

**TROY CITY COUNCIL  
REGULAR MEETING AGENDA  
Thursday, July 7, 2016  
7:00 PM**

Pledge of Allegiance  
Roll Call  
Good News  
Vacancy List

Pursuant to § C-23 of the Troy City Charter Entitled "Public Forum", each Regular or Special meeting of the City Council shall include a period of time designated as a public forum, during which members of the public shall have the opportunity to address the Council on meeting agenda items and any other subject appropriate to the conduct of City government. (B) The structure of the public forum shall be set forth in the Council's rules of order, provided, however, that such rules do not abridge the following provisions: 1. The total time allotted for each speaker shall be at least five (5) minutes. 2. Public input on meeting agenda items must occur prior to the Council's consideration of such items. 3. No citizen of Troy, nor an attorney representing a citizen of Troy, shall be denied the right to speak. 4. The presiding officer of the meeting shall have sole discretion in limiting a speaker's remarks if they are deemed disruptive, obscene, or defamatory.

**LOCAL LAW**

**ORDINANCES**

46. Ordinance Authorizing And Directing Sales By The Proposal Sale Method Of City-Owned Real Properties (Council President Mantello) (At the Request of the Administration)
47. Ordinance Authorizing The Settlement Of A Lawsuit On Behalf Of The City Of Troy, New York V. 1776 Sixth Avenue, Troy, LLC, Index No.: 229193. (Council President Mantello) (At the Request of the Administration)
48. Ordinance Amending The Code Of The City Of Troy, Chapter 270, Vehicles And Traffic. (Council Member McGrath , Council President Mantello, Council Member Kopka, Council Member Sullivan-Teta, and Council Member Gulli )
49. Ordinance Approving Settlement Of Tax Certiorari Proceedings Instituted By Troy Woodland LLC On The Assessment Roll Of The City Of Troy. (Council President Mantello) (At the Request of the Administration)
50. Ordinance Amending The 2016 General Fund Budget And The 2016 Special Revenue Fund To Establish A Special Revenue Project/Account And To Appropriate Certain Funds For The Purpose Of A 10% Commitment Of The Total Cost For New York Works Round Environmental Restoration Program, Scolite – Upper Hudson River. (Council President Mantello) (At the Request of the Administration)
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## **RESOLUTIONS**

**62.** Resolution Appointing The Troy City Council As Lead Agency Pursuant To The State Environmental Quality Review Act In Connection With The Proposed Action Of Rezoning The Hillside And Beman Park Neighborhoods From R-3 To R-2 Zoning. (Council Member Bodnar and Council President Mantello)

**63.** Resolution Authorizing The Retention And Utilization Of The Services Of Collar City Auctions & Realty Inc. For Auctioneer Services On All City Owned Surplus Property. (Council President Mantello) (At the Request of the Administration)

**64.** Resolution Appointing Cindy Doran To The Special Committee On The Location Of Troy City Hall. (Council President Mantello, Council Member Sullivan-Teta) WITHDRAWN BY SPONSORS

**65.** Resolution Appointing Commissioners Of Deeds For The City Of Troy (Council President Mantello)

**66.** Resolution Of The Troy City Council And City of Troy Adopting The “Think Differently” Initiative To Assist Individuals With Special Needs And Their Families. (Council President Mantello, Council Members, McGrath, Ashe-McPherson, Gulli, Bodnar, Donohue, Kopka, Sullivan-Teta and Doherty)

**67.** Resolution by The Troy City Council Approving and Endorsing the City of Troy, NY in its Application to NYS Homes and Community Renewal for Funding Under the New York Main Street Program (Council President Mantello) (At the Request of the Administration)

**68.** Resolution Appointing Members of the Standing Committees of the Council (Council President Mantello)

**69.** Resolution to Amend § 3 – 103 G. of the City of Troy Procurement Policy (Council President Mantello) TABLED

**70.** Resolution Designating All Uncle Sam Citizen Oriented Events in 2016 as Bicentennial Events (Council President Mantello)

**71.** Resolution Confirming and Ratifying the City Clerk’s Filing of Local Law #2 of 2016 on June, 29, 2016 in the Office of Secretary of State. (Council President Mantello, Council Member Ashe-McPherson, Council Member Sullivan-Teta, Council Member McGrath, Council Member Doherty, Council Member Gulli, Council Bodnar, Council Kopka, Council Member Donohue)

**72.** Resolution Appointing A Special Committee On The Location Of Troy City Hall. (Council President Mantello)

**TABLED LEGISLATION 2016**

**ORDINANCE AUTHORIZING AND DIRECTING SALES BY  
THE PROPOSAL SALE METHOD OF CITY-OWNED REAL PROPERTIES**

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The City of Troy, in City Council convened, ordains as follows:

- Section 1.** Pursuant to Section 83-8 of the Troy Code, the Bureau of Surplus Property accepted bids at proposal sale on the hereinafter described properties as outlined below.
- Section 2.** The Mayor is hereby authorized and directed to sell and convey the hereinafter described real property to the following named purchasers for the sums below indicated which is hereby determined to be a fair price for the same without the necessity of competitive bidding and upon the terms and conditions set forth below.
- Section 3.** The Mayor is hereby empowered to execute and deliver to the said bidder or bidders a quit claim deed conveying said premises hereinafter described, but said conveyance is to be made expressly subject to the conditions hereinafter set forth.
- Section 4.** The purchaser, purchase price and terms and conditions of sales are as follows:

PROPERTY	PURCHASER	PRICE
1. 27 117 <sup>th</sup> Street	Capital Roots (Amy Klein)	\$250.00
2. 67 Fifth Avenue	Troy Community Land Bank	\$250.00
3. 899 River Street	Troy Community Land Bank	\$250.00
4. 881 River Street	Troy Community Land Bank	\$250.00
5. 3109 6 <sup>th</sup> Avenue	David Downer	\$500.00
6. 140 President Street	Troy Community Land Bank	\$250.00
7. 3209 – 3211 Seventh Avenue	Troy Community Land Bank	\$250.00
8. 9 & 11 Park Avenue	Troy Community Land Bank	\$250.00
9. 29 Park Avenue	Troy Community Land Bank	\$250.00
10. 3154 Sixth Avenue	Troy Community Land Bank	\$250.00
11. 61-63 Ingalls Avenue	Troy Community Land Bank	\$250.00
12. 3032 Seventh Avenue	Troy Community Land Bank	\$250.00
13. 3036 Seventh Avenue	Troy Community Land Bank	\$250.00
14. 411 Tenth Street	Troy Rehabilitation & Improvement Program (Christine Nealon)	\$50.00
15. 364 9 <sup>th</sup> Street	Troy Rehabilitation & Improvement Program (Christine Nealon)	\$50.00
16. 311 Ninth Street	Troy Rehabilitation & Improvement Program (Christine Nealon)	\$50.00
17. 2139-2141 Fifth Avenue	AB Acquisitions Holdings LLC (William Barber)	\$3,000.00
18. 159 10 <sup>th</sup> Street	Nicole Grijnsztein	\$250.00
19. 168 10 <sup>th</sup> Street	Jeremy Sorkin	\$750.00
20. 2107 15 <sup>th</sup> Street	James deSeve & Kian Tjong	\$41,000.00
21. 2-3 units St. Mary's Avenue	Collar City Collective LLC (Dylan Medlock-Turek & Neil Pelone)	\$500.00
22. 275 4 <sup>th</sup> Street	Collar City Collective LLC (Dylan Medlock-Turek & Neil Pelone)	\$7,500.00

23. 123 Adams Street	Conor Vallee	\$200.00
24. 529 Congress Street	Lilian C. DeGiorgio	\$1,000.00
25. 5 Arthur Court	George Baldwin & Jean Baldwin	\$400.00
26. Third Street (Vacant Lot) No Street #	Vince Pellicano	\$300.00
27. 53 Lincoln Avenue	Richard Miller	\$65,000.00

TERMS AND CONDITIONS: Properties will be conveyed to the prospective purchasers by Quit Claim Deed and be subject to any easement or restriction of record. Further;

- A. Purchaser shall be liable for and pay all closing costs related to this sale including, but not limited to: filing fees, deed stamps, survey, title report, environmental reports & cleanup and attorneys fees.

**Section 5.** This Ordinance shall take effect immediately.

Approved as to form, June 7, 2016

Kevin P. Glasheen, Esq., Corporation Counsel

PROPOSAL

Tax Map # 80.48-8-17

Property Location 27 117th Street

Present Number of Units \_\_\_\_\_

Owner Occupancy yes \_\_\_\_\_

Residential

Proposed Number of Units \_\_\_\_\_

no \_\_\_\_\_

Commercial

Proposed Use We will create our 52nd community garden to provide more food-producing garden space to community members.

Summary of Improvements The land will be fenced to secure the site for gardeners. Rich topsoil from a local farm will be imported to make the site suitable for food production.

Estimated Total Costs \$ 5,000

Proposed Improvement Method Our staff, with the help of volunteers will spread imported soil inside the installed fence. A fence company will be selected to install fencing.

Financing Method NA; see Board resolution

(Attach Proof of Financing method)

Proposed Purchase Price (Amount of Bid) \$ 250.<sup>00</sup>

Name Capital Roots

Principals Amy Klein,

Address 594 River Street  
Troy, NY 12180.

Executive Director

Phone # 274-8685

Amy Klein  
(Signature)

\*\*If more than one individual, partner, shareholder or member, attach additional sheets providing the names, home addresses and telephone numbers of each. No PO Boxes are acceptable. Each must sign the proposal.

