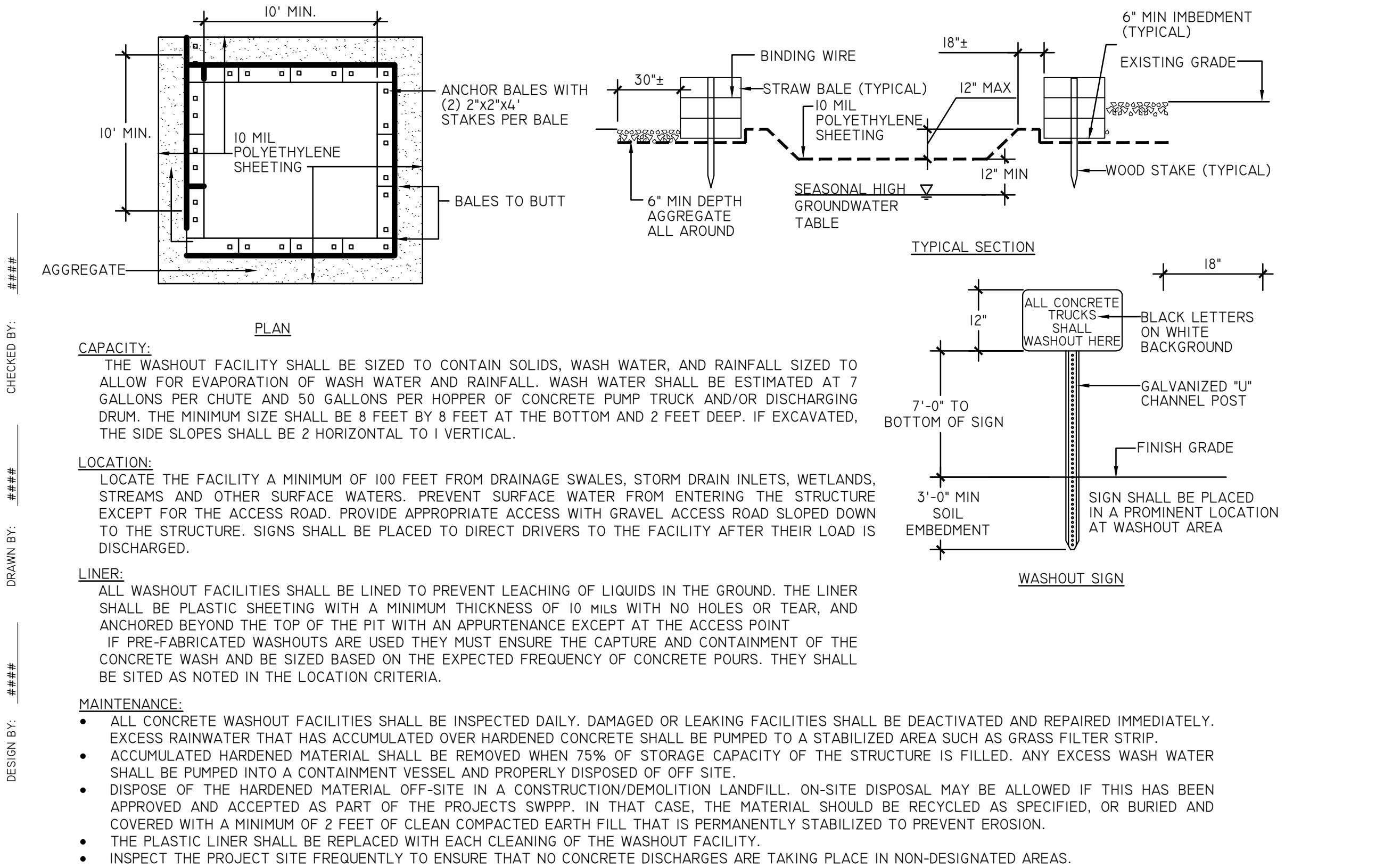
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DRAWING NO.

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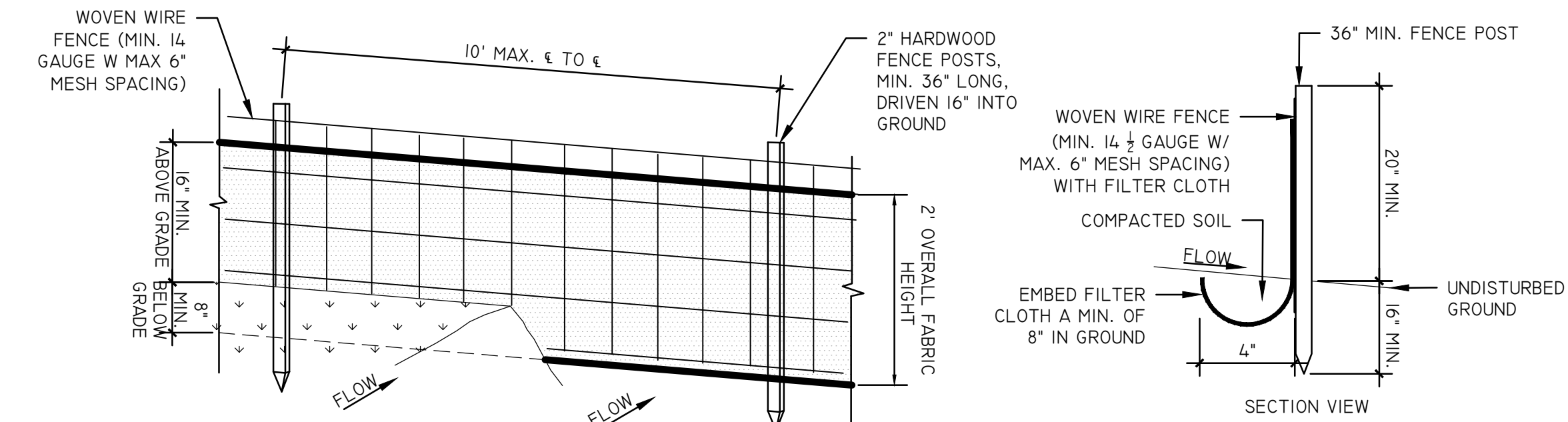
DWG 3 OF 5





## CONCRETE WASHOUT AREA DETAIL

SCALE: N.T.S.



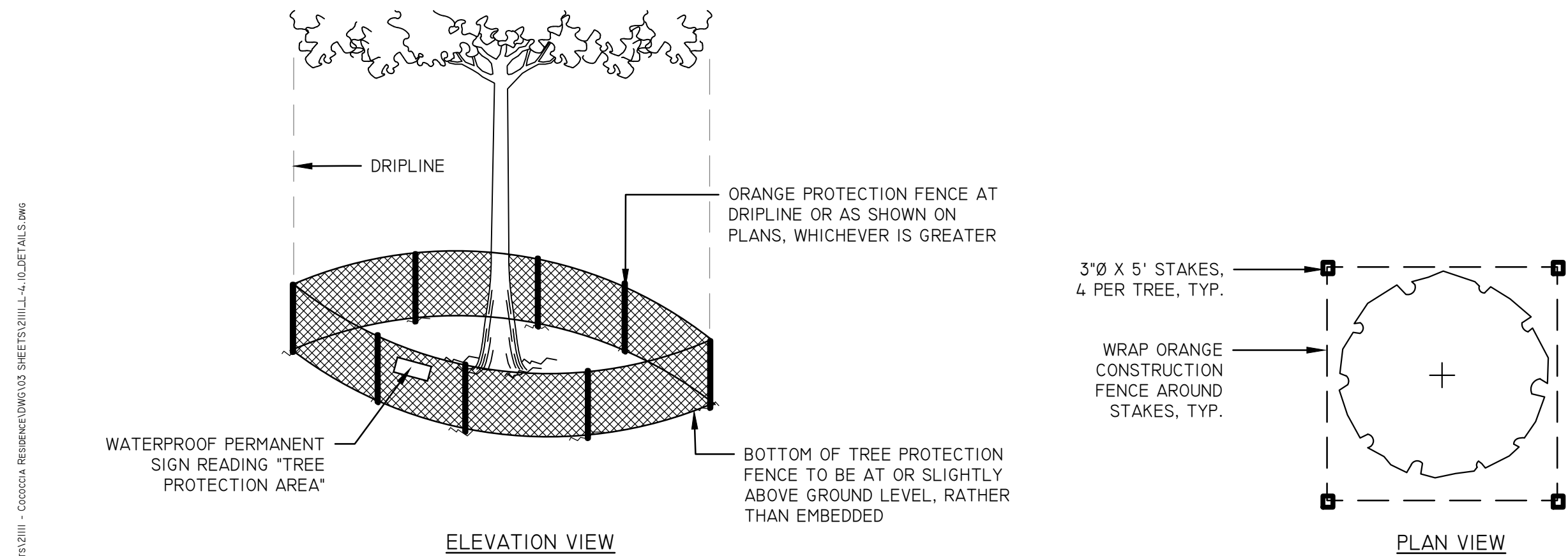
NOTES:

- WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES. POSTS SHALL BE STEEL EITHER "T" OR "U" TYPE HARDWOOD.
- FILTER CLOTH TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 34" AT TOP AND MID SECTION. FENCE SHALL BE WOVEN WIRE, 6" MAX MESH OPENING.
- WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAPPED BY SIX INCHES AND FOLDED. FILTER CLOTH SHALL BE EITHER FIXTER X, MARAFI 100X, STABILINKA T140N OR APPROVE EQUIVALENT IF USING THE WOVEN WIRE FENCE. IF THE WOVEN WIRE FENCE IS NOT USED, FILTER FABRIC MUST BE NYSDOT APPROVED MATERIAL LIST FOR SILT FENCE, UNSUPPORTED 1.2M POST SPACING

SILT FENCE SLOPE LENGTH/FENCE LENGTH (FT.)			
SLOPE	STANDARD FENCE	REINFORCED FENCE	SUPER
<2%	300 / 1500	NA	NA
2%-10%	125 / 1000	250 / 2000	300 / 2500
10-20%	100 / 750	150 / 1000	200 / 1000
20%-33%	60 / 500	80 / 750	100 / 1000

SCALE: N.T.S.

## SILT FENCE DETAIL

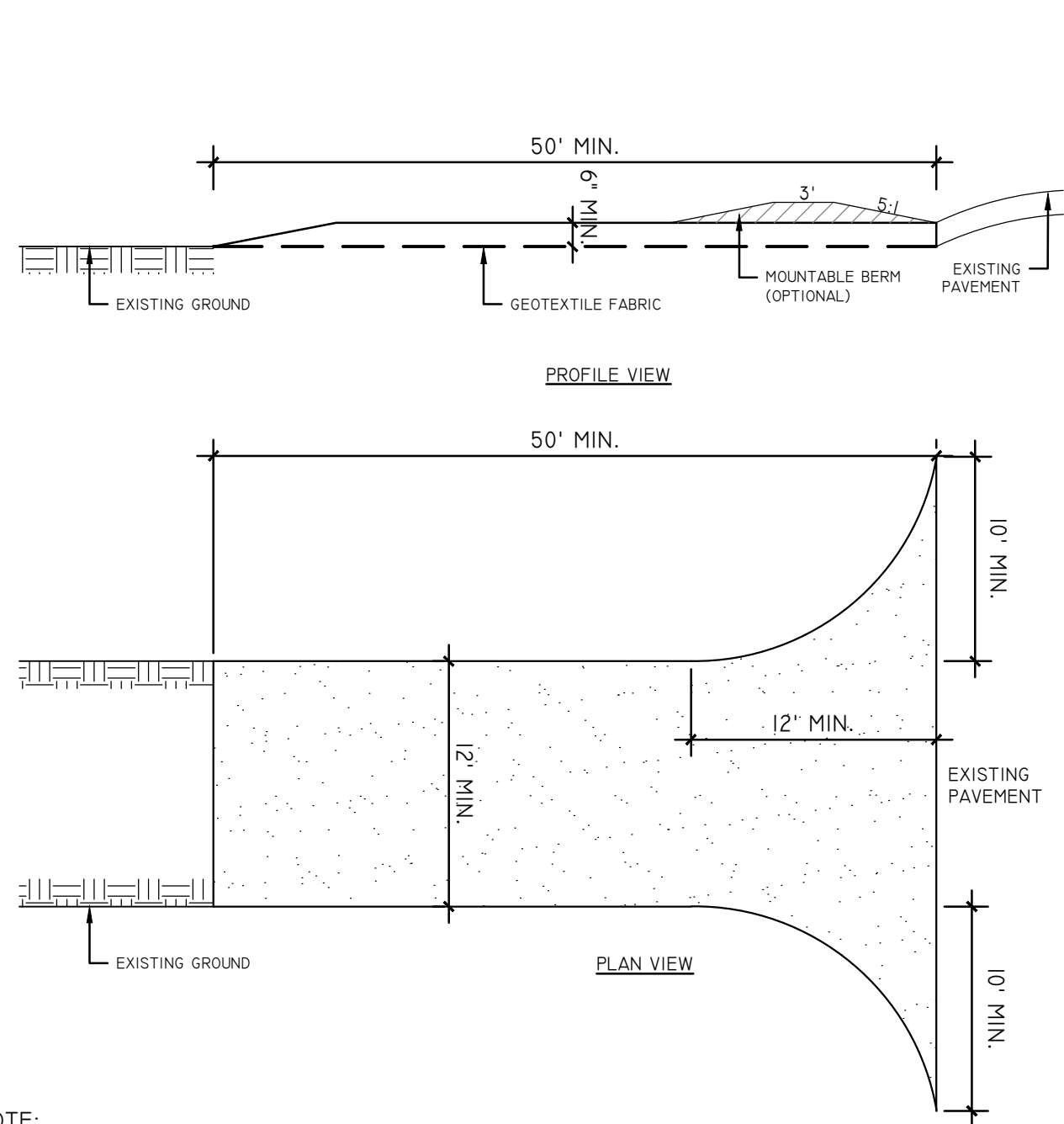


NOTES:

- NO SOIL PLACEMENT OVER EXISTING TREE AND SHRUB ROOTS. NO SOIL SHOULD BE ADDED WITHIN PROTECTED AREAS UNLESS ADDED TO ACHIEVE PROPOSED GRADES.
- NO TRENCHING IN PROTECTED AREAS. TRENCHING ACROSS THE ROOT SYSTEMS SHOULD START NO CLOSER THAN THE DRIPLINE OF THE TREE. TUNNEL UNDER ROOT SYSTEMS FOR UNDERGROUND UTILITIES SHOULD START 18 INCHES OR DEEPER BELOW THE NORMAL GROUND SURFACE. TREE ROOTS WHICH MUST BE SEVERED SHOULD BE CUT CLEAN. BACKFILL MATERIAL THAT WILL BE IN CONTACT WITH THE ROOTS SHOULD BE TOPSOIL OR A PREPARED PLANTING SOIL MIXTURE.
- CONSTRUCT STURDY FENCES, OR BARRIERS, OF WOOD, STEEL, OR OTHER PROTECTIVE MATERIAL AROUND VALUABLE VEGETATION FOR PROTECTION FROM CONSTRUCTION EQUIPMENT.
- PREVENT TALL EQUIPMENT, SUCH AS BACKHOES AND DUMP TRUCKS, FROM CONTACTING TREE BRANCHES.
- SEE X-XXX FOR TREE PROTECTION LOCATIONS.

