



TOWN OF COLONIE

Zoning Board of Appeals
Public Operations Center
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Chairman

If you elect to appeal to the Town of Colonie Zoning Board of Appeals the decision of the Town of Colonie Building Department denying your application for a building and/or zoning permit or you are applying for a SUP, you are required to do the following:

1. Complete and file an application using the form provided to you by the Building Department.
2. Provide the required number of copies of a survey of your premises showing the location of existing structures along with the improvements anticipated to be made and all setbacks.
3. Pay the required fee.
4. For a variance, appear at the scheduled hearing before the Zoning Board of Appeals and present evidence sufficient to satisfy the requirements of Section 267-b of the New York State Town Law. There are two types of variances: Use variances and Area variances. A Use variance requires authorization by the Zoning Board of Appeals for use of land which is not allowed under section 267-b (2) of the New York State Town Law. An Area variance requires authorization by the Zoning Board of Appeals for use of land in a manner which is not allowed under section 267-b (3) of the New York State Town Law. The applicant or their agent is responsible to present written and oral testimony and witnesses, if necessary, to satisfy the Zoning Board of Appeals that the criteria for the type of variance applied for are met.
5. For a SUP, appear at the scheduled hearing before the Zoning Board of Appeals and present evidence sufficient to satisfy the requirements of Section 190-57 (D) (1) of the Town of Colonie Town Code. The applicant or their agent is responsible to present written and oral testimony and witnesses, if necessary, to satisfy the Zoning Board of Appeals that the criteria for the SUP applied for are met.
6. For a WTSUP, appear at the scheduled hearing before the Zoning Board of Appeals and present evidence sufficient to satisfy the requirements of Chapter 189 of the Town of Colonie Town Code. The applicant or their agent is responsible to present written and oral testimony and witnesses, if necessary, to satisfy the Zoning Board of Appeals that the criteria for the WTSUP applied for are met.

Since a request for a variance or a SUP is a quasi-legal proceeding, you may want to consider, although it is not necessary, obtaining an attorney, engineer and/or consultant to assist you in the process.