MAYOR'S APPROVAL [Signature]

**PROPOSAL**

Tax Map # 90.46-2-12

Property Location 67 FIFTH AVE

Present Number of Units 2

Owner Occupancy yes preferred  Residential

Proposed Number of Units 2

no           Commercial

Proposed Use stabilize and repair building for resale and investment in the neighborhood

Summary of Improvements after completion of a physical assessment, the property will be stabilized and cleaned out and prepped for resale to finish the project

Estimated Total Costs \$ 15-\$25000

Proposed Improvement Method CLB will contract stabilization and maintenance work out to contractors

Financing Method TCLB funding through Attorney General and donations

(Attach Proof of Financing method)

Proposed Purchase Price (Amount of Bid) \$ 250 <sup>00</sup>/<sub>100</sub>

Name Troy COMMUNITY LAND BANK

Principals see attached sheet

Address 433 RIVER STREET

Troy, NY 12180

Phone # 518 279-7155

[Signature] EXEC. DIR.  
(Signature)

\*\*If more than one individual, partner, shareholder or member, attach additional sheets providing the names, home addresses and telephone numbers of each. No PO Boxes are acceptable. Each must sign the proposal.

MAYOR'S APPROVAL [Signature]

# PROPOSAL

Tax Map # 90.54-1-5

Property Location 899 RIVER STREET

Present Number of Units 2

Owner Occupancy yes  Residential

Proposed Number of Units 2

preferred no  Commercial

Proposed Use stabilize and repair building for resale and investment in the neighborhood

Summary of Improvements after completion of a physical assessment, the property will be stabilized, cleaned out and prepped for resale to finish the project

Estimated Total Costs \$ 10,000 - 12,000

Proposed Improvement Method CB will contract stabilization and maintenance work out to contractors

Financing Method TCLB funding through Attorney General and donations

(Attach Proof of Financing method)

Proposed Purchase Price (Amount of Bid) \$ 250,000

Name TROY COMMUNITY LAND BANK

Principals see attached sheets

Address 433 RIVER STREET

TROY, NY 12180

Phone # 518-279-7155

JOSEPH M. EXEC. DIR.  
(Signature)

\*\*If more than one individual, partner, shareholder or member, attach additional sheets providing the names, home addresses and telephone numbers of each. No PO Boxes are acceptable. Each must sign the proposal.

MAYOR'S APPROVAL [Signature]

# PROPOSAL

Tax Map # 90.54-1-14

Property Location 881 River Street

Present Number of Units 4

Owner Occupancy yes preferred  Residential

Proposed Number of Units 3-4

no           Commercial

Proposed Use stabilize and repair building for resale and investment in the neighborhood

Summary of Improvements after completion of a physical assessment, the property will be stabilized and cleaned out and prepared for resale to finish the project.

Estimated Total Costs \$ 30,000 - \$50,000

Proposed Improvement Method LCB will contract stabilization and maintenance work out to contractors

Financing Method TCUB funding through Attorney General and donations

(Attach Proof of Financing method)

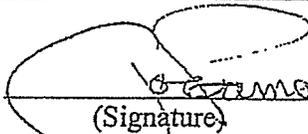
Proposed Purchase Price (Amount of Bid) \$ 250 <sup>00</sup>/<sub>100</sub>

Name TROY COMMUNITY LAND BANK Principals see attached sheet

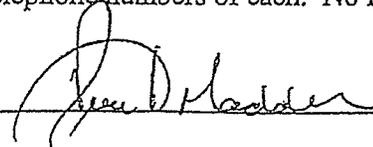
Address 433 River Street

Troy, NY 12180

Phone # 518-279-7155

  
(Signature) EXEC. DIR

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MAYOR'S APPROVAL 

# PROPOSAL

Tax Map # 90-62-3-28

Property Location 3109 6th Ave

Present Number of Units 2

Owner Occupancy yes \_\_\_\_\_

Residential } mixed-use  
 Commercial }

Proposed Number of Units 2

no \_\_\_\_\_

Proposed Use See attached

Summary of Improvements See attached

Estimated Total Costs \$ 18,000

Proposed Improvement Method See attached

Financing Method Funds will directly from my investment account,  
which is liquid and can be used for this project  
(Attach Proof of Financing method)

Proposed Purchase Price (Amount of Bid)

\$ 500.00

Name David Downer

Principals \_\_\_\_\_

Address 9 Stannard Ave

Troy 12180

Phone # 518-328-4950

[Signature]  
(Signature)

\*\*If more than one individual, partner, shareholder or member, attach additional sheets providing the names, home addresses and telephone numbers of each. No PO Boxes are acceptable. Each must sign the proposal.

MAYOR'S APPROVAL [Signature]

3109 Sixth Ave

To Whom It May Concern,

My name is David Downer and my wife, Emily, our two daughters, and I are very interested in purchasing 3109 6<sup>th</sup> Ave from the City of Troy. We have been residents of the Capital Region for over ten years now, deciding to stay in the area after graduating from Siena College. We recently moved to Troy (North-Central to be exact) and fell in love with the city and its potential. Since that time, we've purchased two investment properties in the North-Central area that we have meticulously maintained and are currently in the process of closing on a third. Our commitment has been to continue to invest in the city and do our part to reduce blight in the area. We see 3109 6<sup>th</sup> Ave as a property that provides tremendous opportunity for us to continue this work.

Once acquired, first and foremost, we will clean the entire property and make improvements to the façade, so those traveling on 6<sup>th</sup> Avenue will see care and pride being taken in the property and the neighborhood. We will then make any necessary updates and improvements to the upstairs apartment so its new tenants will also take pride in their home. The first floor storefront will continue to be used as a commercial space since it is currently zoned in that way. We will be extremely selective in what business we allow to lease this space. We believe North Troy has enough convenience stores and bodegas and will not allow this property to be used in that way. The vision we have for this commercial space is to generate interest, creativity and commerce in our neighborhood, similar to the successful businesses within the parameters of the downtown area.

Our commitment to investing in Troy is deep, so much so that we joined a local network to help further our contacts as we move forward in this process. We have since met many service professionals, a couple of whom will help with the initial clean-out of the building. We ask that you strongly consider our offer; resting assured that 3109 6<sup>th</sup> Ave will be with owners who are local, invested in the city, and excited to be a part of reducing blight in North Troy and help contribute to it thriving in the future.

Thank you very much in advance and we look forward to continuing to grow, develop, and work with the City of Troy.

Sincerely,

David Downer

Cont

### Summary of Improvements

- Remove all garbage/debris (this is the majority of the work)
- Have a structural inspection done to confirm any additional work needed, however, according to the code documentation all major issues were successfully resolved in recent time and no structural issues should remain
- Install new insulation/drywall
- Paint walls
- Install new flooring
- Based on reports, plumbing & electric still in place -> verify functionality and have it inspected; make necessary updates; re-inspection
- Patch leak in the roof and water damage to the 2<sup>nd</sup> floor apartment

### Proposed Improvement Method

- Work with one of two identified garbage/junk removal companies to clear out the space
- Complete a structural inspection to confirm no additional repairs
- Tear down old drywall and insulation where needed (mainly 2<sup>nd</sup> floor due to leak)
- With bare walls open in certain spots, make any necessary electrical and plumbing updates/repairs
- Install new insulation and/or drywall and paint all the walls
- Install new flooring throughout the building
- Final inspection from City of Troy Codes Department
- Final cleaning and prepare for tenants

# PROPOSAL

Tax Map # 90.62-4-4

Property Location 140 PRESIDENT ST

Present Number of Units 2

Owner Occupancy yes preferred  Residential

Proposed Number of Units 2

no  Commercial

Proposed Use stabilize and repair building for resale and investment in the neighborhood

Summary of Improvements after completion of a physical assessment the property will be stabilized, cleaned out and prepped for resale to finish the project

Estimated Total Costs \$ 20,000-30,000

Proposed Improvement Method LB will contract stabilization and maintenance work out to contractors

Financing Method TCLB funding through Attorney General and donations

(Attach Proof of Financing method)

Proposed Purchase Price (Amount of Bid) \$ 250,000

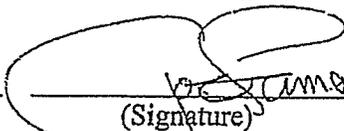
Name TRON COMMUNITY LAND BANK

Principals see attached sheet

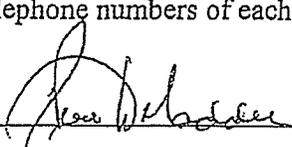
Address 433 RIVER STREET

TRON, NY 12186

Phone # 518-279-7155

 exec. dir.  
(Signature)

\*\*If more than one individual, partner, shareholder or member, attach additional sheets providing the names, home addresses and telephone numbers of each. No PO Boxes are acceptable. Each must sign the proposal.

MAYOR'S APPROVAL 

**PROPOSAL**

Tax Map # 90.63-1-13

Property Location 3209-3211 SEVENTH AVE

Present Number of Units 6

Owner Occupancy yes preferred  Residential

Proposed Number of Units 4-6

no  Commercial

Proposed Use stabilize and repair building for resale and investment  
in the neighborhood

Summary of Improvements LB will complete a physical assessment, upon which the  
property will be stabilized, cleaned out and prepped for  
resale to finish the project

Estimated Total Costs \$ 30-50,000

Proposed Improvement Method LB will contract stabilization and maintenance work out  
to contractors

Financing Method TCLB funding through Attorney General and donations

(Attach Proof of Financing method)

Proposed Purchase Price (Amount of Bid) \$ 250,000

Name TROY COMMUNITY LAND BANK Principals see attached sheet

Address 433 RIVER STREET  
TROY, NY 12180

Phone # 518-279-7155 [Signature] EXEC. DIR.  
(Signature)

\*\*If more than one individual, partner, shareholder or member, attach additional sheets providing the names, home addresses and telephone numbers of each. No PO Boxes are acceptable. Each must sign the proposal.