## TREE PROTECTION DETAIL

SCALE: N.T.S.

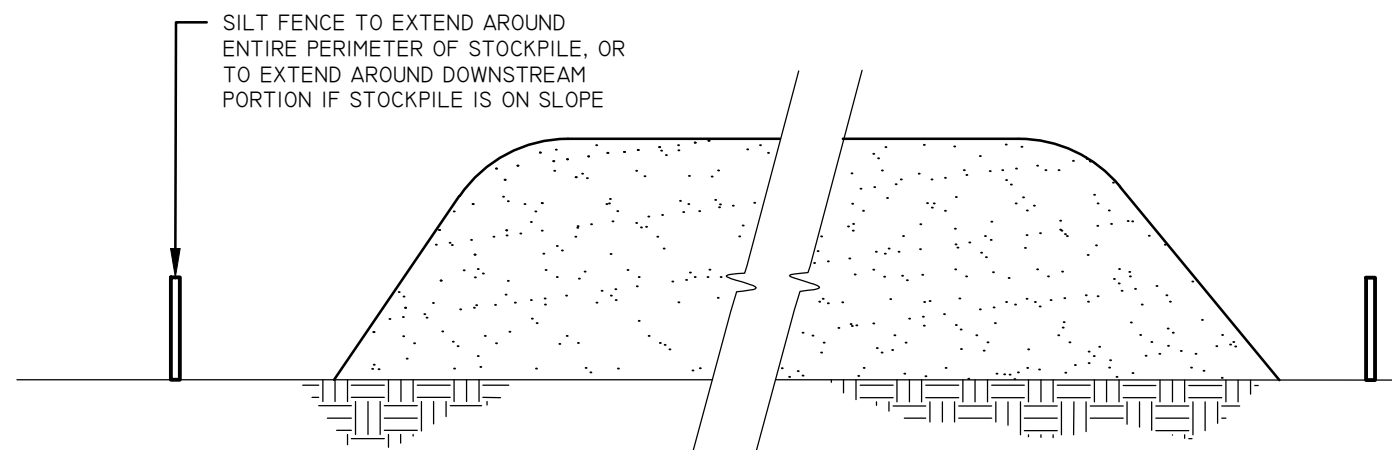


NOTE:

- STONE SIZE - USE 1" -4" TYPE 3 STONE.
- LENGTH - NOT LESS THAN 50 FEET (EXCEPT ON A SINGLE RESIDENCE LOT WHERE A 30' MINIMUM LENGTH WOULD APPLY).
- THICKNESS - NOT LESS THAN 6".
- WIDTH - 12 FEET MINIMUM, BUT NOT LESS THAN THE FULL WIDTH WHERE INGRESS AND EGRESS OCCUR. 24 FEET IF SINGLE ENTRANCE TO THE SITE.
- GEOTEXTILE - WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING THE STONE.
- SURFACE WATER - ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE PIPED ACROSS THE ENTRANCE. IF PIPING IS IMPRACTICAL, A MOUNTABLE BERM WITH A 5:1 SLOPE WILL BE PERMITTED.
- MAINTENANCE- THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF WAY MUST BE REMOVED IMMEDIATELY.
- WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON A AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
- PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

## STABILIZED CONSTRUCTION ENTRANCE DETAIL

SCALE: N.T.S.

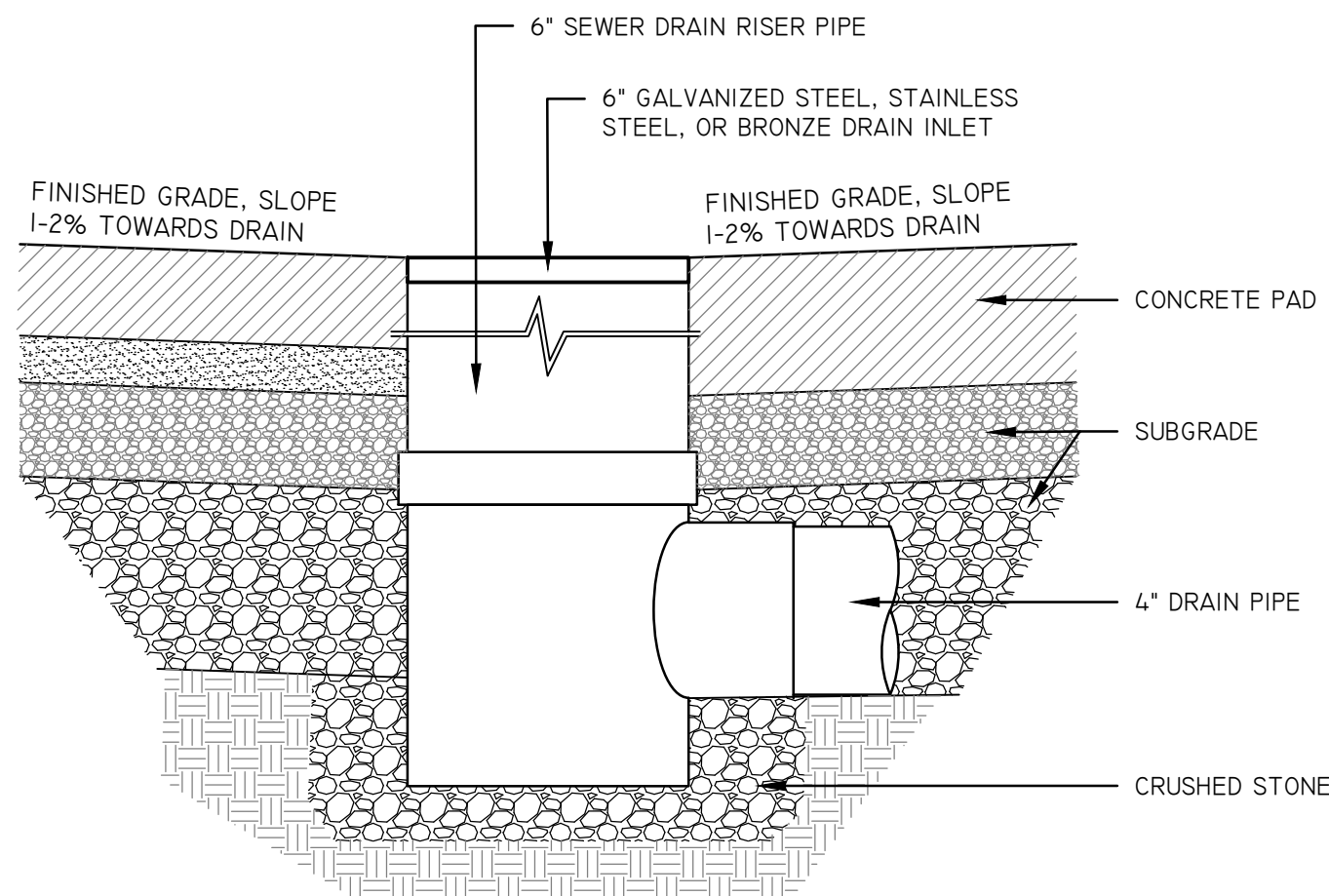


NOTES:

- REFERENCE IS MADE TO THE SILT FENCE DETAIL FOR MATERIALS AND INSTALLATION METHODS.
- IF THE STOCKPILE IS TO REMAIN FOR MORE THAN 14 DAYS, IT SHALL BE STABILIZED WITH BURLAP MATTING OR SEED WITHIN 7 DAYS OF COMPLETION TO MINIMIZE EROSION.
- INSPECTION OF SILT FENCES SHALL BE AT LEAST ONCE PER WEEK OR AFTER SUBSTANTIAL RAINFALL. REPAIR OR REPLACE DEFICIENCIES IMMEDIATELY.
- SILT FENCES SHALL BE MAINTAINED IN PLACE UNTIL TOPSOIL STOCKPILE HAS BEEN ELIMINATED AND SHALL BE REMOVED ONLY WHEN DIRECTED BY TOWN OR ENGINEER.

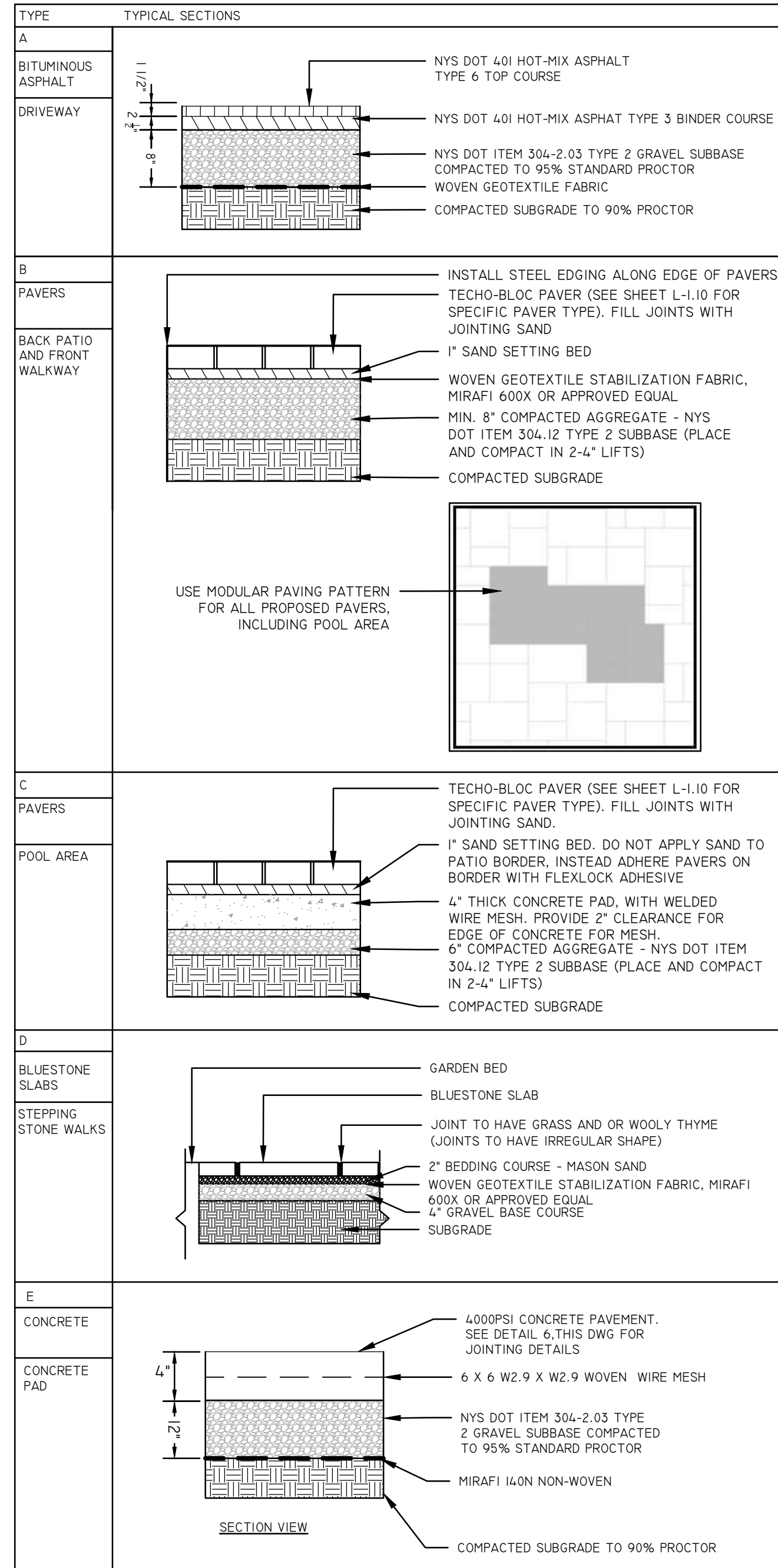
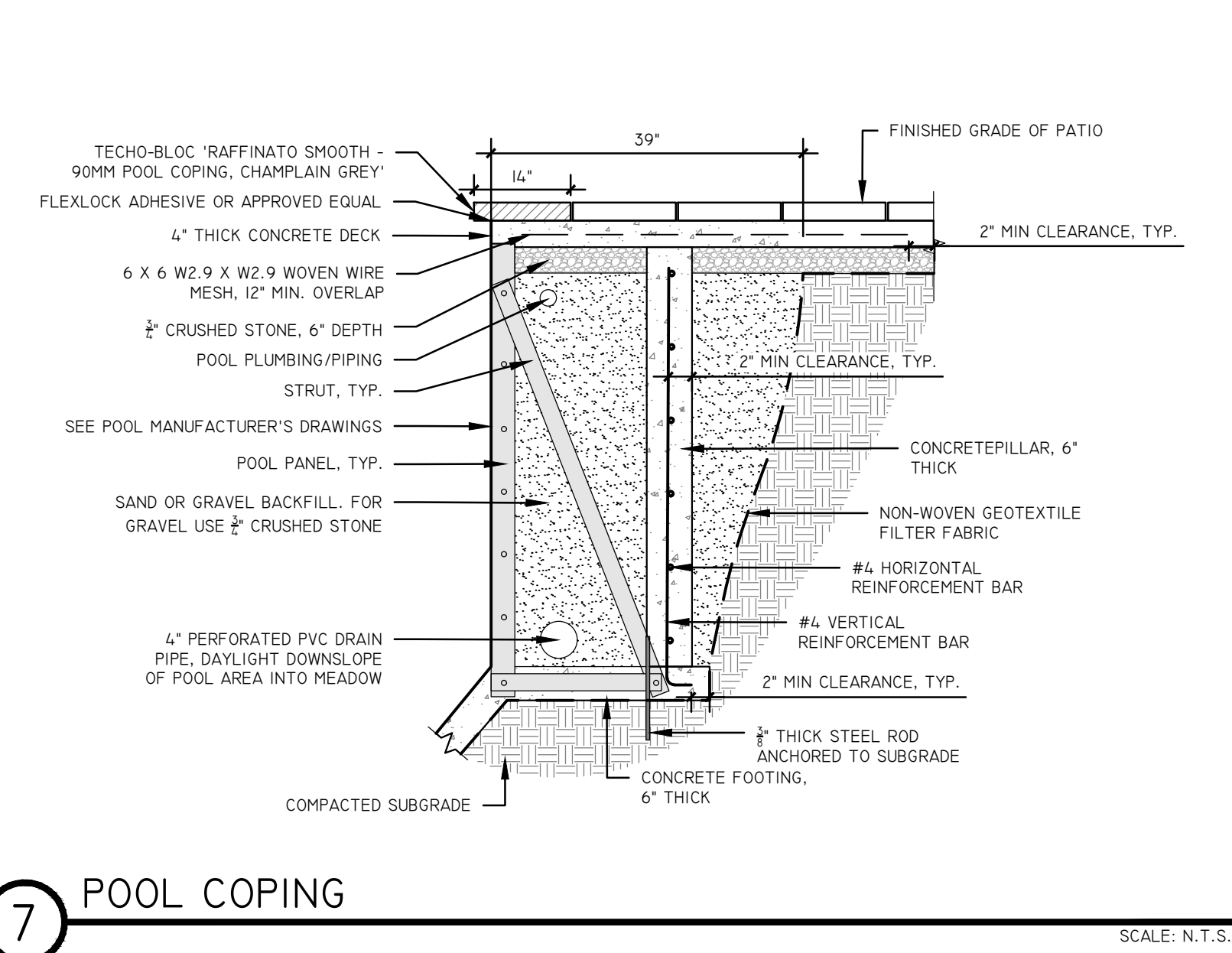
## TOPSOIL STOCKPILE DETAIL

SCALE: N.T.S.



