



TOWN OF COLONIE

EASEMENT/RIGHT OF WAY ENCROACHMENT PROCEDURE

1. The Planning Economic Development Department, Building Department, DPW/Division(s) and/or DPW/Bureau of Engineering receive a Site Plan or request that involves an encroachment on a Town easement or right of way.
2. The Planning Economic Development Department, Building Department, DPW/Division(s) and/or DPW/Bureau of Engineering advise the Applicant that the site plan proposal involves an encroachment on a Town easement or right of way. The Applicant is provided the Easement/Right of Way Encroachment Procedure and Easement/Right of Way Encroachment Application and directed to complete and submit the application to the DPW/Bureau of Engineering. Noting that a site plan (8 ½" x 11" or 8 ½" x 14") clearly labeling and depicting the easement/right of way and the proposed encroachment(s) must be included with the application.
3. DPW/Bureau of Engineering reviews the application to determine if any DPW/Division(s) need to be consulted and if an Easement/Right of Way Encroachment Agreement or a Hold Harmless Agreement is required.
 - A. If DPW/Bureau of Engineering determines no other Division(s) need to review the application, they review the application and provide an approval or denial.
 - B. If DPW/Bureau of Engineering determines other DPW/Division(s) should be involved in the application review, a copy of the application is sent to the appropriate Division(s) for review and comment.
 - C. Upon review completion by the Division(s) involved, written comments will be sent to DPW/Bureau of Engineering.
4. **If the application is denied:** A copy of the application is returned to the applicant, Planning and Economic Development Department, Building Department and appropriate DPW Division(s) indicating the applications has been denied and the reason for denial.
5. **If the application is approved and an Easement/Right of Way Encroachment Agreement is required:** The DPW/Bureau of Engineering prepares the agreement. The agreement is executed by Commissioner of Public Works, sent to the property owner for their signature and returned to the DPW/Bureau of Engineering. The DPW/Bureau of Engineering submits original executed agreement to the Office of the Town Attorney for filing with the Office of the Town Clerk and provides copies of the agreement to all of the Town Departments associated with the encroachment review and approval.
6. **If the application is approved and a Hold Harmless Agreement is required:** The DPW/Bureau of Engineering provides a cover memo along with the original application and Division(s) comments to the Office of the Town Attorney for processing.
7. The Office of the Town Attorney upon notice from the Office of the Albany County Clerk that the Hold Harmless Agreement has been filed, a copy of the filed agreement will be provided to the property owner and all Town Departments associated with the encroachment review and approval.



TOWN OF COLONIE

EASEMENT/RIGHT OF WAY ENCROACHMENT APPLICATION

ENCROACHMENT STREET ADDRESS: _____

APPLICANT INFORMATION:

Date of Request: _____

Name: _____

Address: _____

Email: _____

Phone: _____ (Work) _____ (Home) _____ (Other)

PROPERTY OWNER INFORMATION: If different than Applicant.

Name: _____

Address: _____

Email: _____

Phone: _____ (Work) _____ (Home) _____ (Other)

Description of proposed encroachment (check appropriate box): Shed Pool Deck Fence
 Sign Landscaping Lawn Sprinkler System Other: _____

Copy of site plan (8 1/2" x 11" or 8 1/2" x 14") showing easement/right of way and proposed encroachment(s) attached to request.

FOR OFFICE USE ONLY

DENIAL:

Request for encroachment denied by (name or initials) _____ Date: _____

Reason for denial: _____

Copy of Denial sent to applicant. Date: _____

Copy of Denial sent to Building Department. Date: _____

Copy of Denial sent to DPW Divisions (circle), LWD, PW, HGWY Date: _____

APPROVAL:

Encroachment Request Approved* By (name or initials) _____ Date: _____

Copy of Approval and memo sent to Attorney's Office for processing. Date: _____

NOTE: * Encroachment Request Approval does not grant permission to begin construction of encroachment.