MAYOR'S APPROVAL [Signature]

# PROPOSAL

Tax Map # 90.63-2-5

Property Location 9 & 11 PARK AVENUE

Present Number of Units 2

Owner Occupancy yes preferred  Residential

Proposed Number of Units 2

no no  Commercial

Proposed Use stabilize and repair building for resale and investment in the neighborhood

Summary of Improvements after completion of a physical assessment, the property will be stabilized, cleaned out and prepped for resale to finish the project

Estimated Total Costs \$ 20,435,020

Proposed Improvement Method LIB will contract stabilization and maintenance work out to contractors

Financing Method LIB funding through Attorney General and donations

(Attach Proof of Financing method)

Proposed Purchase Price (Amount of Bid) \$ 250

Name Troy Community Land Bank Principals see attached sheet

Address 433 River Street  
Troy NY 12180

Phone # 518-279-7155  
[Signature]  
(Signature)

\*\*If more than one individual, partner, shareholder or member, attach additional sheets providing the names, home addresses and telephone numbers of each. No PO Boxes are acceptable. Each must sign the proposal.

MAYOR'S APPROVAL [Signature]

# PROPOSAL

Tax Map # 90.63-2-13

Property Location 29 Park Avenue

Present Number of Units 3

Owner Occupancy yes preferred  Residential

Proposed Number of Units 2-3

no         Commercial

Proposed Use stabilize and repair building for resale and investment in the neighborhood

Summary of Improvements after completion of a physical assessment, the property will be stabilized and cleaned out and prepped for resale to finish the project

Estimated Total Costs \$ 10-20,000

Proposed Improvement Method LB will contract stabilization and maintenance work out to contractors

Financing Method TCLB funding through Attorney General and donations

(Attach Proof of Financing method)

Proposed Purchase Price (Amount of Bid) \$ 250,000

Name Troy Community Land Bank Principals see attached sheet

Address 433 RIVER ST  
Troy, NY 12180

Phone # 518-279-7155 [Signature] EXEC. DIR.  
(Signature)

\*\*If more than one individual, partner, shareholder or member, attach additional sheets providing the names, home addresses and telephone numbers of each. No PO Boxes are acceptable. Each must sign the proposal.

MAYOR'S APPROVAL [Signature]

# PROPOSAL

Tax Map # 9063-S-1

Property Location 3154 SIXTH AVE NW

Present Number of Units 2

Owner Occupancy yes  Residential

Proposed Number of Units 2

preferred no  Commercial

Proposed Use stabilize and repair building for resale and investment  
in the neighborhood

Summary of Improvements after completion of a physical assessment, the property  
will be stabilized and cleaned out and prepped for  
resale to finish the project

Estimated Total Costs \$ 10-20,000

Proposed Improvement Method LB will contract stabilization and maintenance work  
out to contractors

Financing Method TCLB funding through Attorney General and donations

(Attach Proof of Financing method)

Proposed Purchase Price (Amount of Bid) \$ 250,000

Name TROY COMMUNITY LAND BANK Principals see attached sheet

Address 435 RIVER STREET

Troy, NY 12180

Phone # 518-279-7155 [Signature] EXEC. DIR.  
(Signature)

\*\*If more than one individual, partner, shareholder or member, attach additional sheets providing the names, home addresses and telephone numbers of each. No PO Boxes are acceptable. Each must sign the proposal.

MAYOR'S APPROVAL [Signature]

# PROPOSAL

Tax Map # 90.712-14

Property Location 6163 INGAUS AVE

Present Number of Units 4

Owner Occupancy yes  Residential

Proposed Number of Units 34

preferred no  Commercial

Proposed Use stabilize and repair building for resale and investment  
in the neighborhood

Summary of Improvements after completion of a physical assessment, the property  
will be stabilized, cleaned out and prepped for resale  
to finish the project

Estimated Total Costs \$ 35000-460,000

Proposed Improvement Method CP will contract stabilization and maintenance work  
out to contractor

Financing Method TCLB Lending through Attorney General and donations

(Attach Proof of Financing method)

Proposed Purchase Price (Amount of Bid) \$ 250,000

Name TROY COMMUNITY LAND BANK Principals see attached sheet

Address 433 River St

Troy, NY 12180

Phone # 518-279-7155 RESAMA EXEC. DIR.  
(Signature)

\*\*If more than one individual, partner, shareholder or member, attach additional sheets providing the names, home addresses and telephone numbers of each. No PO Boxes are acceptable. Each must sign the proposal.

MAYOR'S APPROVAL [Signature]

# PROPOSAL

Tax Map # 90.71-2-30

Property Location 3032 SEVENTH AVENUE

Present Number of Units 1

Owner Occupancy yes preferred  Residential

Proposed Number of Units 1

no           Commercial

Proposed Use stabilize and repair building for resale and investment  
in the neighborhood

Summary of Improvements After completion of a physical assessment the property will  
be stabilized, cleaned out and prepped for resale to finish  
the project.

Estimated Total Costs \$ 15,000 - \$25,000

Proposed Improvement Method LCB will contract stabilization and maintenance work  
out to contractors

Financing Method TCLB funding through Attorney General and donations

(Attach Proof of Financing method)

Proposed Purchase Price (Amount of Bid) \$ 250,000

Name Troy Community Land Bank Principals see attached sheet

Address 433 River St  
Troy, NY 12180

Phone # 518-279-7155  
[Signature] EXEC. DIR.  
(Signature)

\*\*If more than one individual, partner, shareholder or member, attach additional sheets providing the names, home addresses and telephone numbers of each. No PO Boxes are acceptable. Each must sign the proposal.

MAYOR'S APPROVAL [Signature]

# PROPOSAL

Tax Map # 90.71-2-32

Property Location 3036 SEVENTH AVENUE

Present Number of Units 2

Owner Occupancy yes preferred  Residential

Proposed Number of Units 2

no \_\_\_\_\_  Commercial

Proposed Use stabilize and repair building for resale and investment  
in the neighborhood

Summary of Improvements after completion of a physical assessment, the property  
will be stabilized, cleaned out and prepped for resale to  
finish the project

Estimated Total Costs \$ 25-35000

Proposed Improvement Method LCB will contract stabilization and maintenance work out to  
contractors

Financing Method LCB funding through Attorney General and donations

(Attach Proof of Financing method)

Proposed Purchase Price (Amount of Bid) \$ 250<sup>00</sup>/<sub>100</sub>

Name TROY COMMUNITY LAND BANK Principals see attached sheet

Address 483 RIVER ST  
Troy, NY 12180

Phone # 518-279-7155  
[Signature] EXEC. DIR.  
(Signature)

\*\*If more than one individual, partner, shareholder or member, attach additional sheets providing the names, home addresses and telephone numbers of each. No PO Boxes are acceptable. Each must sign the proposal.

MAYOR'S APPROVAL [Signature]

PROPOSAL

Tax Map # 90-79-5-35

Property Location 411 Tenth Street

Present Number of Units 0

Owner Occupancy yes       Residential

Proposed Number of Units 0

no       Commercial

Proposed Use currently vacant land, would like to purchase as part of a long term improvement plan

Summary of Improvements will maintain lot, mow/clean, pay taxes and insure. Anticipate utilizing lot in development of single family homes in next 5-7 years

Estimated Total Costs \$ 500/yr.

Proposed Improvement Method     

Financing Method money order / certified check

(Attach Proof of Financing method)

Proposed Purchase Price (Amount of Bid) \$ 50.00

Name Troy Rehabilitation & Improv. Program

Principals Christine Nealon

Address 415 River St.  
Troy NY 12180

Exec. Director

Phone # 518 222 8289 x206 C Nealon  
(Signature)

\*\*If more than one individual, partner, shareholder or member, attach additional sheets providing the names, home addresses and telephone numbers of each. No PO Boxes are acceptable. Each must sign the proposal.

MAYOR'S APPROVAL [Signature]

**PROPOSAL**

Tax Map # 90.79-5-56

Property Location 364 9th Street

Present Number of Units 0

Owner Occupancy yes  Residential

Proposed Number of Units \_\_\_\_\_

no  Commercial

Proposed Use currently vacant lot, would like to purchase as part of a long term improvement plan

Summary of Improvements will maintain lot, mow/clean, pay taxes and insure. Anticipate utilizing lot in development of single family homes in next 5-7 years

Estimated Total Costs \$ 500/yr.

Proposed Improvement Method eventual new construction or other neighborhood improvement project as part of a

Financing Method certified check or money order

(Attach Proof of Financing method)

Proposed Purchase Price (Amount of Bid) \$ 50.-

Name Troy Rehabilitation & Improvement Program

Principals Christine Nealon Executive Director

Address 415 River St. Troy NY 12180

Phone # 518 272 8289 x206 lnealon  
(Signature)

\*\*If more than one individual, partner, shareholder or member, attach additional sheets providing the names, home addresses and telephone numbers of each. No PO Boxes are acceptable. Each must sign the proposal.

MAYOR'S APPROVAL [Signature]

PROPOSAL

Tax Map # 101.23-1-3

Property Location 311 North St

Present Number of Units 0

Owner Occupancy yes       Residential

Proposed Number of Units 0

no       Commercial

Proposed Use currently is vacant land

Summary of Improvements will maintain vacant lot, mow/clean and hold for future plans and pay taxes and insure lot.

Estimated Total Costs \$ 500/yr.  
until +/- 2022

Proposed Improvement Method     

Eventual new construction - single family homes

Financing Method cash / certified check or money order

(Attach Proof of Financing method)

Proposed Purchase Price (Amount of Bid) \$ 50 -

Name Troy Rehabilitation & Improvement Program, Inc

Principals Christine Nealon

Address 415 River Street

Executive Director

Troy N.Y. 12180

Phone # 272-8289 x.206

lnealon  
(Signature)

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MAYOR'S APPROVAL [Signature]

PROPOSAL

Tax Map # 101.38-9-7

Property Location 2139-2141 1/2 Ave

Present Number of Units 0

Owner Occupancy yes  Residential

Proposed Number of Units 0

no  Commercial

Proposed Use Over flow parking for the new construction of a 30 unit condo project on King St, as well as shared parking for Bethel Baptist church.