## DROP INLET DETAIL

SCALE: 3"-1'-0"



## SURFACE FINISH SCHEDULE

SCALE: N.T.S.

REVISIONS	DESCRIPTION	DATE	BREEZEWAY REMOVED
		07/05/22	

PREPARED FOR  
JOHN COCOCCIA  
1220 FERRY ROAD  
NISKAYUNA, NEW YORK 12309

PROJECT  
COCOCCIA RESIDENCE  
DRAWING TITLE  
CONSTRUCTION DETAILS

DATE: 03/09/2022

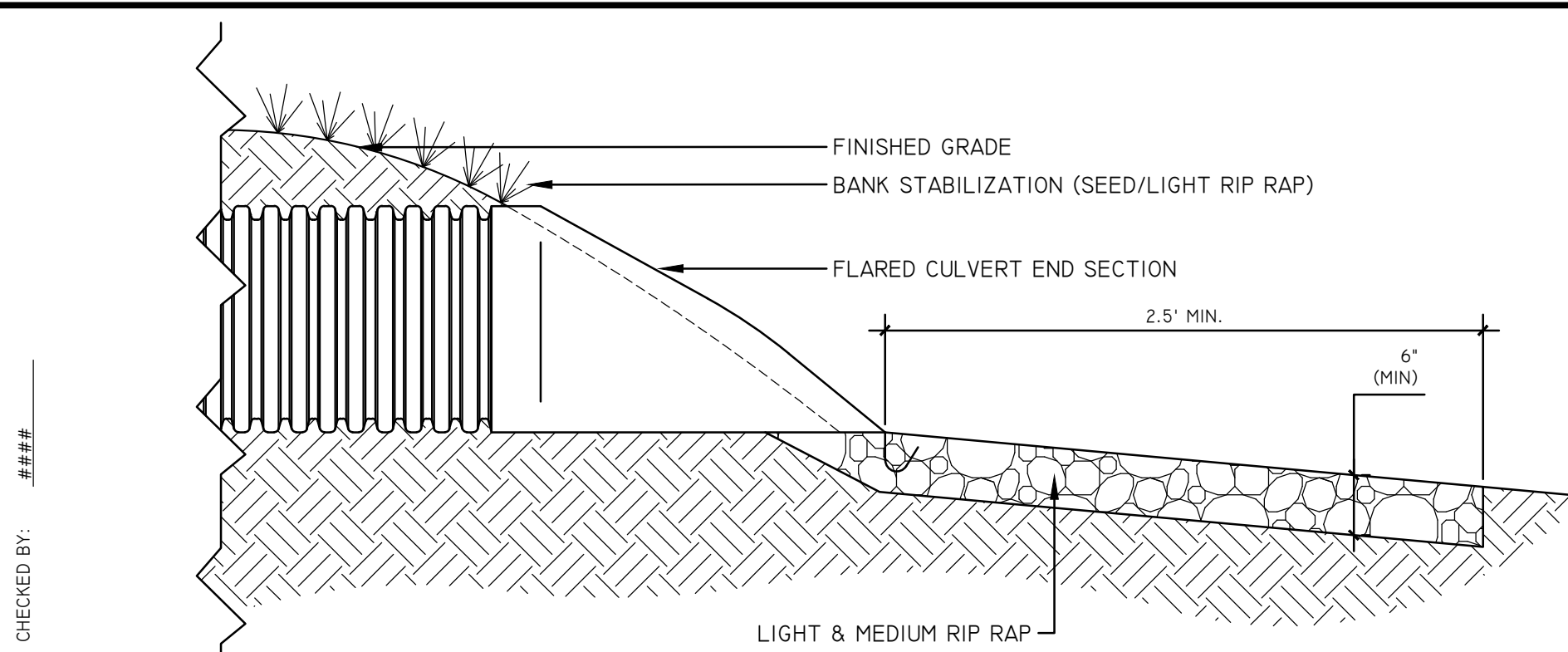
PROJECT NO. 21111

DRAWING NO.

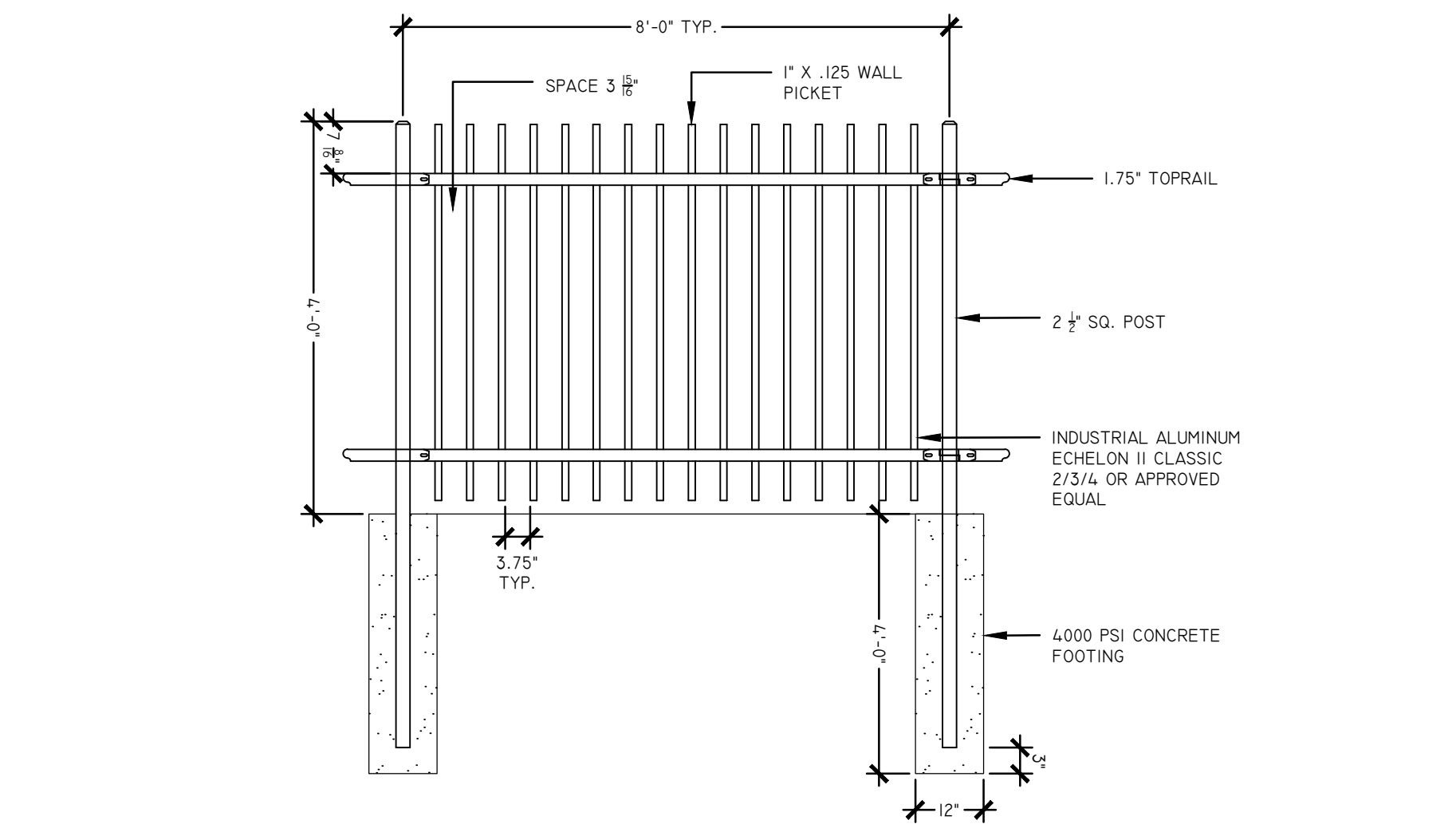
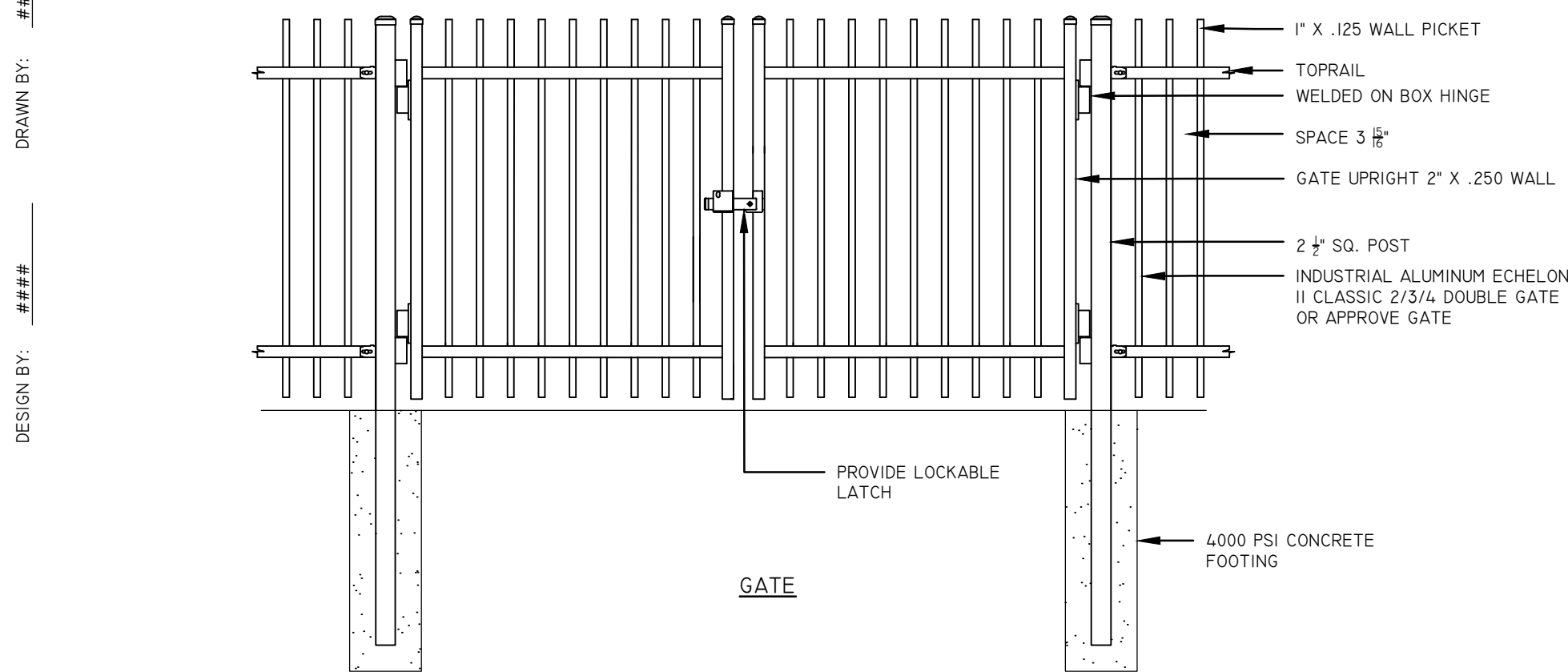
L-4.10