Summary of Improvements ① Regrade as necessary, ② Place binder and top asphalt, ③ Strip parking, ④ Install lighting, ⑤ Install fencing

Estimated Total Costs \$ 35,000.00

Proposed Improvement Method We plan to have a city approved Engineer to design the site. Followed by a City approved contractor to implement the design

Financing Method Self financed

(Attach Proof of Financing method)

Proposed Purchase Price (Amount of Bid)

\$ 3,000.00

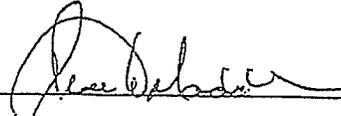
Name AB Acquisitions Holdings LLC Principals William Barber

Address 298 Troy Schenectady Rd  
Latham, NY 12110

Phone # 518 928 8692

  
(Signature)

\*\*If more than one individual, partner, shareholder or member, attach additional sheets providing the names, home addresses and telephone numbers of each. No PO Boxes are acceptable. Each must sign the proposal.

MAYOR'S APPROVAL 

# PROPOSAL

Tax Map # 101.47-1-3

Property Location 159 10th St.

Present Number of Units n/a

Owner Occupancy yes  Residential

Proposed Number of Units n/a

no X  Commercial

Proposed Use Fruit tree orchard, nursery for gardens

Summary of Improvements mulch, compost, topsoil, fruit trees, protective fencing, woodchips, irrigation water storage

Estimated Total Costs \$ 1500.00

Proposed Improvement Method Will work on this myself, several years experience as urban gardener/landscaper

Financing Method Bank account/savings

(Attach Proof of Financing method)

Proposed Purchase Price (Amount of Bid)

\$ 250.00

Name Nicole Grijnsztein

Principals \_\_\_\_\_

Address 159 10th St.

Troy, NY 12180

Phone # (312) 771-0847

Nicole Grijnsztein  
(Signature)

\*\*If more than one individual, partner, shareholder or member, attach additional sheets providing the names, home addresses and telephone numbers of each. No PO Boxes are acceptable. Each must sign the proposal.

MAYOR'S APPROVAL

[Signature]

# PROPOSAL

Tax Map # 101.47-2-12

Property Location 168 10<sup>th</sup> St.

Present Number of Units n/a

Owner Occupancy yes  Residential

Proposed Number of Units n/a

no  Commercial

Proposed Use To plant a fruit tree orchard and  
make a community green space

Summary of Improvements Clear dead trees, thin small  
growth, prune larger trees, plant fruit trees,  
terrace to prevent erosion, make walking  
pathways

Estimated Total Costs \$ 500

Proposed Improvement Method I will do the work myself  
with my personal equipment. I am a trained  
arborist.

Financing Method With my salary and savings

(Attach Proof of Financing method)

Proposed Purchase Price (Amount of Bid) \$ 750.00

Name Jeremy Sorkin Principals \_\_\_\_\_

Address 169 10<sup>th</sup> St.  
Troy, NY 12180

Phone # 773-791-1455 JS Sorkin  
(Signature)

\*\*If more than one individual, partner, shareholder or member, attach additional sheets providing the names, home addresses and telephone numbers of each. No PO Boxes are acceptable. Each must sign the proposal.

MAYOR'S APPROVAL [Signature]

# PROPOSAL

Tax Map # 101.47 - 6 - 8 Property Location 2107 15th Street  
Present Number of Units Two  Owner Occupancy yes \_\_\_\_\_  Residential  
Proposed Number of Units Two no x  Commercial

Proposed Use We live just a few blocks from this house and manage five apartments next to our own home. Our plan is to renovate this beautiful old house and make it, once again, a proud member of this iconic Troy neighborhood. We will provide two excellent and safe apartments that we will manage directly.

Summary of Improvements Please see attachments for more information, but briefly: Restoration of facade, replacement of boilers, updating kitchens and baths, updating plumbing and electric, repairs to slate roof, insulation, replacement of windows where needed and landscaping. Please see attached proposal

Estimated Total Costs \$ 167,811

Proposed Improvement Method As a former licensed general contractor in Brooklyn, NY, Jim de Seve will serve as project manager for the renovation of the house. We previously renovated three properties in Troy and another in Brooklyn, so we have ample experience. We have a team of qualified and licensed contractors we will employ for this project. We estimate three to four months to complete the work.

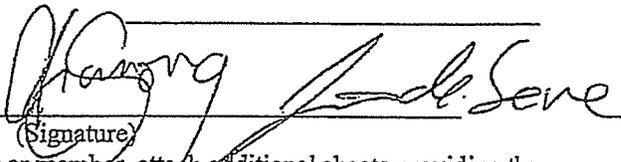
Financing Method Financing will be entirely in cash. Proof of bank account provided.

Proposed Purchase Price (Amount of Bid) \$ 41,000

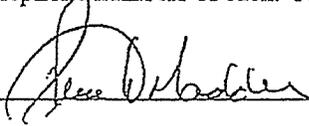
Name James de Seve and Kian Tjong Principals \_\_\_\_\_

Address 276 Tenth St., Troy, NY 12180 \_\_\_\_\_

Phone # 646-832-0758 or 718-245-8107

  
(Signature)

\*\*If more than one individual, partner, shareholder or member, attach additional sheets providing the names, home addresses and telephone numbers of each. No PO Boxes are acceptable. Each must sign the proposal.

MAYOR'S APPROVAL 

# PROPOSAL

Tax Map # 101.77-5-1 Property Location St. Mary's Avenue  
Present Number of Units Vacant  Owner Occupancy yes       Residential  
Proposed Number of Units 2-3 no X  Commercial

Proposed Use 2-3 New construction "starter homes with "carriage house" garages (attached or detached) of about 1200-1600 sqft each. Existing vacant parcel is proposed to be subdivided into individual parcels for sale to home owners.

Summary of Improvements Site work (including utilities), new construction single family homes. "Net zero" construction standards a goal. One to be constructed immediately, the additional homes to be constructed pending purchase agreements with future home owners.

Estimated Total Costs \$ ~\$200,000  
per home

Proposed Improvement Method Combination GC contract with a portion of the work self-performed by Collar City Collective based upon licensed Architect/engineered plans (see attached preliminary plans).

Financing Method Construction loan (~\$50,000 cash, 25% downpayment) with permanent financing upon completion (Attach Proof of Financing method)

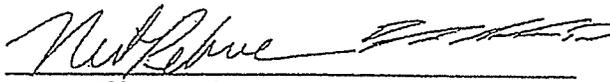
Proposed Purchase Price (Amount of Bid) \$ 500.00

Name Collar City Collective LLC Principals Dylan Medlock-Turek

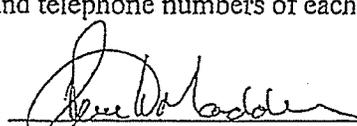
Address 16 2nd Street, 1st Floor Neil Pelone

Troy, NY 12180

Phone # 516-859-4005 (Dylan)  
518-421-3300 (Neil)

  
(Signature)

\*\*If more than one individual, partner, shareholder or member, attach additional sheets providing the names, home addresses and telephone numbers of each. No PO Boxes are acceptable. Each must sign the proposal.

MAYOR'S APPROVAL 

PROPOSAL

Tax Map # 101.77-8-5 Property Location 275 4th Street  
Present Number of Units Vacant (3 or 4)  Owner Occupancy yes  Residential  
Proposed Number of Units 3 no  Commercial

Proposed Use SEE PROPOSAL ATTACHED

Summary of Improvements SEE PROPOSAL ATTACHED

SEE PROPOSAL  
Estimated Total Costs \$ ATTACHED

Proposed Improvement Method SEE PROPOSAL ATTACHED

Financing Method SEE PROPOSAL ATTACHED

(Attach Proof of Financing method)

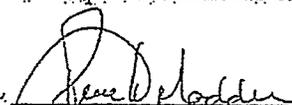
Proposed Purchase Price (Amount of Bid) \$ 7,500 (SEE ATTCHED)

Name Collar City Collective LLC Principals Dylan Medlock Turek

Address 16 2nd Street, 1st Floor Neil Pelone  
Troy, NY 12180

Phone # 516-859-4005 (Dylan)  
518-421-3300 (Neil)   
(Signature)

\*\*If more than one individual, partner, shareholder or member, attach additional sheets providing the names, home addresses and telephone numbers of each. No PO Boxes are acceptable. Each must sign the proposal.

MAYOR'S APPROVAL 



Urban Development & Design

May 16, 2016

Via: Hand Delivery

Office of the City Assessor  
433 River Street, Suite 5001  
Troy, NY 12180

**RE: PROPOSAL – 275 4<sup>TH</sup> STREET, TROY, NY 12180 – TAX MAP # 101.77-8-5**

To whom it may concern:

What you hold in your hand is not another get-rich scheme to somehow make a fortune off the foreclosure list. Nor is it some unreasonable, "pie-in-the-sky" dream based on assumptions that greatly underestimate the scope of the work or financial risk. And it's certainly not another cookie-cutter apartment proposal outlining a tried-and-true method to squeeze every last dollar out of brick and mortar – an approach that shamelessly commoditizes our housing stock as part of a larger race to the bottom.

No, what you have in your hands is real. It's backed by strong financials and love for a place, its people and our process. It's crafted by real estate development and design professionals who live, work and start their own families next to the building in question. It includes detailed drawings, schedules and plans that can be submitted for permit tomorrow – plans that are based on meticulous analysis of market data, a wealth of related experience, financial modeling and passion for design and place-making. Put simply, in your hands is an opportunity to recognize and return the same passion and love that brought you here - this room and chair where you read long-winded proposals like ours and put in countless hours at your jobs to help sustain a revival and answer to many of its angriest opponents. Except this proposal presents an opportunity to change not only the optics of a single vacant building, but an entire neighborhood as well... and even further south, where people you know are waiting for visible signs of hope beyond the occasional story about a downtown project or business that they get to read.