DWG 4 OF 5

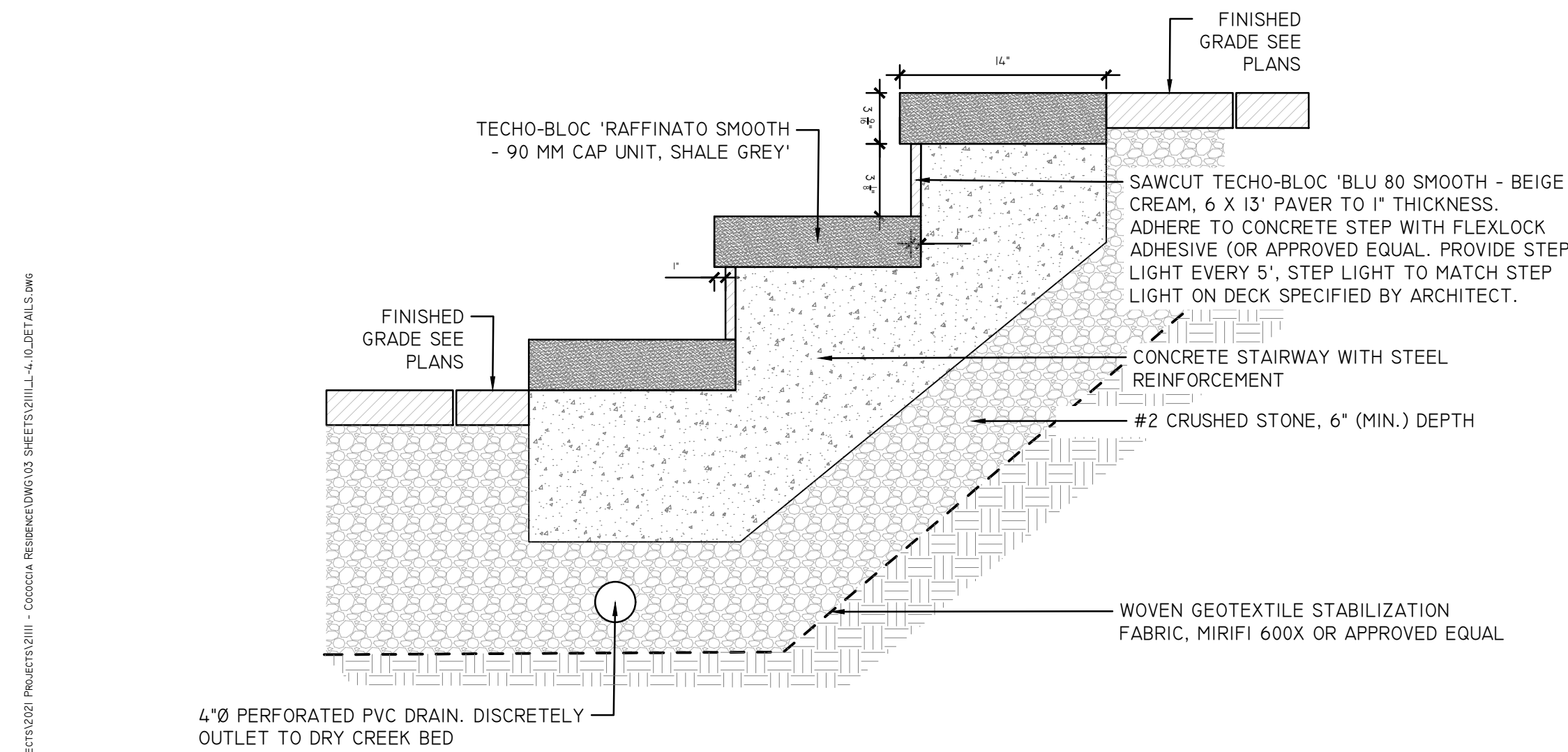




1 STORM DRAIN OUTLET WITH ENERGY DISSIPATER DETAIL  
SCALE: N.T.S.

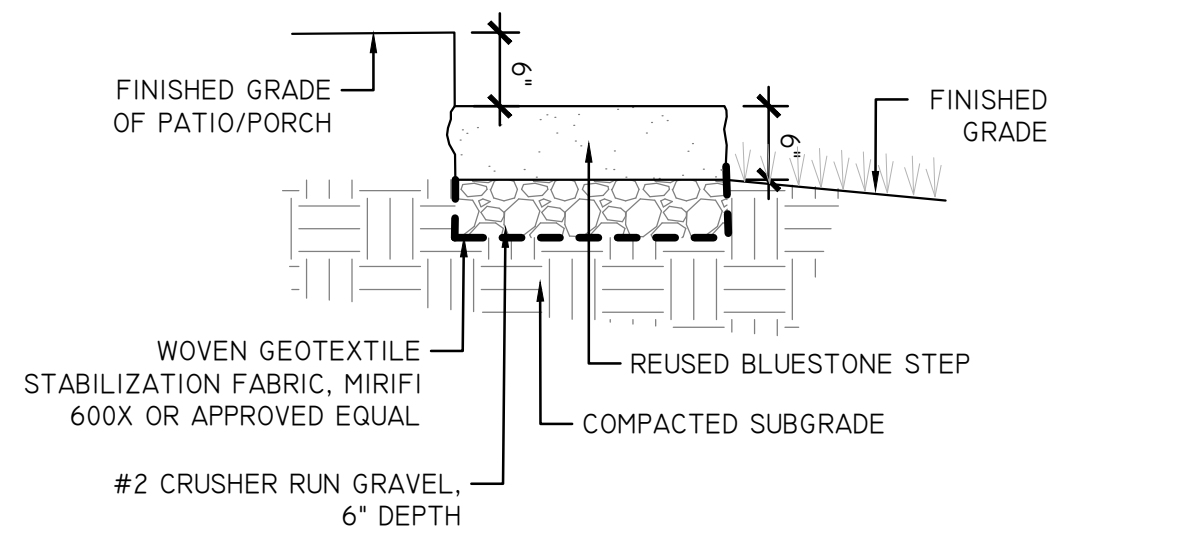


2 PERIMETER/POOL FENCE DETAIL  
SCALE: N.T.S.

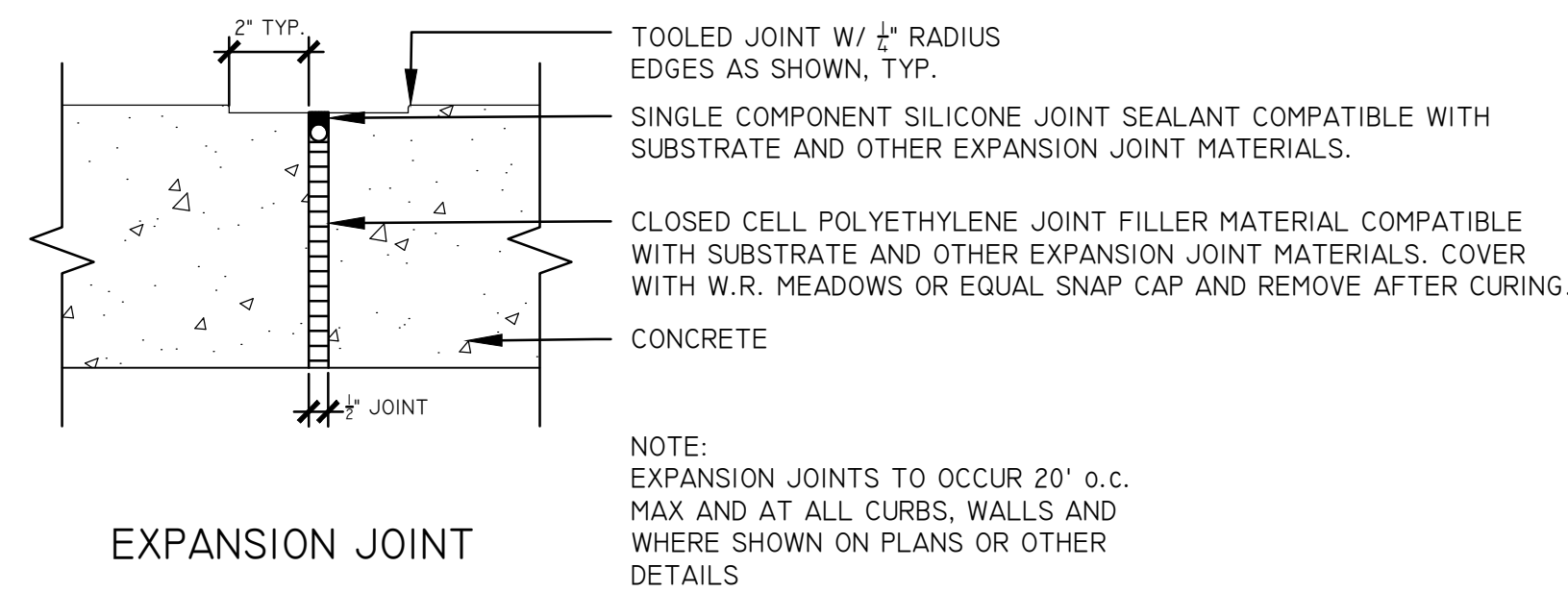


- NOTES:
1. STEPS SHALL BE CONSTRUCTED BY MASONS EXPERIENCED IN CONSTRUCTION OF SIMILAR TYPES OF WALL SYSTEMS.
  2. REFER TO TECO-BLOC INSTALLATION GUIDES FOR FURTHER INSTRUCTIONS.
  3. STEPS CONSTRUCTION SHALL BE SUBJECT TO FULL-TIME INSPECTION BY THE ENGINEER OR HIS DESIGNATED REPRESENTATIVE.

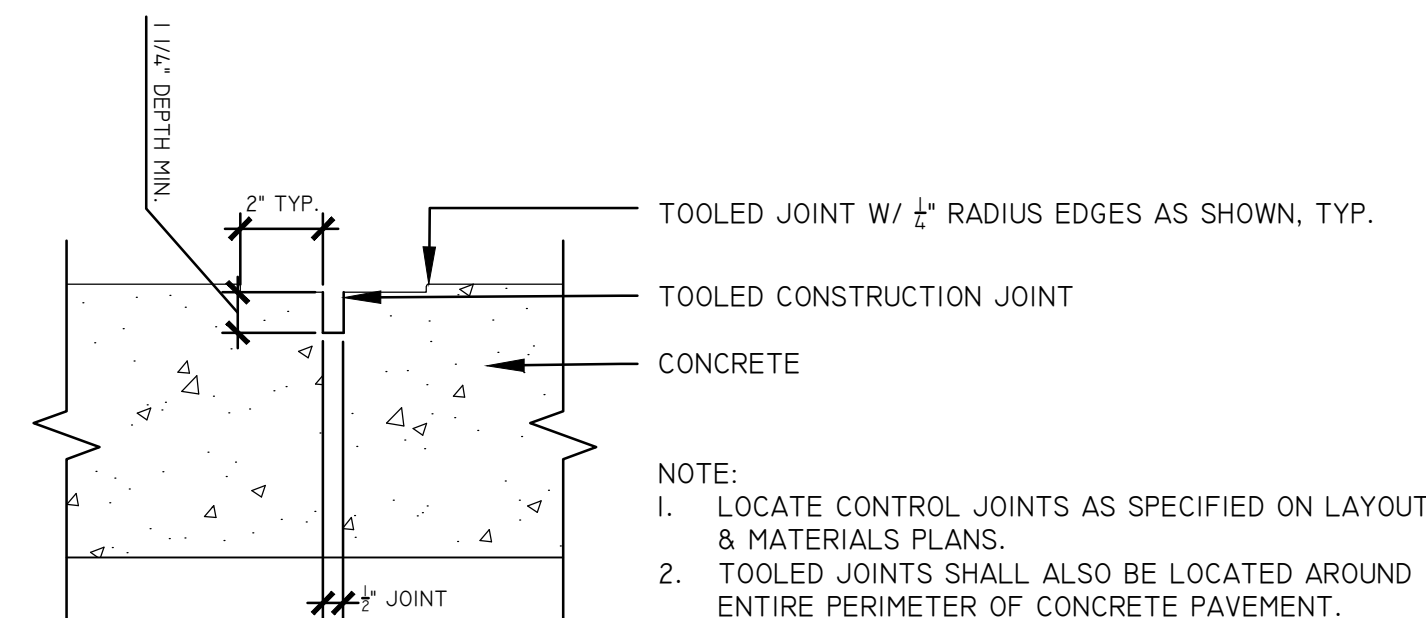
3 TECO-BLOC STEPS  
SCALE: N.T.S.



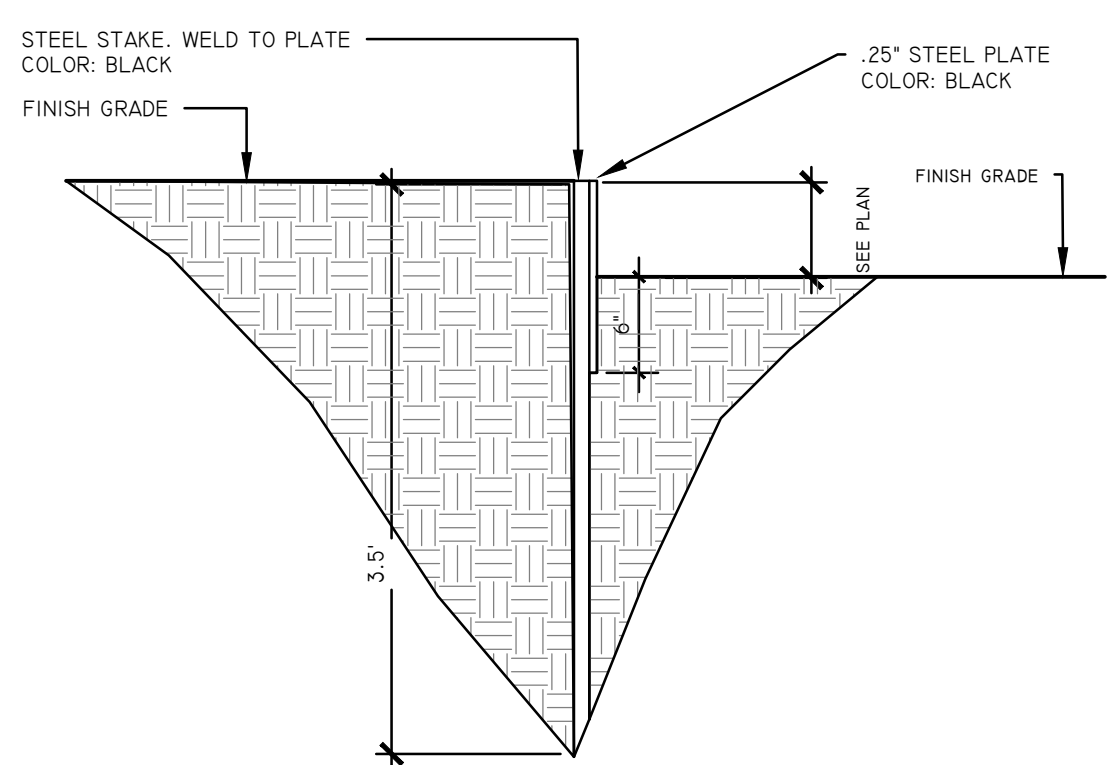
4 BLUESTONE STEP DETAIL  
SCALE: N.T.S.



5 CONCRETE EXPANSION JOINT DETAIL  
SCALE: N.T.S.



6 CONCRETE CONTROL JOINT DETAIL  
SCALE: N.T.S.



7 STEEL EDGE DETAIL  
SCALE: N.T.S.

REVISIONS	DESCRIPTION	DATE	BREEZEWAY REMOVED
		07/05/22	

PREPARED FOR  
JOHN COCOCCIA  
1220 FERRY ROAD  
NISKAYUNA, NEW YORK 12309

PROJECT  
COCOCCIA RESIDENCE  
DRAWING TITLE  
CONSTRUCTION DETAILS

DATE: 03/09/2022

PROJECT NO.  
21111

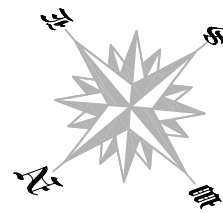
DRAWING NO.

L-4.20

DWG 5 OF 5

LEGEND:

- CRF ○ CAPPED IRON ROD FOUND  
CRS ○ CAPPED IRON ROD SET  
IRF ○ IRON ROD FOUND  
IRP ○ IRON PIPE FOUND  
MCF □ MONUMENT FOUND  
ELEC TRANS. □ ELECTRIC TRANSFORMER  
LP ○ LIGHT POLE  
WV ○ WATER VALVE  
UP ○ UTILITY POLE  
HYD ○ HYDRANT  
OW — OVERHEAD WIRES  
EM □ ELECTRIC METER  
GM □ GAS METER



LANDS N/F OF  
THE STATE OF NEW YORK  
BK. 1808, PG. 432  
SECTION 61 BLOCK 3 LOT 2

LANDS N/F OF  
THE STATE OF NEW YORK  
BK. 1808, PG. 432  
SECTION 61 BLOCK 3 LOT 2

LANDS N/F OF  
THE STATE OF NEW YORK  
BK. 1808, PG. 432  
SECTION 61 BLOCK 3 LOT 2

AREA: 16.12 ACRES

TAX PARCEL NUMBER:

TOWN OF NISKAYUNA, SCHENECTADY COUNTY, NEW YORK  
SEC. 51 — BLK. 2 — PARCEL 16.1

MAP REFERENCES:

1. "SURVEY OF THE PORTION OF LANDS OF JOHN L. SCHOOLCRAFT JR." PREPARED BY C.T. MALE ASSOCIATES, DATED NOVEMBER 22, 1971.

DEED REFERENCES:

1. JAMES T. SCHOOLCRAFT TO JOHN A. & ELIZABETH J. COCOCCIA, DATED SEPTEMBER 27, 2013 AND RECORDED IN THE SCHENECTADY COUNTY CLERKS OFFICE IN DEED BOOK 1884 AT PAGE 742.

GENERAL NOTES:

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.

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S INKED SEAL OR HIS EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

SURVEYED FROM RECORD DESCRIPTION AND AS IN POSSESSION.

SUBJECT TO COVENANTS, EASEMENTS, RESTRICTIONS, CONDITIONS AND AGREEMENTS OF RECORD.

SURVEY SUBJECT TO ANY RIGHT, TITLE OR INTEREST THE PUBLIC MAY HAVE FOR HIGHWAY USE.

SURVEY SHOWN IS SUBJECT TO ANY SUBSURFACE CONDITIONS THAT MAY EXIST, IF ANY.

UNDERGROUND FACILITIES AND STRUCTURES SHOWN HEREON WERE TAKEN FROM DATA OBTAINED FROM PREVIOUS MAPS AND RECORD DRAWINGS. ALL ABOVE GROUND STRUCTURES AND SURFACE FEATURES SHOWN HEREON ARE THE RESULT OF A FIELD SURVEY UNLESS OTHERWISE NOTED. THERE MAY BE OTHER UNDERGROUND UTILITIES, THE EXISTENCE OF WHICH ARE NOT KNOWN OR CERTIFIED BY THE UNDERSIGNED. THE SIZE AND LOCATION OF ALL UNDERGROUND UTILITIES AND STRUCTURES MUST BE VERIFIED BY THE APPROPRIATE AUTHORITIES. THE UNDERGROUND FACILITIES PROTECTIVE ORGANIZATION MUST BE NOTIFIED PRIOR TO CONDUCTING TEST BORINGS, EXCAVATION AND CONSTRUCTION.

SHEET 1 OF 2

1220 FERRY ROAD  
SURVEY MAP  
OF THE LANDS OF  
JOHN A. & ELISABETH J. COCOCCIA

TOWN OF NISKAYUNA  
SCALE: 1"=50'  
DRAWN BY: JH

SCHENECTADY COUNTY, N.Y.  
APRIL 12, 2021  
PROJECT NO: 21-2922

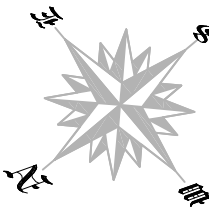
Ausfeld & Waldruff Land Surveyors LLP  
323 CLINTON STREET, SCHENECTADY NY  
Phone: (518) 346-1595 Fax: 518-770-1655

VINCENT P. AUSFELD P.L.S.  
LICENSE #048897  
www.awslslp.com



LEGEND:

- CRF CAPPED IRON ROD FOUND  
CRS CAPPED IRON ROD SET  
IRF IRON ROD FOUND  
IPF IRON PIPE FOUND  
MDF MONUMENT FOUND  
ELEC TRANS ELECTRIC TRANSFORMER  
LP LIGHT POLE  
WV WATER VALVE  
UP UTILITY POLE  
HYD HYDRANT  
OW OVERHEAD WIRES  
EM ELECTRIC METER  
GM GAS METER



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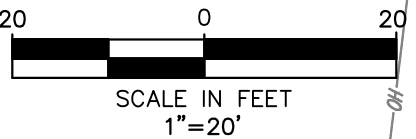
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SHEET 2 OF 2

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

July 8, 2022

**TO WHOM IT MAY CONCERN:**

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

**DATE: July 20, 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 Denise Cashmere for a variance from Section 220-18 B (3) (c) and Section 220-4 of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 949 Pearse Road, Niskayuna, New York, located in the R-1: Low Density Residential Zoning District, to maintain an 8' x 8' shed partially within the side yard setback.

Section 220-18 B (3) (c) states that "Minor accessory structures are not permitted closer than five feet to the side or rear lot lines." Section 220-4 defines a minor accessory structure as detached accessory buildings or other structures 120 square feet or less in area. The shed, at 64 square feet, is a minor accessory structure. As constructed, the shed is located two feet six inches (2' 6") from the side property line. Therefore; a two foot six inch (2' 6") side yard setback variance is required.

A copy of the permit application and appeal is available for inspection at the Niskayuna Building Department in the Niskayuna Town Office Building and will be available at the public hearing. A copy of the agenda packet for the above referenced meeting date, which will include information for this variance request, will be available online after 5pm the Friday before the meeting at <https://www.niskayuna.org/node/1606/agenda/2022>.

**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:** Denise Cashmere

**RE: Property at** 949 Pearse Road, Niskayuna, NY 12309

I, Denise Cashmere, the (owner) (agent of the owner) of the property located at 949 Pearse 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

N/A One (1) copy of construction plans, if applicable

☒ Appeal fee (see application procedures for details)

☒ Appeal statement (see application procedures for details)

N/A Short Environmental Assessment Form, Project Information, as applicable for use variance

N/A Additional information as specified by the Zoning Enforcement Officer

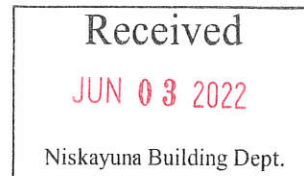
Signature of Agent: Denise Cashmere Date 06-03-22

Signature of Owner (if different from Agent) \_\_\_\_\_

Telephone Number: 518-577-6774

Email Address: cashmered66@gmail.com





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

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

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

The original shed at this location was constructed between 1965 and 1968 by the Evans family who lived at this address at the time (verified by Wayne Evans via email 5/15/2022). The house had two subsequent owners before I purchased it in 1989. The attached survey shows the location of the shed in the 1980s, followed by a photo in 1989 when I moved in. In July of 2014, I sought to replace the shed as it was in disrepair. It was replaced by a preconstructed shed, in-kind, at the same location. I contacted the Town building department beforehand to determine if any action was needed on my part. I was instructed by staff within that department, that since the shed was being replaced in-kind at the same location, no action or permit was required.

A hardship would be created to now physically move the shed as it sits on an existing concrete pad. It would be an onerous process to redo the concrete pad, using heavy equipment to work around existing vegetation to move the shed a minimal distance of 2-2.5 feet. Additionally, moving the shed closer to the garage would eliminate the spacing needed to maintain both structures.

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 shed has been at the same location for over 55 years without issue. A tree which bisects the neighboring property line is approximately 2.5-3 feet away. The structure is not out of character and is tucked in next to the garage at the rear of the property, virtually unnoticeable. It does not create a detriment to nearby properties or an undesirable change in the neighborhood character and its location in no way impacts the neighbors use or enjoyment of their property.

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

The shed has been at this location for over 55 years. There is a large tree on the property line between the shed and the neighboring property to the south. The location of the shed does not impede any maintenance of that property. There is ample distance to maintain the grounds. The difference between the current 2.5-3 feet and 5 feet is not substantial and would be virtually unnoticeable. Note: a recent survey on May 2 by the homeowners behind the property (Rockwell's), led to the adjustment of the location of the rear side property marker, increasing the distance between the shed and the property line by approximately 6-11" (photo and survey attached).

Received

JUN 03 2022

Niskayuna Building Dept.

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

There is no adverse effect on the neighborhood as the shed has been in the same location for over 55 years. There is an existing tree and bush that separates the shed from the adjoining property line and there is no drainage impact to neighboring properties. The shed's location in no way impedes maintenance of the adjoining property.

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 original shed at this location was constructed between 1965 and 1968 by the Evans family who lived at this address at the time. The house had two subsequent owners before I purchased it in 1989. The attached survey shows the location of the shed in the 1980s, followed by a photo in 1989 when I moved in. In July of 2014, I sought to replace the shed as it was in disrepair. It was replaced by a preconstructed shed, in-kind, at the same location.



Nov. 27, 1963 Lot revised *LDm*  
July 31, 1986 FOUNDATION LOCA/UPDATE RNS

Received  
JUN 03 2022  
Niskayuna Building Dept.



June 1989  
Original shed location





Received  
JUN 03 2022  
Niskayuna Building Dept.

8/14 Newly placed shed

Due to recent survey (attached) of Rockwell property behind the shed, my side property line has been adjusted to the stake which increased side property boundary by 6-11 inches. This is the southwest corner of my property.





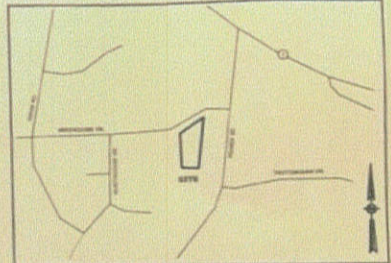


BROOKSHIRE DRIVE  
(60' WIDE S.O.W.)

N61°09'00"E  
C=35.30'  
L=35.38'  
R=150.00'

Lands Now or Formerly of  
**DENISE CASHMERE**  
Book 2718 Page 532  
Tax Map I.D. No. 61.5-2-12

Received  
JUN 03 2022  
Niskayuna Building Dept.



SITE LOCATION MAP  
(NOT TO SCALE)

**MAP NOTES:**

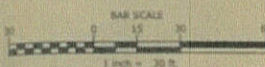
1. Boundary information shown hereon was compiled from an actual field survey conducted on May 2, 2022.
2. North orientation and bearing base per map reference no. 1.
3. Field evidence used to establish the boundaries shown hereon include additional information not shown due to the scale of this drawing.
4. Objects shown on the drawing with a distance indicating how far that object is from a particular line, lie on the same side of the line that the offset distance is written.
5. This survey was prepared without the benefit of an up to date abstract of title or title report and is therefore subject to any easements, covenants, restrictions or any statement of fact that such documents may disclose.

**MAP REFERENCES:**

1. "Towns of Lands of Arthur Evans, Town of Niskayuna, Schenectady County, New York" prepared by C.T. Male Associates, dated February 4, 1955.
2. "Subdivision Lands of Deel, Town of Niskayuna, Schenectady County, New York" prepared by C.T. Male Associates, P.C., dated March 16, 1998, Project No. 98.016, Drawing No. 98-118.
3. "Map of Survey 943 Pearce Road, Town of Niskayuna, County of Schenectady, New York" prepared by NMS Land Surveying PLLC, dated September 26, 2021.

**LEGEND:**

- CHIRP CAPPED IRON ROD SET
- CB CATCH BASIN
- EMR ELECTRIC METER
- GM GAS METER
- GR GUY WIRE
- HYD HYDRANT
- IPR IRON PIPE FOUND
- IRF IRON ROD FOUND
- MB MAILBOX
- MH MANHOLE
- UP UTILITY POLE
- OW OVERHEAD WIRE
- CT CONIFEROUS TREE
- DT DECIDUOUS TREE



Lands Now or Formerly of  
**SRINIVAS G. KODURI**  
Book 1712 Page 944  
Tax Map I.D. No. 61.5-2-14.2

Lands Now or Formerly of  
**MICHAEL ROCKWELL**  
Book 1968 Page 564  
Tax Map I.D. No. 61.5-2-13.3  
AREA=39,072± SQ. FT.  
OR 0.904± ACRE

Lands Now or Formerly of  
**JOSEPH P. DRESCHER**  
**JOLEEN C. LOLOSCIO**  
Book 2007 Page 104  
Tax Map I.D. No. 61.5-2-13.2

Lands Now or Formerly of  
**JOSHUA L. WYMAN**  
Book 2022 Page 639  
Tax Map I.D. No. 61.5-2-7

WILLIAM J. NETTLETON  
P.L.S. NO. 049513

DATE	REVISIONS RECORD/DESCRIPTION	DRAFTER	CHECK	APPR.	UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW.

© 2022  
C.T. MALE ASSOCIATES

APPROVED: WJN  
DRAFTED: KEC  
CHECKED: SCH  
PROJ. NO.: 22-2274  
SCALE: 1"=30'  
DATE: MAY 2, 2022

TOWN OF NISKAYUNA

**BOUNDARY SURVEY**  
LANDS NOW OR FORMERLY OF  
**MICHAEL ROCKWELL AND NADIA ROCKWELL**  
2488 BROOKSHIRE DRIVE

**C.T. MALE ASSOCIATES**  
Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C.  
50 CENTURY HILL DRIVE, LATHAM, NY 12110 PH 518.786.7400  
COLESKILL, NY • GLENS FALLS, NY • FLORENCE, NY  
JOHNSTOWN, NY • RED HOOK, NY • SYRACUSE, NY  
www.ctmale.com



SHEET 1 OF 1  
DWG. NO. 22-376

CAD FILE: 22-2274.dwg  
PLOT DATE: 5/2/2022 10:41 AM  
PLOT BY: WJN

ONLY COPIES OF THIS MAP SIGNED IN RED INK AND EMBOSSED WITH THE SEAL OF AN OFFICER OF C.T. MALE ASSOCIATES OR A DESIGNATED REPRESENTATIVE SHALL BE CONSIDERED TO BE A VALID TRUE COPY.



Received

JUN 03 2022

Niskayuna Building Dept

Distance between shed and detached garage.





Side property line with location of shed.



Received  
JUN 03 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: 949 Pearse Road**

**Application Date: 5/18/22**

Denise Cashmere  
949 Pearse Road  
Niskayuna, NY 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 an 8' x 8'shed on the property noted above has been denied by reason of Section 220-18 B (3) (c) and Section 220-4, of the Town of Niskayuna Zoning Ordinance. The property is located in the R-1: Low Density Residential Zoning District.

Section 220-18 B (3) (c) states that "Minor accessory structures are not permitted closer than five feet to the side or rear lot lines." Section 220-4 defines a minor accessory structure as detached accessory buildings or other structures 120 square feet or less in area. The shed, at 64 square feet, is a minor accessory structure. As constructed, the shed is located two feet six inches (2' 6") from the side property line. Therefore; a two foot six inch (2' 6") side yard setback variance is required.