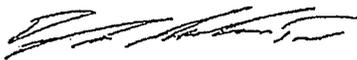
As young professionals who own, renovate, reside in and lease apartments in your neighborhoods, we understand the weight "financial capability" carries in your deliberations for selecting suitable buyers. We too want every building on that list to go to someone who will do more than spin a good tale. We too want more of the people who are already investing in Troy and creating exciting projects, opening small businesses and collaborating with their community. Every entrepreneur that gambles on themselves and the city around them will naturally attract more like-minded self-starters and dollars to our neighborhoods. But a gamble is only as good as the odds that it will succeed, and to do so requires capital, vision and tenacity. Just like you, we've seen promising projects or business proposals that create buzz from genuine passion for what "could be". And we've also seen great ideas sputter out as money dried up, community support dwindled or the developer was too rigid to adapt.

Good intentions without experience or financial capability often leads to longer periods of vacancy. For many buildings, just one extra year of penetration and exposure to the elements is enough to bring a home that could have been saved, to the ground instead. We can also picture empty lots and derelict houses collecting garbage as it blows by like nightmare tumbleweeds... while neighbors watch and feel the burden. Except with this property, we are the neighbors.

Following our successful gut-renovation of 246 3<sup>rd</sup> Street – Collar City Collective’s first project introducing simplified living spaces and custom-designed finishes to our neighborhood – we quickly identified 275 4<sup>th</sup> Street as the next location for our evolving “designed for living” concept. For one thing, it bookends the Adams Street block opposite 1 Ashland Place - another property we own and where I currently reside with my fiancé (a Troy Middle School math teacher) and our 4-month old son, Maxwell (his middle name is Hudson for crying out loud!) – and so we actively began pursuing it prior to the City taking title via foreclosure.

Now, we’re thrilled to submit this proposal knowing that we are the strongest candidates to produce truly exciting results if awarded the opportunity to do so. We are building a reputation by designing and delivering unique spaces that over time will help grow Troy’s tax-base and supply much-needed modern-housing to young professionals and other under-served markets. More importantly, as community members and family-starters who have chosen to plant our roots here, we’ve seen how our work and the tenants it attracts can positively impact our community and city. When we completed our last renovation project, we were surprised by the overwhelming amount of encouragement and love we received. From the family that previously occupied the house for 80 years, over 3 generations and 5 home-births, to complete strangers who just wanted to stop by and tell us to keep up the good work – we want to continue working and living in this neighborhood with them. So it might be a little ridiculous to mention love in a proposal to purchase a vacant building on a blighted corner, but it is what it is... and we couldn’t find any place in the standard proposal packet where it seemed appropriate.

Sincerely,  
On behalf of Collar City Collective



Dylan Medlock-Turek  
Collar City Collective, L.L.C.  
Owner, Managing Member



Neil Pelone  
Collar City Collective, L.L.C.  
Owner, Managing Member

# PROPOSAL

Tax Map # 101.77-9-6

Property Location 123 Adams St.

Present Number of Units 0

Owner Occupancy yes  Residential

Proposed Number of Units 0

no  Commercial

Proposed Use private garden, cleaning of garbage and putting a fence in front to protect from trespassers.

Summary of Improvements planting trees, creating a compost system to improve soil, grow vegetables.

Estimated Total Costs \$ 500.00

Proposed Improvement Method recycled materials and salvaged products.

Financing Method Capital Roots, Our Daily Bread current employment.  
(Attach Proof of Financing method)

Proposed Purchase Price (Amount of Bid) \$ 200.00

Name Conor Vallee Principals \_\_\_\_\_

Address 808 Jacob St.  
Troy NY 12180

Phone # 518-275-3426 Conor Vallee  
(Signature)

\*\*If more than one individual, partner, shareholder or member, attach additional sheets providing the names, home addresses and telephone numbers of each. No PO Boxes are acceptable. Each must sign the proposal.

MAYOR'S APPROVAL [Signature]



# PROPOSAL

Tax Map # 112.21-2-3 Property Location 5 Arthur Ct  
Present Number of Units 0 X Owner Occupancy yes  X Residential  
Proposed Number of Units 0 no  D Commercial

Proposed Use After having lived on 3 Arthur Ct for 25+ yrs and raised our family, our Daughter and Son-in-law are now raising their family in the house. We propose to clean up the land on 5 Arthur Ct to extend our yard and to provide a safe play area for our grandchildren as well as access to Buckley Street parking lot for off street parking.

Summary of Improvements Install fencing around property, plant fruit tree, flowers and flowering Shrubs as well as plant a lawn. In addition will construct walkway from gate to back of house and deck.

Estimated Total Costs \$3500.00

Proposed Improvement Method Having been in the construction field for 30+ yrs as a Union

Laborer The work will be performed by home owner

Financing Method \_\_\_\_\_

(Attach Proof of Financing method)

Proposed Purchase Price (Amount of Bid) \$ 400.00

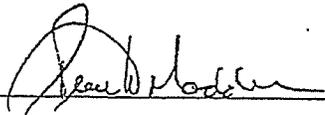
Name George Baldwin & Jean Baldwin Principals \_\_\_\_\_

Address 26 Crell Ave, Wynantskill NY 12198

Phone # 518-271-9752

George T Baldwin Jean Baldwin  
(Signature)

\*\*If more than one individual, partner, shareholder or member, attach additional sheets providing the names, home addresses and telephone numbers of each. No PO Boxes are acceptable. Each must sign the proposal.

MAYOR'S APPROVAL 

**PROPOSAL**

Tax Map # 112.21-11-20 Property Location Third Street

Present Number of Units \_\_\_\_\_  Owner Occupancy yes \_\_\_\_\_  Residential

Proposed Number of Units \_\_\_\_\_ no \_\_\_\_\_  Commercial

Proposed Use land is adjacent to my current residence

We would like to utilize the property for a garden and for our children to play in.

Summary of Improvements We will keep the property clean. We would like to make some of the property into a garden.

Estimated Total Costs \$ \_\_\_\_\_

Proposed Improvement Method Vacant lot. Plan to transform some of the area into a garden

Financing Method CASH

(Attach Proof of Financing method)

Proposed Purchase Price (Amount of Bid) \$ 300.00

Name Vince Pellicano Principals \_\_\_\_\_

Address 342 Third Street  
Troy, NY 12180

Phone # (518) 505-5024 Vince Pellicano  
(Signature)

\*\*If more than one individual, partner, shareholder or member, attach additional sheets providing the names, home addresses and telephone numbers of each. No PO Boxes are acceptable. Each must sign the proposal.

MAYOR'S APPROVAL Jerry DeBacco

# PROPOSAL

Tax Map # 112.45-6-3

Property Location 53 Lincoln Avenue

Present Number of Units 2

Owner Occupancy yes X  Residential

Proposed Number of Units 2

no         Commercial

Proposed Use \_\_\_\_\_

This property is to be used as an owner occupied 2 unit investment property.

Summary of Improvements \_\_\_\_\_

The property will undergo the following improvements - New Roof, Landscaping, Kitchen Repairs, Gas Line Installation, New Doors and Trim, Bathroom Reconstruction, Tile and Carpet, etc. (see attached)

Estimated Total Costs \$ 30,000.00

Proposed Improvement Method \_\_\_\_\_

Contractors have already been acquired to do the work as we had a contract on the property with the previous owner. Estimates are attached.

Financing Method 203K Mortgage through Homestead Funding Corp. already approved.

(Attach Proof of Financing method)

Proposed Purchase Price (Amount of Bid) \$ 65,000.00

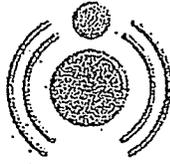
Name Richard Miller Principals \_\_\_\_\_

Address 8 Princeton Ave., Clifton Park, NY 12065

Phone # 518-728-4009 \_\_\_\_\_  
(Signature)

\*\*If more than one individual, partner, shareholder or member, attach additional sheets providing the names, home addresses and telephone numbers of each. No PO Boxes are acceptable. Each must sign the proposal.

MAYOR'S APPROVAL Richard Miller



**LAW OFFICE OF ALICE M. BREEDING, ESQ., PLLC**  
[legal@breedinglaw.com](mailto:legal@breedinglaw.com)

May 11, 2016

Office of the City Assessor  
433 River Street, Ste 5001  
Troy, NY 12180

RE: 53 Lincoln Avenue, Troy, NY  
SBL: 112.45-6-3

Dear Sir/Madam:

Enclosed please find our bid proposal for the above mentioned property. My client is very serious about purchasing, repairing and occupying this property. I would like to give you a little background to prove our intent.

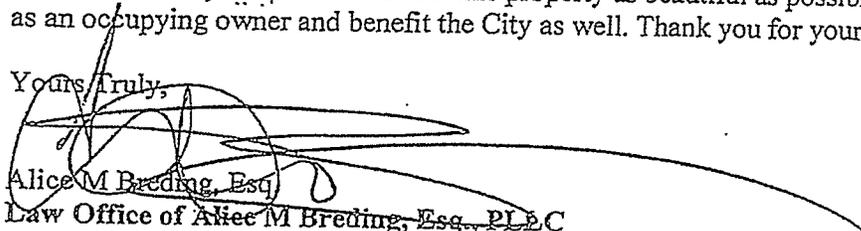
My client entered into a contract with the former owner of the property on February 23, 2016 for the purchase of this property. He has gone through the process of having inspections done on the property, applying for and being approved for a 203K mortgage that will cover the repair costs, obtaining estimates for the required repairs to the property, etc. (documentation attached).

When the title search was completed and the report prepared on March 13<sup>th</sup>, the seller's attorney was notified of the tax foreclosure as well as the fact that the seller was well aware of this pending action. My client chose to hang in there in hopes that the seller would pay the back taxes, have the property reconveyed to the company and we would be able to continue with our transaction. The last day came and went with no such luck and no communication from the seller/previous owner.

Title work is completed on this and the loan is basically clear to close once we have a contract with the proper property owner. My client's rate expires on June 3, 2016 but an extension is not a problem if the City requires more time to make a final decision.

My client is very motivated to make this property as beautiful as possible so as to benefit himself as an occupying owner and benefit the City as well. Thank you for your time.

Yours Truly,

  
Alice M Breeding, Esq.

Law Office of Alice M Breeding, Esq., PLLC

**ORDINANCE AMENDING THE CODE OF THE CITY OF TROY, CHAPTER 270, VEHICLES AND TRAFFIC**

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The City of Troy, in City Council convened, ordains as follows:

Section 1: Sec. 270-13 entitled Stopping, standing and parking restriction, Subsection O. is amended to add additional oversized vehicles or equipment. With new matter underlined:

O. It shall be unlawful to park any bus, house coach, school bus, tractor, trailer or combination thereof. semi-trailer, stinger-steered automobile transporter, mobile car crusher, boat, boat trailer, one-axle trailer, dump truck, moving van, delivery or work van, either by itself or in combination with a trailer, in excess of 20 feet in length, recreational vehicle in excess of 20 ft. in length, tow truck except in front of or alongside a commercial establishment for such towing business and without any motor vehicle located on or attached to said tow truck, on any City street other than for a temporary period of time related to and necessary to accomplish a specific business purpose.

Section 2: This ordinance shall take effect thirty (30) days after the date of its final approval pursuant to the Troy City Charter.

Approved as to form, June 9, 2016

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Kevin P. Glasheen, Corporation Counsel

Memo In Support

There have been a number of complaints from residents as well as observations by City Council members regarding the parking of over-sized vehicles on the streets of the City, particularly in residential areas of the City. The presence of such over-sized vehicles and other large equipment such as boats and boat trailers both detract from the appearance and attractiveness of a neighborhood and also reduce the number of parking spaces available on a street for residents to park their own vehicles or for temporary parking by customers in connection with legitimate neighborhood businesses.

One of the problems that have been encountered in discouraging the parking of such over-sized vehicles on the streets of the City is the fact that certain common types of over-sized vehicles or other equipment are not included in the language of Subsection O. In the absence of inclusion of such over-sized vehicles or other equipment in the language of Subsection O, the Troy Police Department lacks legal authority to cite the owners of such over-sized vehicles or other equipment in order to discourage this practice. The proposed amendment to Section 270-13 O. is intended to expand the types of oversized vehicles and other equipment that are included within the parameters of this subsection which will hopefully result in a marked reduction in such undesirable parking practices.

**ORDINANCE APPROVING SETTLEMENT OF TAX CERTIORARI PROCEEDINGS INSTITUTED  
BY TROY WOODLAND LLC ON THE ASSESSMENT ROLL OF THE CITY OF TROY**

---

The City of Troy, in City Council, convened, ordains as follows:

**Section 1.** The Corporation Counsel of the City of Troy is hereby authorized to compromise and settle tax certiorari proceeding instituted by the following taxpayer as provided in certain stipulation on file with the office of the Corporation Counsel:

PROPERTY OWNER	PARCEL NO.	ADDRESS
Troy Woodland LLC	101.58-1-1	2902 Tibbits Ave.

**Section 2.** The Corporation Counsel of the City of Troy is hereby authorized to execute the necessary stipulations for the settlement of the proceedings and the Orders based on said stipulations shall authorize the City Treasurer of the City of Troy, if necessary, to revise the 2015 assessment roll to reflect said changes.

**Section 3.** Upon receipt by the City Treasurer and the City Comptroller of the executed Stipulations and Orders, said tax rolls shall be adjusted accordingly, and the necessary refunds will be made to the property owner, if applicable.

**Section 4.** This Ordinance shall take effect immediately.

Approved as to form, June 8, 2016

---

*Kevin P. Glasheen Esq.*, Corporation Counsel

MEMORANDUM IN SUPPORT

TAXPAYER: Troy Woodland LLC  
 PROPERTY: 2902 Tibbits Avenue (112.41-6-2)  
 ATTORNEY: Hubert Brandt, Esq. (Brandt, Steinberg, Lewis & Blond, New York, New York)

This is the Fawn Ridge Senior Living assisted living facility at 2902 Tibbits Avenue. The 155-bed facility was built in 1959 and is 59,294 square feet. The property is assessed at \$5,930,000, and Petitioner challenged the 2013, 2014 and 2015 assessments.

Petitioner provided an appraisal report prepared by Gerard Rasmussen of Cushman and Wakefield, who appraises senior housing properties nationally. On August 12, 2015, the Assessor and I met with Petitioner's attorneys and Mr. Rasmussen and questioned him about his valuation methodology.

By all accounts, the facility is in poor condition and is approximately 95 percent public pay patients, which substantially decreases the market value of a senior housing property. Based on the condition and the actual income and expenses, Cushman and Wakefield concluded a value of \$3,500,000 for 2013 and \$3,100,000 for 2014.

Utilizing data the Assessor and Law Department has from other senior housing properties in Troy and Rensselaer County, the parties reached the following agreement: the 2013 assessment would be reduced to \$4 million; 2014 would be reduced to \$3,500,000 and 2015 would be reduced to \$3,250,000. All refunds would be waived from the City of Troy.

The following shows the refund liability

2013 Assessed Value	2013 Revised Assessed Value	2013 refund	2013 City Refund	2014 Revised Assessed Value	2014 Refund	2014 City Refund
\$5,930,000	\$4,000,000	\$78,493	\$21,307	\$3,500,000	\$97,786	\$27,945

2015 Assessed Value	2015 Refund	2015 City Refund	2015 Total Refund	Total City Refund (Waived)
\$3,250,000	\$109,371	\$30,820	\$285,647	\$80,072

**RESOLUTION APPOINTING THE TROY CITY COUNCIL AS LEAD AGENCY  
PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT IN  
CONNECTION WITH THE PROPOSED ACTION OF REZONING THE HILLSIDE  
AND BEMAN PARK NEIGHBORHOODS FROM R-3 TO R-2 ZONING**

---

WHEREAS, the Troy City Council is considering a proposed rezoning of the Hillside/ Beman Park neighborhoods from their current zoning of R-3 Multiple Family Residential, Medium Density to R-2 Two Family Residential; and

WHEREAS, the City Council has assumed the role of applicant for the proposed action and Councilman Dean Bodnar – District 3, the district in which the subject neighborhoods are located, has agreed to serve as sponsor for the proposed action; and

WHEREAS, an amendment or change to a zoning ordinance is a proposed action that is subject to review pursuant to the State Environment Quality Review Act (“SEQR”); and

WHEREAS, since a rezoning action is a legislative decision requiring implementation by means of an ordinance, the municipal board with primary responsibility for making this decision is the City Council; and

WHEREAS, the lead agency for SEQR purposes is the board with primary responsibility for making the decision which in this case is the City Council.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby assumes the role of lead agency for SEQR purposes in connection with the proposed action to rezone the Hillside/Beman Park neighborhoods from an R-3 zone to an R-2 zone.

Approved as to form, June 2, 2016

---

Kevin P. Glasheen, Corporation Counsel

Memo in Support

In the past year, Councilman Dean Bodnar has served as a sponsor for City Council legislation on behalf of the residents of the Hillside and Beman Park neighborhoods in connection with a request for a change in the zoning of these neighborhoods. These neighborhoods are located between Eighth Street on the west, Seventeenth Street on the east, Peoples Avenue on the south and Hoosick Street on the north. This area encompasses approximately 36 City blocks.

Within this area, there are 133 one-family residences which comprise 31% of the homes in the area. There are 259 two-family homes which comprise 61% of the homes in the area. Finally, there are 33 homes that are three-family structures comprising 8% of the homes in these neighborhoods.

The area is currently zoned R-3, Multiple-Family Residential, and Medium Density. The current zoning allows for the transition from lower density, large lot one and two-family residences to various types of residences including low-rise medium density apartment houses. Given the preponderance of single and two-family residences, the sponsor and residents believe that a zoning of R-2, Two-Family Residential is a more appropriate zoning classification that will help to maintain the stability of the neighborhood and therefore request a change in the zoning of the area from R-3 to R-2.

Pursuant to the Troy City Code, Sec. 285-49 (B), it is the City Council that approves any change in the zoning of a district and any changes to the City's Official Zoning Map. Any amendments to the Zoning Code, such as the action proposed here, require a review pursuant to the State Environmental Quality Review Act ("SEQR"). The lead agency for such a review is the board or agency that is responsible for approving or denying the proposed action. In this instance, since the Council is the board or agency that must grant or deny the requested action, it is appropriate for the City Council to act as lead agency for SEQR purposes. By this resolution, the City Council declares itself the lead agency for SEQR review purposes in connection with the request to change the zoning of this area from R-3 to R-2.

*Full Environmental Assessment Form  
Part I - Project and Setting*

**Instructions for Completing Part I**

Part I is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part I based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part I is accurate and complete.

**A. Project and Sponsor Information.**

Name of Action or Project: Rezoning of Hillside and Beman Park neighborhoods in Troy NY from R3 Zone to R2 Zone		
Project Location (describe, and attach a general location map): Area bounded roughly by Hoosick St., 8th St., People's Avenue, 15th St., Jacob St., 17th St. in Troy NY		
Brief Description of Proposed Action (include purpose or need):  This legislative action would change the current R3 zoning of approximately 36 blocks of the Hillside and Beman Park neighborhood in the City of Troy NY to R2 zoning. Area is currently zoned R3 despite a small number of buildings being 3-family. Updating the zoning would bring the neighborhoods in question in line with the physical realities of the structures contained within. Please see Part F for full rationale.		
Name of Applicant/Sponsor:  Troy City Council / Dean Bodnar, Councilmember		Telephone: (518) 279-7317  E-Mail: dean.bodnar@troyny.gov
Address: 433 River Street		
City/PO: Troy	State: NY	Zip Code: 12180
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): The proposed action involves approximately 425 properties		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	City Council must vote on action and resolution to support SEQR determination as per this form	September 1, 2016
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Troy Planning Commission has held public hearing.	October 28, 2015
c. City Council, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	City Council must hold a public hearing	July 7, 2016
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Rensselaer County Planning Commission must review proposed action	August 15, 2016
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>If Yes, complete sections C, F and G.</li> <li>If No, proceed to question C.2 and complete all remaining sections and questions in Part I</li> </ul>	
C.2. Adopted land use plans.	
a. Do any municipally-adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	
_____	
_____	
_____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	
_____	

<b>C.3. Zoning</b>	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district? Current zoning classification in R3	x Yes No
<hr/>	
b. Is the use permitted or allowed by a special or conditional use permit?	Yes No x
c. Is a zoning change requested as part of the proposed action? If Yes, i. What is the proposed new zoning for the site?	x Yes No
<hr/>	
<b>C.4. Existing community services.</b>	
a. In what school district is the project site located? <u>Troy</u>	
b. What police or other public protection forces serve the project site? Troy	
<hr/>	
c. Which fire protection and emergency medical services serve the project site? Troy	
<hr/>	
d. What parks serve the project site? Small City Parks located on 9 <sup>th</sup> St. between Hoosick and Hutton; 8 <sup>th</sup> St. between Hoosick and Hutton; and 9 <sup>th</sup> St. between Jacob and Eagle and Beman Park between 15 <sup>th</sup> St. and Samaritan Hospital.	