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

5/27/22  
Date

  
Thomas J. Cannizzo  
Zoning Enforcement Officer



Handwritten: 420 Fa 354

Application # 622-257



**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](mailto:building@niskayuna.org)

Received  
**MAY 18 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** 949 Pearse Rd Niskayuna NY 12309  
**DESCRIBE WORK APPLIED FOR** (see attached notes photos - shed)

**ESTIMATED VALUE OF ALL WORK (labor and materials):** TOTAL \$ 21,000 Approx

**Please submit three sets of plans with this application.**

**APPLICANT** Denise Cashmere **DAY PHONE** 518 577-6774

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

**ADDRESS** 949 Pearse Rd  
**CITY** Niskayuna **STATE** NY **ZIP** 12309  
**EMAIL ADDRESS** \_\_\_\_\_

**CONTRACTOR** N/A **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** Denise Cashmere **DAY PHONE** 518 577-6774  
**ADDRESS (if different than above)** \_\_\_\_\_  
**CITY** \_\_\_\_\_ **STATE** \_\_\_\_\_ **ZIP** \_\_\_\_\_

**PLEASE SIGN Page 2**

410

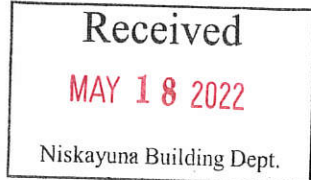
# ACCESSORY STRUCTURE SUPPLEMENT TO PERMIT APPLICATION

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

a. Address of property 949 Pearse Rd Niskayuna

b. Size of accessory structure 8 FT x 8 FT SHED

c. Distance to property lines:  
 Side 1 21.5-3 FT V? ASSESS  
 Side 2 100+ FT  
 Rear 33.5 FT  
 Other \_\_\_\_\_



d. Are there any other accessory structures on the property?  
 Fence yes \_\_\_\_\_ no ✓ height \_\_\_\_\_  
 Shed yes \_\_\_\_\_ no ✓ size \_\_\_\_\_  
 Swimming pool yes \_\_\_\_\_ no ✓ size \_\_\_\_\_  
 Other yes X no \_\_\_\_\_ size 20' x 24' Detached garage

e. Height of accessory structure 6.5' Approx

f. Type of foundation for structure (if any) concrete pad

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: Denise Calme Date: \_\_\_\_\_

(For office use only)

Area of lot .6994 Acres

Maximum accessory structure coverage allowed 2250 sq ft

Total accessory structure coverage actual 544 sq ft

Maximum lot coverage allowed 0.12

Total lot coverage actual 0.12



**Supplemental information regarding shed on the premises of 949 Pearse Road:**

The original shed at this location was constructed sometime between 1965-1968 by the Evans Family who lived at this address at the time. (Verified by Wayne Evans 5/15/22)

The house then had two subsequent owners before I purchased the property in 1989.

The attached survey shows the location of the shed in the '80's followed by a subsequent photo in 1989 when I moved in.

In July of 2014 I sought to replace the shed as it was damaged. It was replaced by a pre-constructed shed in kind at the same location. I did reach out to the town Building Department beforehand to determine if any action was needed on my part. I was instructed by staff within that department that since the shed was being replaced in kind at the same location than that would be fine.



Denise Cashmere  
949 Pearse Road, Niskayuna, NY  
5/16/22



Received

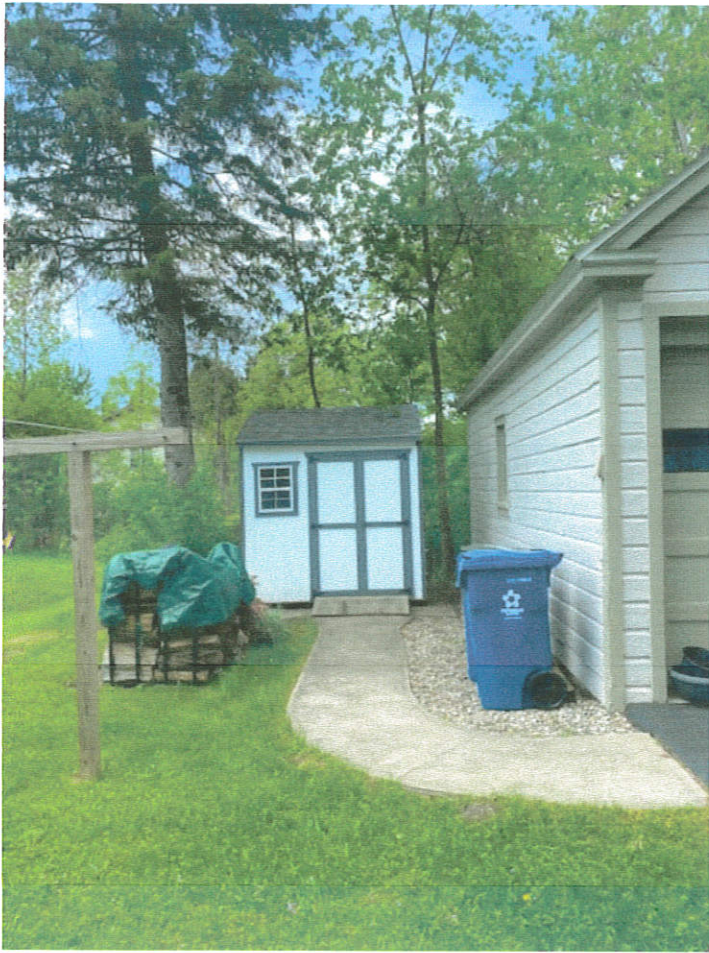
MAY 18 2022

Niskayuna Building Dept.



June 89





5/16/22

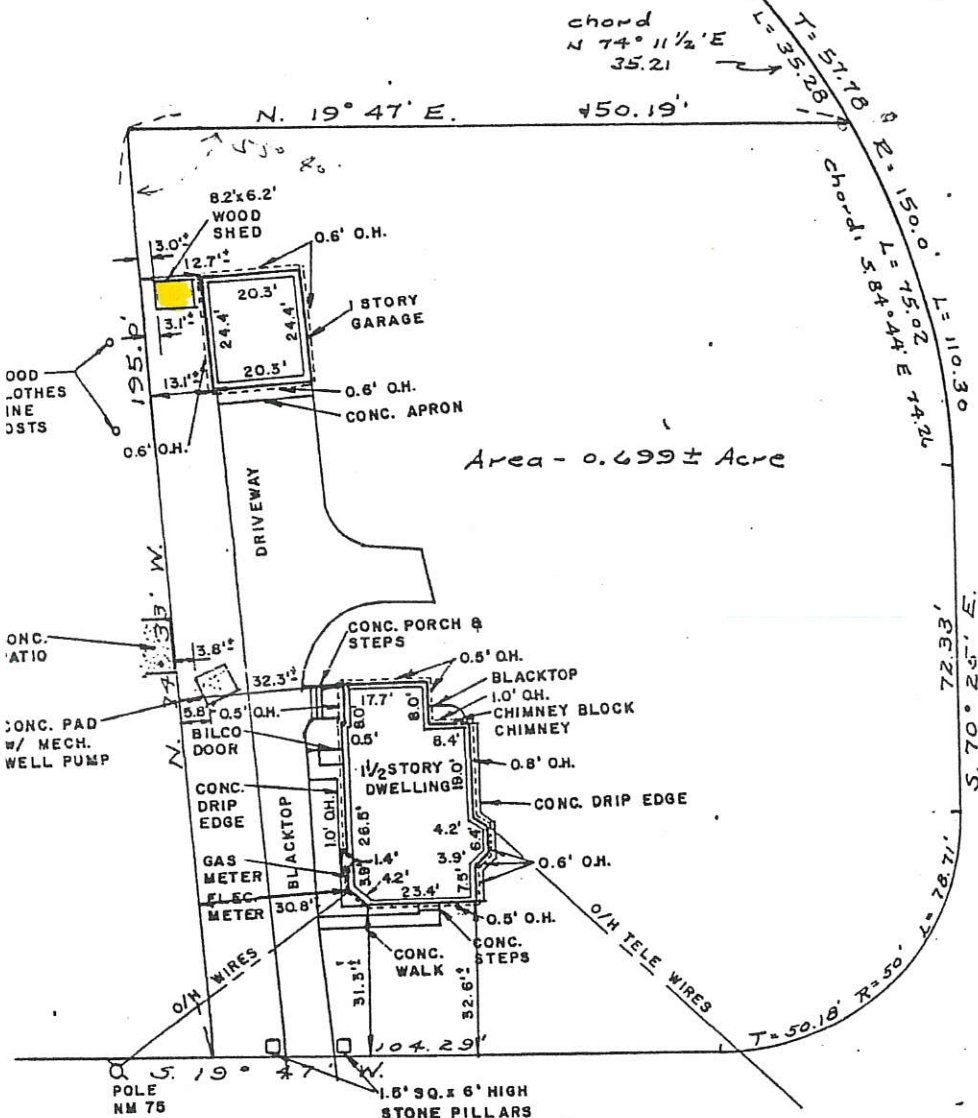
Received  
MAY 18 2022  
Niskayuna Building Dept.

NOTE:  
LOT MAY BE SUBJECT TO AN  
UNPLOTTABLE EASEMENT TO N.M.P.C.  
& N.Y. TELE. CO. B. 698 P. 252.

Received

MAY 18 2022

Niskayuna Building Dept.



I certify to the following that  
this survey was prepared in  
accordance with the existing Code  
of Practice of the N.Y.S.  
Association of Professional Land  
Surveyors.

JOHN J. HEALEY  
HELEN K. HEALEY  
NORTHEAST SAVINGS, F.A.  
LAWYERS TITLE INSURANCE  
CORPORATION

Portion of Lands of  
**ARTHUR EVANS**  
Niskayuna, Schenectady Co., N. Y.  
Scale: 1" = 40' . Feb. 4, 1953

C. T. Male Associates  
Charles T. Male, Jr. L.S. 20890

Robert N. Stewart 3/6/86  
ROBERT N. STEWART PLS 49426 DATE

Nov. 27, 1963 Lot revised  
July 31, 1986 FOUNDATION LOCAL/UPDATE RNS



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

July 8, 2022

**TO WHOM IT MAY CONCERN:**

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

**DATE: July 20, 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 Joseph and Laurie DiCaprio 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 1278 Ardmore Court, Niskayuna, New York, located in the R-1: Low Density Residential Zoning District, to construct a six (6) foot fence exceeding 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 proposed, a six (6) foot high fence will be located in the side yard; therefore, a two (2) foot fence height variance is required.

A copy of the permit application and appeal is available for inspection at the Niskayuna Building Department in the Niskayuna Town Office Building and will be available at the public hearing. A copy of the agenda packet for the above referenced meeting date, which will include information for this variance request, will be available online after 5pm the Friday before the meeting at <https://www.niskayuna.org/node/1606/agenda/2022>.

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

**ZONING BOARD OF APPEALS**

**ZONING BOARD OF APPEALS**  
**Application and Procedures For A Variance**

Received

JUN 14 2022

Niskayuna Building Dept.

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

TO: ZONING BOARD OF APPEALS

FROM: Joseph and Laurie DiCaprio

RE: Property at 1278 Ardmore Court Niskayuna, NY 12309

I, Joseph R. DiCaprio, the (owner) (agent of the owner) of the property located at 1278 Ardmore Court 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
- N/A One (1) copy of construction plans, if applicable
- ☒ Appeal fee (see application procedures for details)
- ☒ Appeal statement (see application procedures for details)
- N/A Short Environmental Assessment Form, Project Information, as applicable for use variance

\_\_\_\_\_ Additional information as specified by the Zoning Enforcement Officer

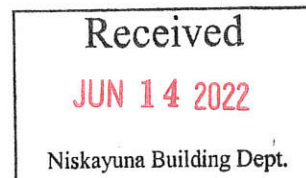
Signature of Agent: Joe DiCaprio Date 6.14.2022

Signature of Owner (if different from Agent) Joe DiCaprio

Telephone Number: 518-858-3617

Email Address: joedicaprio81@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.

*We were given the option of vegetation, in lieu of fencing, but do not wish to explore vegetation as an option.*

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 do not feel the six foot fence in our yard would produce an undesirable change to the character of our neighborhood because on our "side yard," also exists our neighbor's "back yard."*

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

The requested variance is not substantial because the six foot fence on our "side yard" is equivalent to what ~~our~~ neighbors are entitled to, should they ever choose to erect a fence in their "backyard."

Received

JUN 14 2022

Niskayuna Building Dept.

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

The requested variance will have zero adverse physical or environmental effect on our neighborhood because it does not involve any re-shaping of land or wildlife.

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 exists merely due to how our "side yard" falls up against our neighbor's "backyard."



CERTIFIED TO: SIBLEY CORPORATION  
MONROE ABSTRACT AND TITLE CORPORATION  
T. J. STROBEL AND BONNIE STROBEL



MAP # 86-0722

## ARDMORE COURT (60' ROW.)

### MAP SHOWING SURVEY OF THE LANDS OF T. J. STROBEL AND BONNIE STROBEL

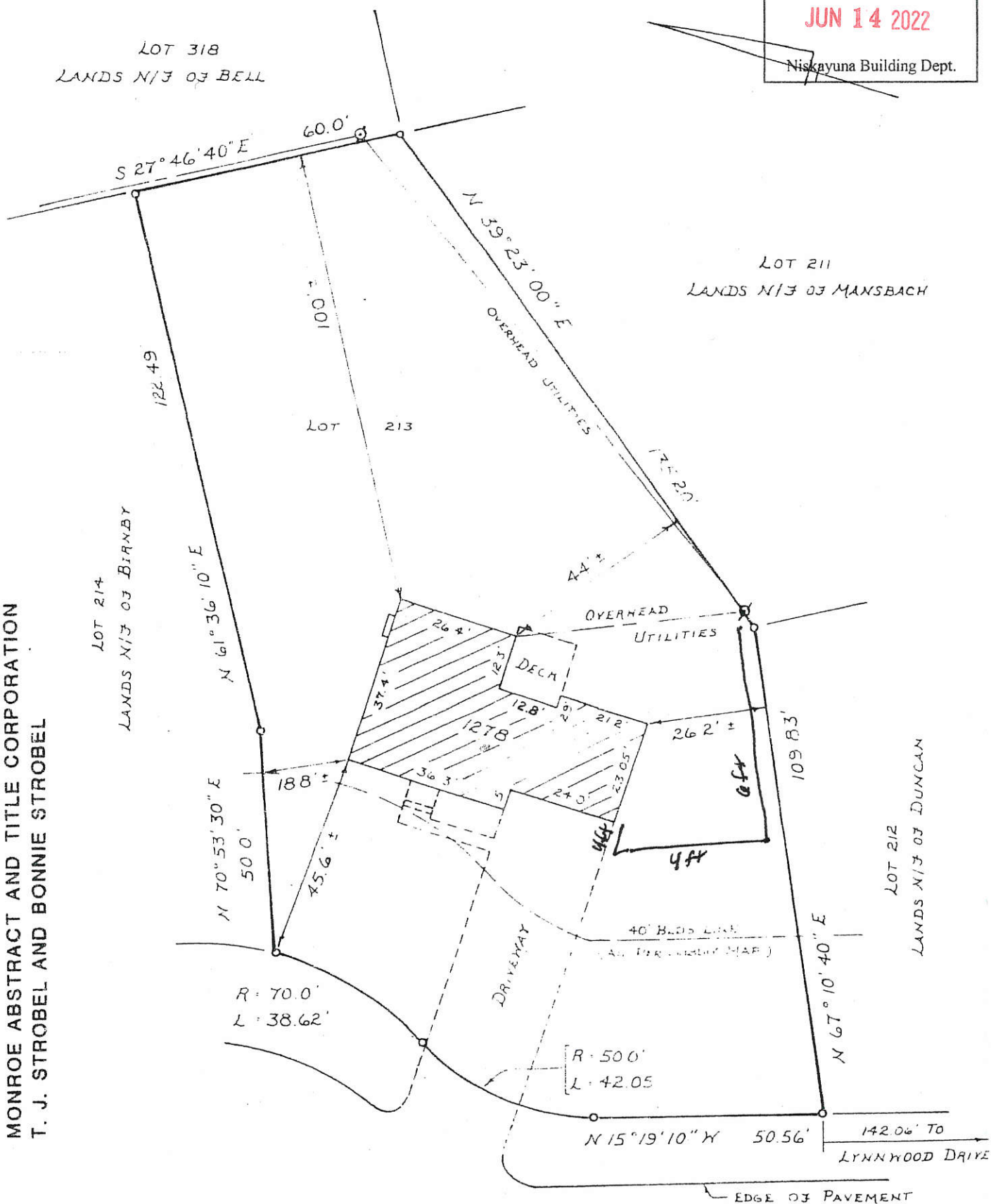
TOWN OF NISKAYUNA

JULY 22, 1986

COUNTY OF SCHENECTADY, N. Y.