**D. Project Details**

<b>D. 1. Proposed and Potential Development Not applicable – no proposed construction</b>	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?	
<hr/>	
b.a. Total acreage of the site of the proposed action?	_____ acres
b. Total acreage to be physically disturbed?	_____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	_____ acres
c. Is the proposed action an expansion of an existing project or use? i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, and square feet)? %	Yes No Units:
d. Is the proposed action a subdivision, or does it include a subdivision? If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)	Yes No
ii. Is a cluster/conservation layout proposed?	Yes No
iii. Number of lots proposed?	
iv. Minimum and maximum proposed lot sizes? Minimum                      Maximum	
e. Will proposed action be constructed in multiple phases? i. If No, anticipated period of construction: _____ months	Yes No
ii. If Yes:	
• Total number of phases anticipated	_____
• Anticipated commencement date of phase I (including demolition)	___ month ___ year
• Anticipated completion date of final phase	___ month ___ year
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:	
<hr/>	



*ii.* Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*iii.* Will proposed action cause or result in disturbance to bottom sediments? Yes No  
 If Yes, describe: \_\_\_\_\_

*iv.* Will proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No  
 If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

*v.* Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

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*c.* Will the proposed action use, or create a new demand for water? Yes No  
 If Yes:

*i.* Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

*ii.* Will the proposed action obtain water from an existing public water supply? Yes No  
 If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

*iii.* Will line extension within an existing district be necessary to supply the project? Yes No  
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

*iv.* Is a new water supply district or service area proposed to be formed to serve the project site? Yes No  
 If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

*v.* If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

*vi.* If water supply will be from wells (public or private), maximum pumping capacity: \_\_\_\_\_ gallons/minute

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*d.* Will the proposed action generate liquid wastes? Yes No  
 If Yes:

*i.* Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

*ii.* Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combinations, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

\_\_\_\_\_

*iii.* Will the proposed action use any existing public wastewater treatment facilities? Yes No  
 If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

<ul style="list-style-type: none"> <li>• Do existing sewer lines serve the project site? _____</li> <li>• Will line extension within an existing district be necessary to serve the project? If Yes: • Describe extensions or capacity expansions proposed to serve this project: _____ _____</li> </ul>	<p>Yes No Yes No</p>
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? If Yes:</p> <ul style="list-style-type: none"> <li>• Applicant/sponsor for new district: _____</li> <li>• Date application submitted or anticipated: _____</li> <li>• What is the receiving water for the wastewater discharge? _____</li> </ul>	<p>Yes No</p>
<p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans): _____ _____</p>	
<p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____</p>	
<p>c. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or _____ acres (impervious surface) _____ Square feet or _____ acres (parcel size)</p> <p>ii. Describe types of new point sources. _____ _____</p> <p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____ _____</p> <ul style="list-style-type: none"> <li>• If to surface waters, identify receiving water bodies or wetlands: _____ _____</li> <li>• Will stormwater runoff flow to adjacent properties? _____</li> </ul>	<p>Yes No Yes No</p>
<p>iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</p>	<p>Yes No Yes No</p>
<p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</p>	<p>Yes No</p>
<p>g. Will any air emission sources named in D.2.f(above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> <li>• _____ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)</li> <li>• _____ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)</li> <li>• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)</li> <li>• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)</li> <li>• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)</li> <li>• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)</li> </ul>	<p>Yes No Yes No</p>



<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <span style="float: right;">Yes No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p>
<p>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? <span style="float: right;">Yes No</span></p> <p>Describe: _____</p>
<p>n. Will the proposed action have outdoor lighting? <span style="float: right;">Yes No</span></p> <p>If yes:</p> <p>i Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p>
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <span style="float: right;">Yes No</span></p> <p>Describe: _____</p>
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;">Yes No</span></p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p>
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <span style="float: right;">Yes No</span></p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii Volume(s) _____ per unit time (e.g., month, year)</p> <p>iii. Generally describe proposed storage facilities: _____</p>
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <span style="float: right;">Yes No</span></p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>ii. Will the proposed action use Integrated Pest Management Practices? <span style="float: right;">Yes No</span></p>
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <span style="float: right;">Yes No</span></p> <p>If Yes:</p> <p>i Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> <li>• Construction: _____ tons per _____ (unit of time)</li> <li>• Operation: _____ tons per _____ (unit of time)</li> </ul> <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul>

<p>s. Does the proposed action include construction or modification of a solid waste management facility?          If Yes:</p> <p>i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities):</p> <p>ii. Anticipated rate of disposal/processing:</p> <ul style="list-style-type: none"> <li>- Tons/month, if transfer or other non-combustion/thermal treatment, or</li> <li>- Tons/hour, if combustion or thermal treatment</li> </ul> <p>iii. If landfill anticipated, site life: _____ years</p>	<p>Yes No</p>
<p>t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?          If Yes:</p> <p>i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility:</p> <p>_____</p> <p>_____</p> <p>ii. Generally describe processes or activities involving hazardous wastes or constituents:</p> <p>_____</p> <p>_____</p> <p>iii. Specify amount to be handled or generated _____ tons/month</p> <p>iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents:</p> <p>_____</p> <p>_____</p> <p>v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?          If Yes: provide name and location of facility:</p> <p>_____</p> <p>If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:</p> <p>_____</p>	<p>Yes No</p> <p>Yes No</p>

**E. Site and Setting of Proposed Action**

<p>E.I. Land uses on and surrounding the project site</p>			
<p>a. Existing land uses.</p> <p>i. Check all uses that occur on, adjoining and near the project site.</p> <p>Urban    Industrial    Commercial    Residential (suburban)    Rural (non-farm)</p> <p>Forest    Agriculture    Aquatic    Other (specify): _____</p> <p>ii. If mix of uses, generally describe:</p> <p>_____</p> <p>_____</p>			
<p>b. Land uses and covertypes on the project site.</p>			
<p>Land use or Covertype</p>	<p>Current Acreage</p>	<p>Acreage After Project Completion</p>	<p>Change (Acres +/-)</p>
<ul style="list-style-type: none"> <li>• Roads, buildings, and other paved or impervious surfaces</li> <li>• Forested</li> <li>• Meadows, grasslands or brush lands (non-agricultural, including abandoned agricultural)</li> <li>• Agricultural (includes active orchards, field, greenhouse etc.)</li> <li>• Surface water features (lakes, ponds, streams, rivers, etc.)</li> <li>• Wetlands (freshwater or tidal)</li> <li>• Non-vegetated (bare rock, earth or fill)</li> <li>• Other Describe: _____</li> </ul>			

<p>c. Is the project site presently used by members of the community for public recreation? <span style="float: right;">Yes No</span></p> <p style="margin-left: 20px;">i. If Yes: explain: _____</p>
<p>d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? <span style="float: right;">Yes No</span></p> <p>If Yes,</p> <p style="margin-left: 20px;">i. Identify Facilities:</p> <p>_____</p>
<p>e. Does the project site contain an existing dam? <span style="float: right;">Yes No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Dimensions of the dam and impoundment:</p> <ul style="list-style-type: none"> <li>• Dam height: _____ feet</li> <li>• Dam length: _____ feet</li> <li>• Surface area: _____ acres</li> <li>• Volume impounded: _____ gallons OR acre-feet</li> </ul> <p style="margin-left: 20px;">ii. Dam's existing hazard classification: _____</p> <p style="margin-left: 20px;">iii. Provide date and summarize results of last inspection:</p> <p>_____</p>
<p>f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? <span style="float: right;">Yes No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Has the facility been formally closed? <span style="float: right;">Yes No</span></p> <ul style="list-style-type: none"> <li>• If yes, cite sources/documentation: _____</li> </ul> <p style="margin-left: 20px;">ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:</p> <p>_____</p> <p style="margin-left: 20px;">iii. Describe any development constraints due to the prior solid waste activities: _____</p>
<p>g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? <span style="float: right;">Yes No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:</p> <p>_____</p>
<p>h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? <span style="float: right;">Yes No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: <span style="float: right;">Yes No</span></p> <p style="margin-left: 40px;">Yes – Spills Incidents database <span style="margin-left: 100px;">Provide DEC ID number(s): _____</span></p> <p style="margin-left: 40px;">Yes – Environmental Site Remediation database <span style="margin-left: 100px;">Provide DEC ID number(s): _____</span></p> <p style="margin-left: 40px;">Neither database</p> <p style="margin-left: 20px;">ii. If site has been subject of RCRA corrective activities, describe control measures: _____</p> <p>_____</p> <p style="margin-left: 20px;">iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? <span style="float: right;">Yes No</span></p> <p>If yes, provide DEC ID number(s): _____</p> <p style="margin-left: 20px;">iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):</p> <p>_____</p>



m. Identify the predominant wild life species that occupy or use the project site: _____ _____ _____	
n. Does the project site contain a designated significant natural community? <span style="float: right;">Yes No</span> If Yes:	
i. Describe the habitat/community (composition, function, and basis for designation): _____ _____	
ii. Source(s) of description or evaluation: _____	
iii. Extent of community/habitat:	
<ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;">Yes No</span>	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;">Yes No</span>	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;">Yes No If</span> yes, give a brief description of how the proposed action may affect that use: _____ _____	
<b>E.3. Designated Public Resources On or Near Project Site</b>	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;">Yes No</span> If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;">Yes No</span> i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;">Yes No</span> If Yes:	
i. Nature of the natural landmark:      Biological Community      Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;">Yes No</span> If Yes:	
i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	Yes No
If Yes:	
i. Nature of historic/archaeological resource: <input type="radio"/> Archaeological Site <input type="radio"/> Historic Building or District	
ii. Name: _____	
iii. Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	Yes No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	Yes No
If Yes:	
i. Describe possible resource(s): _____	
ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	Yes No
If Yes:	
i. Identify resource: _____	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
iii. Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	Yes No
If Yes:	
i. Identify the name of the river and its designation: _____	
ii. Is the activity consistent with development restrictions contained in 6 NYCRR Part 666? <span style="float: right;">Yes No</span>	