SCALE 1" = 30'

Mark C Blackstone PLS #49542  
MARK C. BLACKSTONE, PROF. LAND SURVEYOR # 49542



Received

JUN 14 2022

Niskayuna Building Dept.

LOT NOS. REFER TO "MAP NO. 9 - ROSENDALE ESTATES",  
DATED MARCH 22, 1968, FILED NOVEMBER 12, 1968, IN DRAWER NO. 64, MAP NO. 127



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: 1278 Ardmore Court**

**Application Date: 6/6/22**

Joseph DiCaprio  
1278 Ardmore Court  
Niskayuna, New York 12309

Dear Sir:

You are hereby notified, as required by Section 220-67 F of the Zoning Ordinance of the Town of Niskayuna, that your application to construct a six (6) foot fence on the property noted above has been denied by reason of Section 220-25 B (1) (a) of the Zoning Ordinance. The property is located in the R-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 proposed, a six (6) foot high fence will be located in the side yard; therefore, a two (2) foot fence height variance is required.

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

6/7/22  
Date

  
Zoning Enforcement Officer



400 for 704

Application # B22-321



## 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](mailto:building@niskayuna.org)

Received

JUN 06 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** 1278 Ardmore Court Niskayuna, NY 12309

**DESCRIBE WORK APPLIED FOR** Fencing installation

**ESTIMATED VALUE OF ALL WORK** (labor and materials):

**TOTAL \$** 7,000

**Please submit three sets of plans with this application.**

**APPLICANT** Joseph R. DiCaprio

**DAY PHONE** 518-858-3417

**CHECK ONE:**



CONTRACTOR



HOMEOWNER



OTHER (explain) \_\_\_\_\_

**ADDRESS** 1278 Ardmore Court

**CITY** Schenectady

**STATE** NY

**ZIP** 12309

**EMAIL ADDRESS** joedicaprio81@gmail.com

**CONTRACTOR** Robert Lawrence

**DAY PHONE** 518-256-1983

**ADDRESS** 1 Nottingham Court

**CITY** Saratoga Springs, NY

**STATE** NY

**ZIP** 12866

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** Joseph & Laurie DiCaprio

**DAY PHONE** 518-858-3417

**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 7<sup>th</sup> day of June, 2022

  
Signature of Applicant

Joseph R. DiCaprio  
Printed Name

6.7.2022

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 \_\_\_\_\_



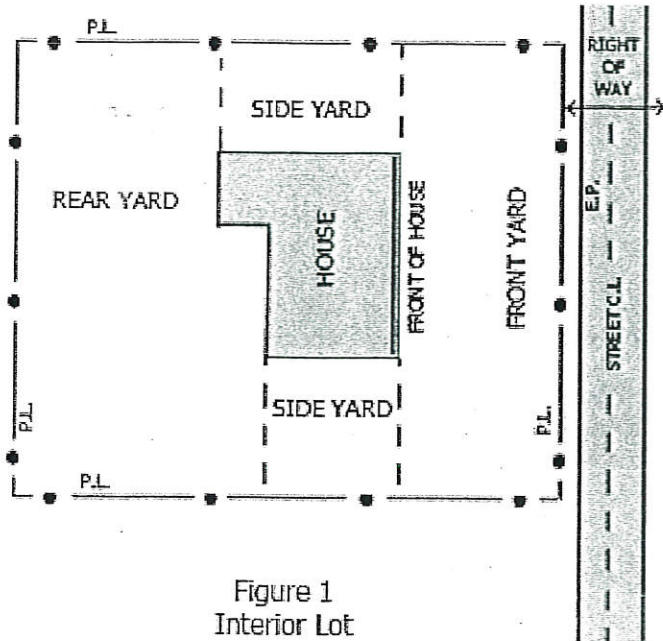


Figure 1  
Interior Lot

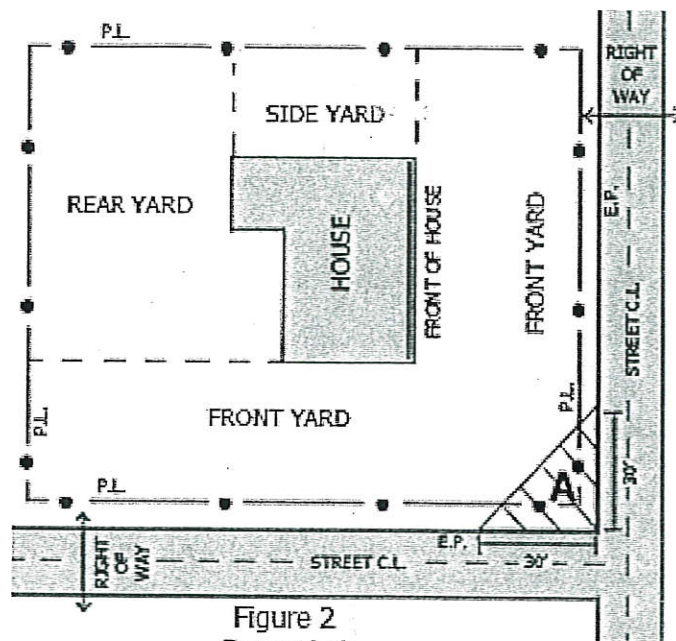


Figure 2  
Corner Lot

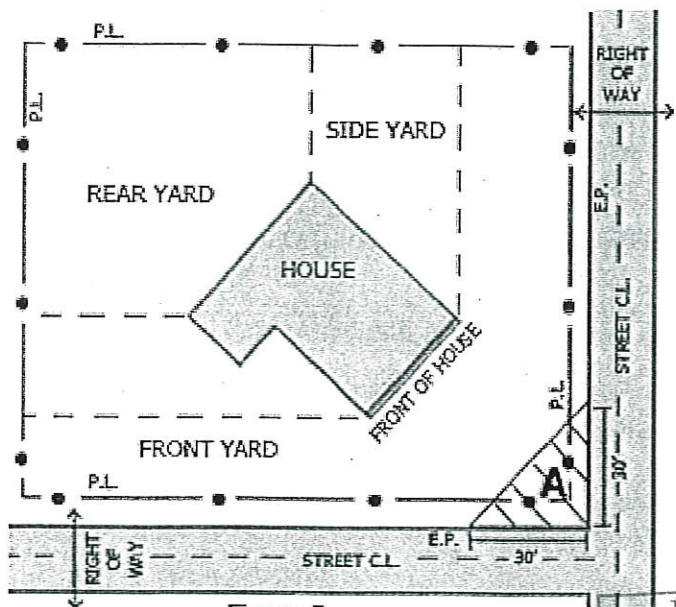


Figure 3  
Corner Lot

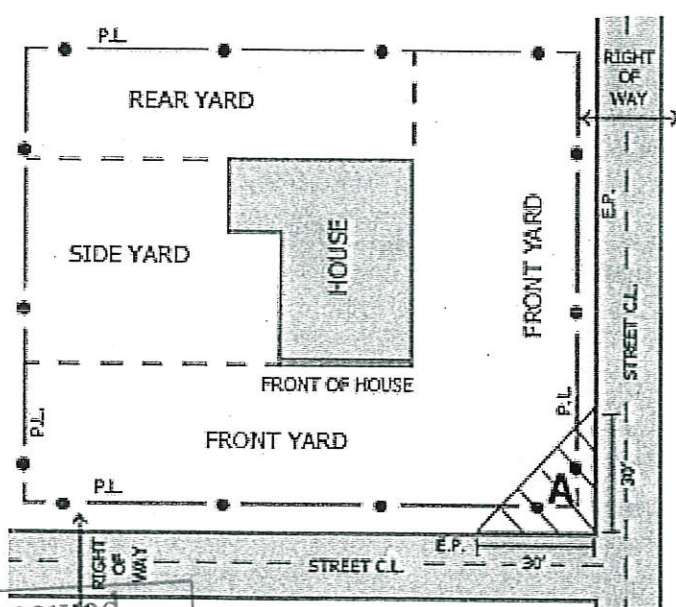


Figure 4  
Corner Lot

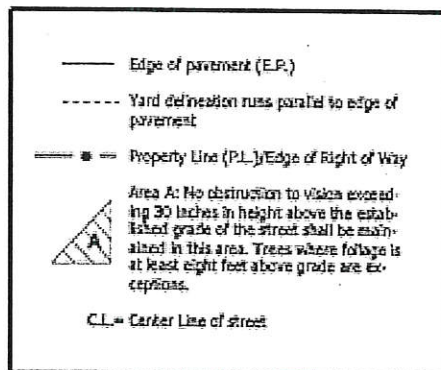
Received  
JUN 06 2022  
Niskayuna Building Dept.

Property Address 1278 Ardmore Court Niskayuna, NY 12309

Are there any other accessory structures on the Property?

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

Signature: \_\_\_\_\_



CERTIFIED TO: SIBLEY CORPORATION  
MONROE ABSTRACT AND TITLE CORPORATION  
T. J. STROBEL AND BONNIE STROBEL



MAP # 86-0722

## ARDMORE COURT (60' ROW.)

MAP SHOWING SURVEY OF THE LANDS OF  
T. J. STROBEL AND BONNIE STROBEL

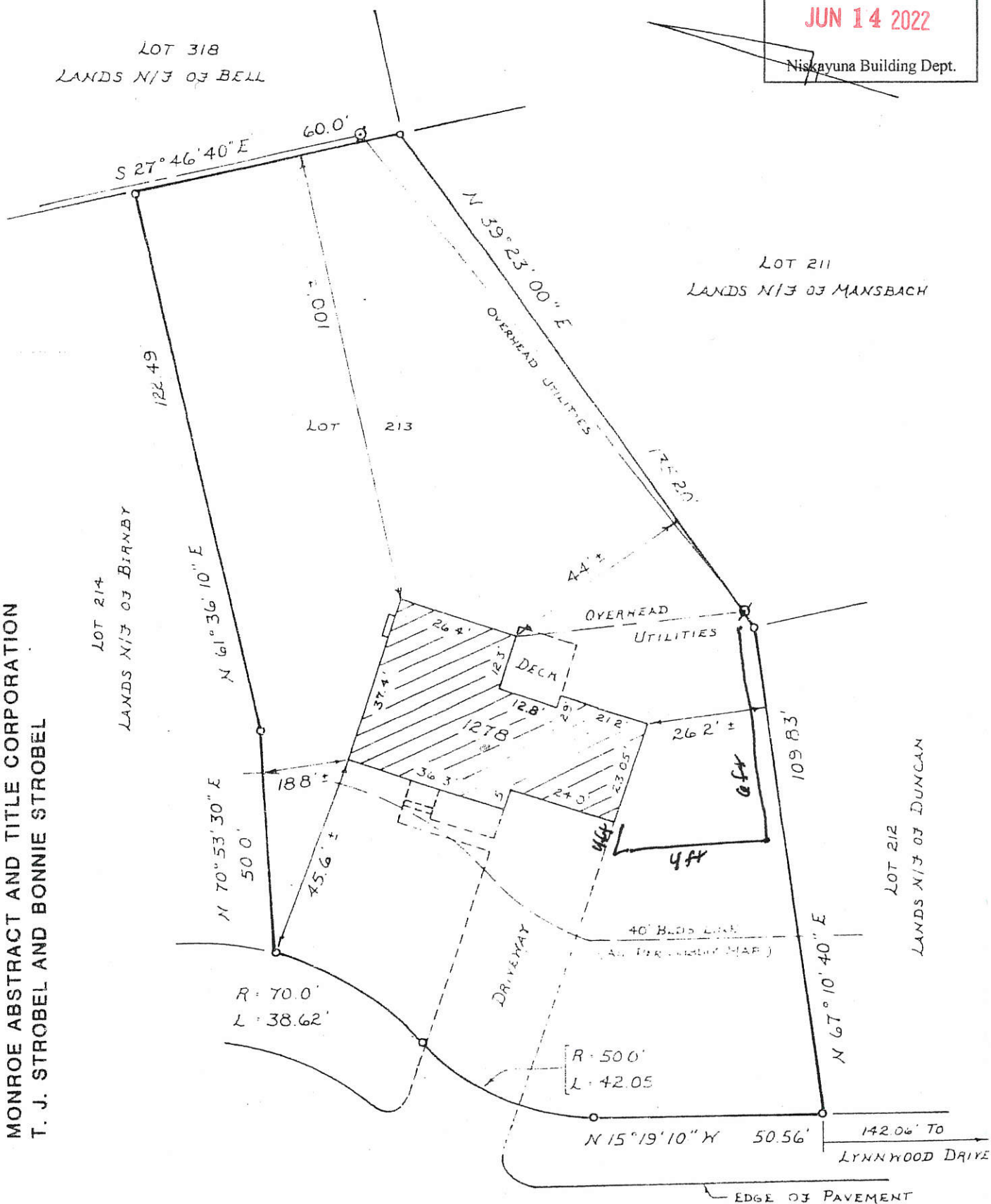
TOWN OF NISKAYUNA

JULY 22, 1986

COUNTY OF SCHENECTADY, N. Y.

SCALE 1" = 30'

Mark C Blackstone PLS #49542  
MARK C. BLACKSTONE, PROF. LAND SURVEYOR # 49542



Received

JUN 14 2022

Niskayuna Building Dept.

LOT NOS. REFER TO "MAP NO. 9 - ROSENDALE ESTATES",  
DATED MARCH 22, 1968, FILED NOVEMBER 12, 1968, IN DRAWER NO. 64, MAP NO. 127





1290

1505

1506

2217

1286

1510

2213

1286

1285

1282

2209

1281

1278

2205

1282

2201

1277

2197

1270

1278

1273

2189

1266

Ardmore Ct

Hempstead Rd

Lynnwood Dr

52

2200

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

July 8, 2022

**TO WHOM IT MAY CONCERN:**

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

**DATE: July 20, 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 Michael Bertone for a variance from Section 220-13, Schedule I-C of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 3822 Albany Street, Niskayuna, New York, located in the R-2: Medium Density Residential Zoning District, to construct a 23' x 40' single family dwelling partially within the front yard setback and both side yard setbacks.

Section 220-13, Schedule I-C requires a thirty (30) foot minimum front yard setback and a fifteen (15) foot minimum side yard setback. As proposed, the house would be located twenty five (25) feet from the front property line and ten (10) feet from each side property line. Therefore, a five (5) foot front yard setback variance and five (5) foot side yard setback variances are required.

A copy of the permit application and appeal is available for inspection at the Niskayuna Building Department in the Niskayuna Town Office Building and will be available at the public hearing. A copy of the agenda packet for the above referenced meeting date, which will include information for this variance request, will be available online after 5pm the Friday before the meeting at <https://www.niskayuna.org/node/1606/agenda/2022>.

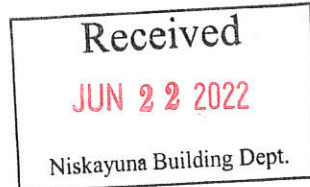
**IF YOU WISH TO EXPRESS AN OPINION REGARDING THE PROPOSED CHANGE, YOU MAY DO SO AT THE ABOVE-MENTIONED TIME AND PLACE. IF YOU CANNOT BE PRESENT, YOU MAY REQUEST A VIRTUAL LOGIN TO THE MEETING BY EMAILING LRobertson@Niskayuna.org OR CALLING 518-386-4530 OR YOU MAY SET FORTH YOUR APPROVAL OR OBJECTION 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:** Michael Bertone

**RE: Property at** 3822 Albany St. Schuyl, N.Y. 12304

I, Michael Bertone, the (owner) (agent of the owner) of the property located at 3822 Albany St. 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: Same Date 6/22/22

Signature of Owner (if different from Agent) Michael A. Bertone

Telephone Number: (518) 424-0469

Email Address: mibertone69@gmail.com

Received

JUN 22 2022

Niskayuna Building Dept.

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

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

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

non-conforming building lot  
adjacent properties not for sale to  
bring property up to code.  
smaller house designed for lot size.  
Existing home 5 ft off property line  
of neighbor

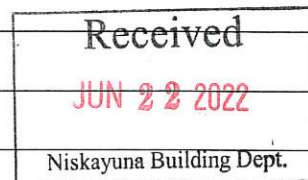
2. Whether the granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

smaller lots on street, existing homes  
do not meet current codes.



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

The Zoning board could grant up to 10 feet on each side. Only asking for 5 feet.

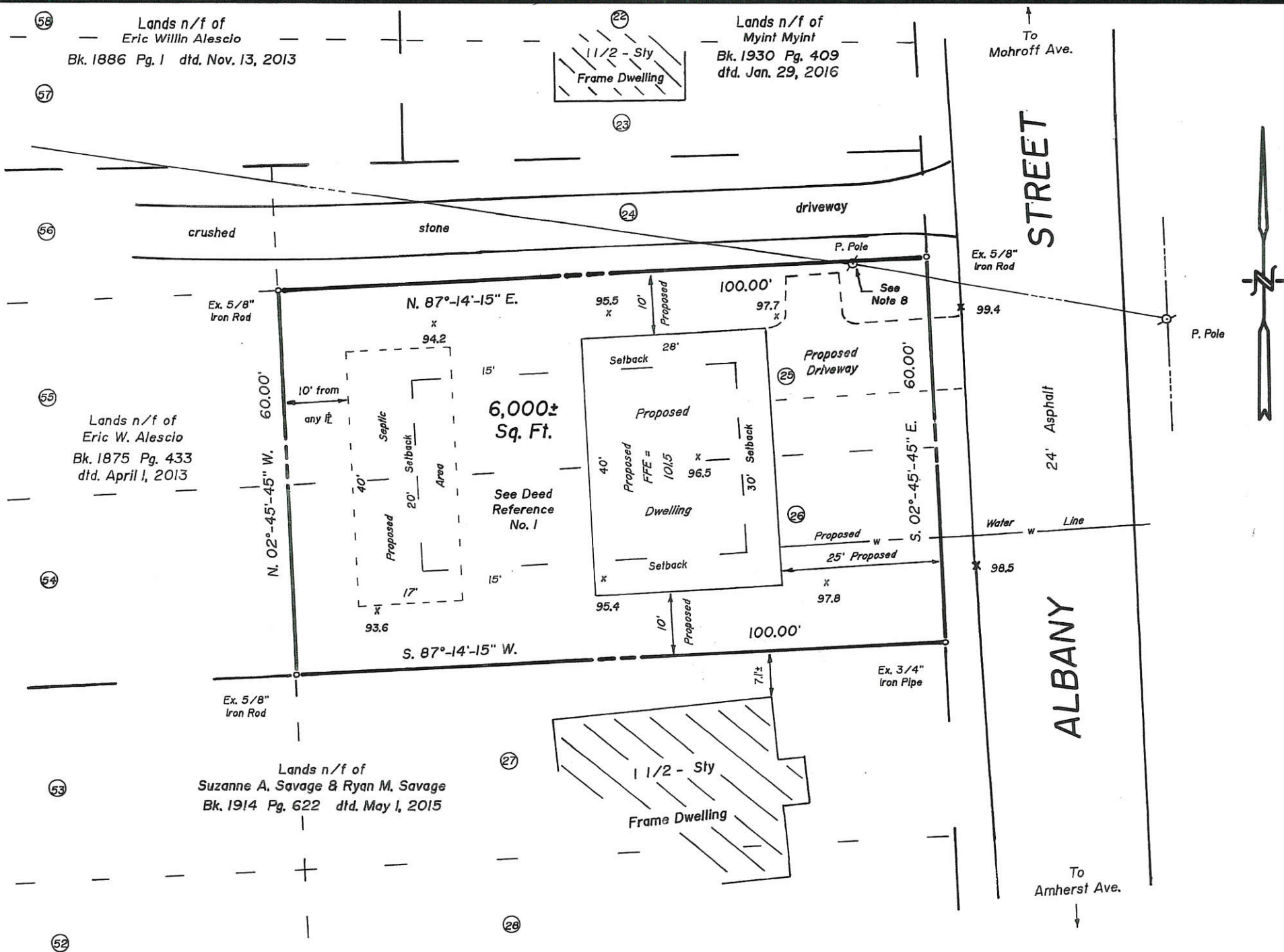


4. Whether the variance will have adverse physical or environmental effects on the neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

No, this will not have an adverse physical or environmental effects.

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:

Legal, non-conforming, choice of home is closest to size to conforming. Would like to have a two car garage, and a 30' ft. wide house will not allow. Alternative designs offer no garage.



NOTES :

- ① Only copies of the original map of this survey marked with an original of the Land Surveyor's seal shall be considered to be valid true copies.
- ② Unauthorized alteration to a survey map bearing a Licensed Land Surveyor's seal is a violation of New York State Law.
- ③ Subject to any existing Right-of-Ways, Easements, Covenants, Conditions, Restrictions, Regulations or Agreements.
- ④ Abstract of Title not furnished.
- ⑤ Title Report affecting premises not furnished.
- ⑥ The highway line as shown is by Map Reference No. 1.
- ⑦ Parcel is Zoned R-2, Minimum Setback Requirements : Front Yard - 30' Rear Yard - 20' Side Yard - 15'
- ⑧ Site Benchmark - Double Headed Nail set in pole Assumed elevation - 100.00

Subdivision Lot No. — 69  
Spot Elevation — x 69.5

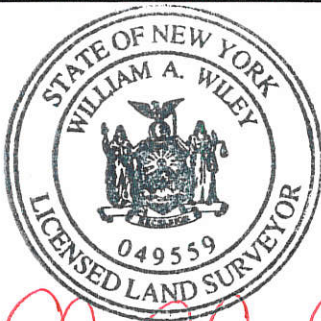
DEED REFERENCES :

- ① KMGVESTED LLC to Michael A. Bertone, dtd, May 18, 2022 and rec'd at the Schenectady Co. Clerk's Office May 24, 2022 in Bk. 2085 Pg. 323.

MAP REFERENCES :

- ① Map entitled, "Schenectady Gardens owned by J.W. Wilbur", dtd. July 30, 1913 made by A.L. Elliot, C.E., and filed at the Schenectady Co. Clerk's Office Aug. 8, 1913 in Plat Cabinet "B" Maps 116 & 117.

Property Address : 3822 Albany St.



William A. Wiley, L.S.  
License No. 49559

SURVEY OF LANDS OF  
MICHAEL A. BERTONE

Town of Niskayuna Schenectady Co., N.Y.

Scale : 1" = 20' Tax Map No. 60.19-1-41

William A. Wiley Land Surveyor  
128 Northern Turnpike Johnsonville, N.Y. 12094  
(518) 753-6219 Fax (518) 753-4169

Survey Dtd. June 9, 2022 Map Dtd. June 28, 2022

Received  
JUN 30 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: 3822 Albany Street

Application Date: 6/22/22

Michael Bertone  
15 Dorlyn Road  
Albany, N. Y. 12205

Dear Sir:

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 23' x 40' single family dwelling on the property noted above has been denied by reason of Section 220-13, Schedule I-C of the Zoning Ordinance. The property is located in the R-2: Medium Density Residential Zoning District.

Section 220-13, Schedule I-C requires a thirty (30) foot minimum front yard setback and a fifteen (15) foot minimum side yard setback. As proposed, the house would be located twenty five (25) feet from the front property line and ten (10) feet from each side property line; therefore, a five (5) foot front yard setback variance and five (5) foot side yard setback variances are 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.

7/5/22  
Date  
(updated)

  
\_\_\_\_\_  
Zoning Enforcement Officer

Application # B22-368**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

JUN 22 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** 3822 Albany St. Schenectady, N.Y. 12304  
**DESCRIBE WORK APPLIED FOR** New Construction

ESTIMATED VALUE OF ALL WORK (labor and materials):

TOTAL \$ 140,000.00

Please submit three sets of plans with this application.

**APPLICANT** Michael Bertone **DAY PHONE** (518) 424-0469

CHECK ONE: ☒ CONTRACTOR☐ HOMEOWNER☐ OTHER (explain) \_\_\_\_\_**ADDRESS** 15 Dorlyn Rd.**CITY** Albany **STATE** N.Y. **ZIP** 12205**EMAIL ADDRESS** mibertone69@gmail.com

**CONTRACTOR** Michael Bertone **DAY PHONE** (518) 424-0469

**ADDRESS** 15 Dorlyn Rd.**CITY** Albany **STATE** N.Y. **ZIP** 12205

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 above **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 \_\_\_\_\_, \_\_\_\_\_

Michael A. Bertone  
Signature of Applicant

Michael A. Bertone  
Printed Name

6/22/22  
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 \_\_\_\_\_

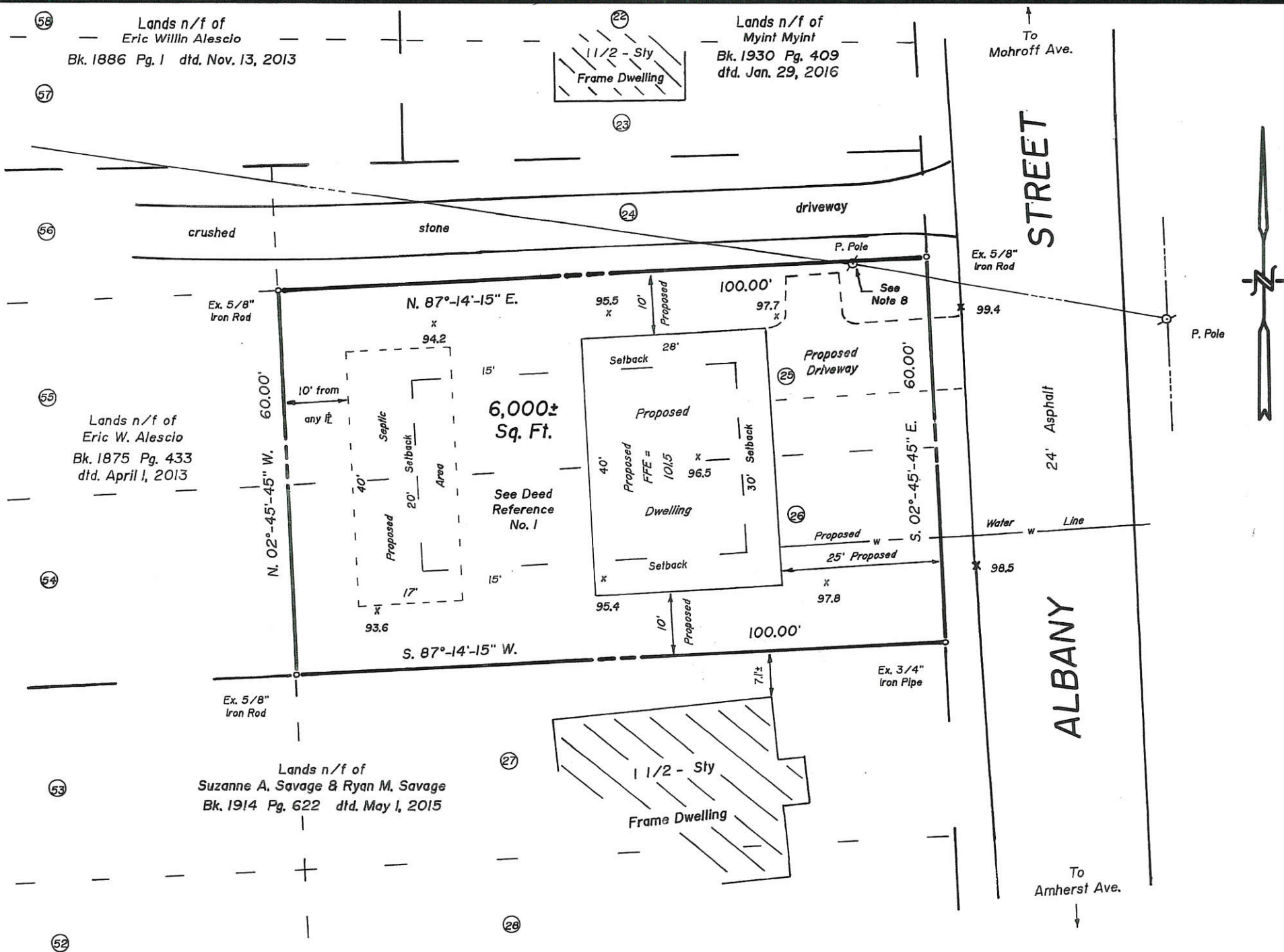
ZONING DISTRICT \_\_\_\_\_ SECTION-BLOCK-LOT \_\_\_\_\_

**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 \_\_\_\_\_







25

3809

3809

3806

Gaskill Ave

3813

3817/3815

Albany St

3818

3817/3815

45

45

3825

S Amherst Ave

3862