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

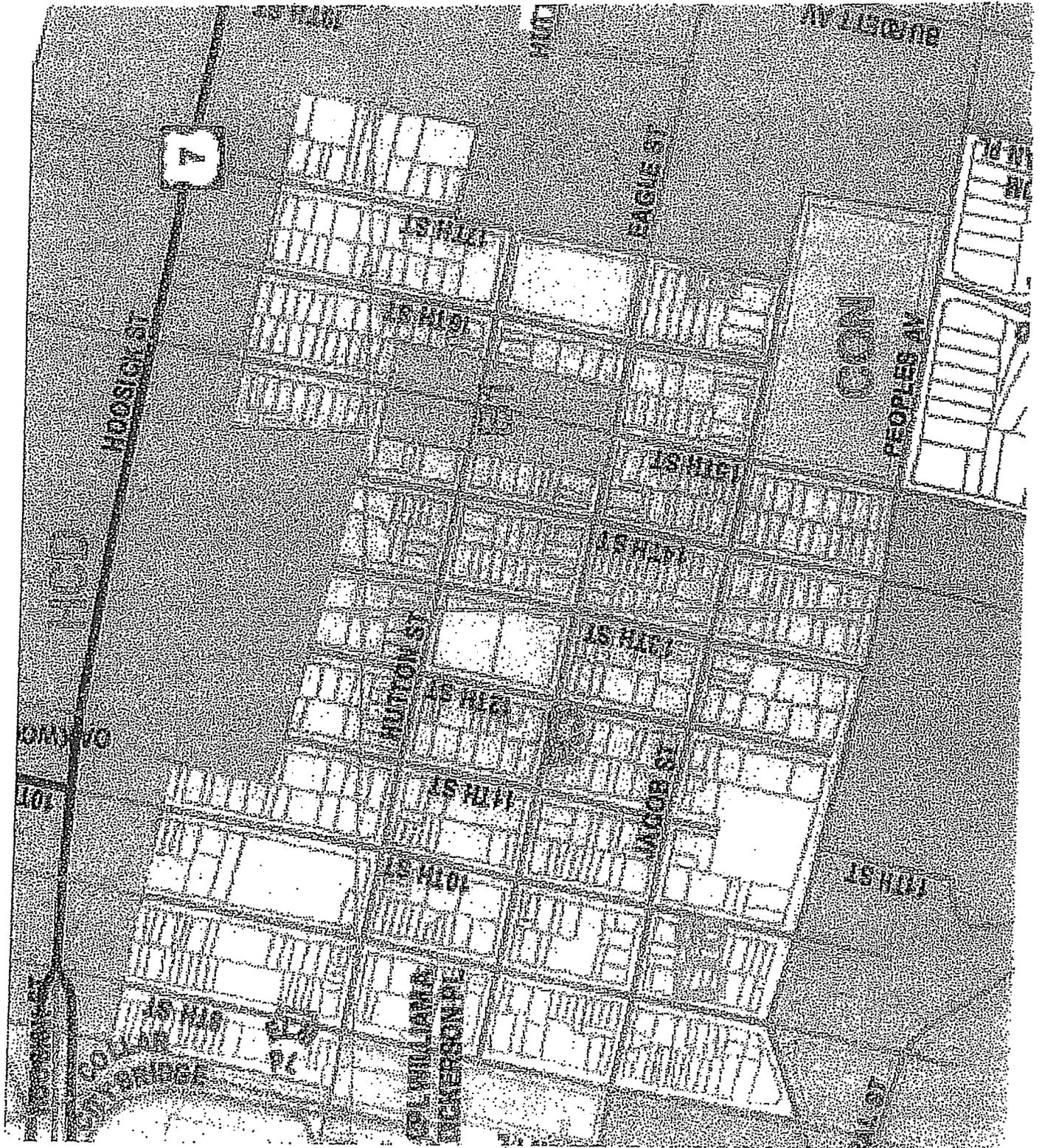
I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name: Dean Bodnar

Date \_\_\_\_\_

Signature \_\_\_\_\_

Title City Council Member, 4<sup>th</sup> District



Hillside/Beman Park Zoning Change Request 10/5/2015

FEAF Form, Part 1. Section F

Please Find Document "Zoning to Help the Hillside and Beman Park Neighborhoods"

Please also review Troy NY Comprehensive Plan which can be found on the city's website

# ZONING TO HELP THE HILLSIDE AND BEMAN PARK NEIGHBORHOODS

*An argument for increasing neighborhood stability and encouraging home-  
ownership by changing zoning of Troy NT's Hillside and  
Beman Park neighborhoods from R3 to R2 designations*

Prepared by Concerned Neighbors for Better Zoning  
July 24, 2015



*An owner-occupied home on Tenth St. in Troy's Hillside neighborhood.*

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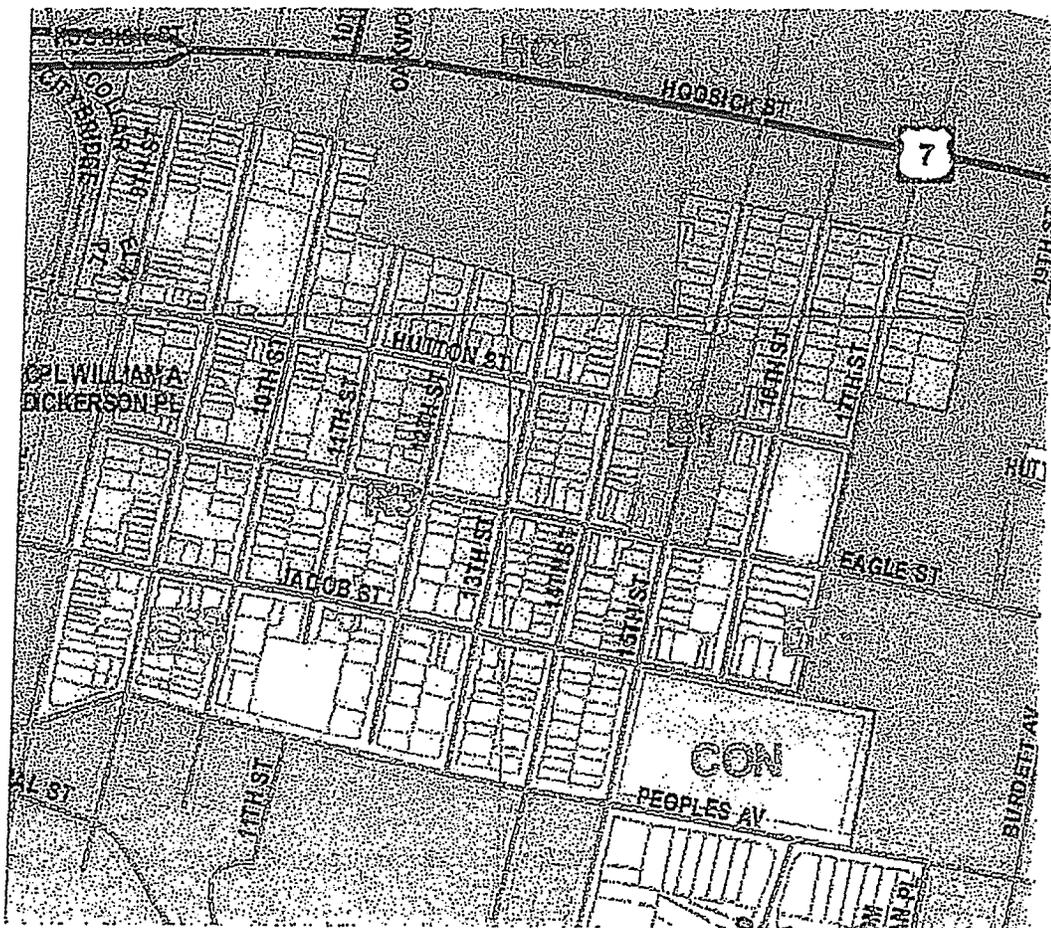
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## Introduction and Goal

Troy NY's Hillside and Beman Park neighborhoods are nestled between People's Avenue, Eighth St., Seventeenth St. and Hoosick St. The district is comprised of approximately 425 buildings and contains 36 blocks. This area has long been designated as an R3 zone, despite having only 33 three-family structures, a mere 8% of the homes in these neighborhoods.

The reality of this zoning area hovers between R1 and R2 definitions (see Appendix). From a building-by-building analysis we undertook, we discovered there are 133 one-family homes (31% of homes) and 259 two-family homes (61% of homes). The current zoning designation of our neighborhoods is noticeably out of line with the existing uses of the building stock, the character of the neighborhoods and zoning philosophy for future development.

We respectfully request the City Council, Planning Commission, Zoning Board, Mayor and Planning Department work to enact legislation to rezone this area as an R2 zone.



*The Beman Park/Hillside neighborhoods on the current zoning map.*

## Zoning Designations

Article 20 of New York State General City Law states: “every city is empowered...24. To regulate and limit the height, bulk and location of buildings hereafter erected, to regulate and determine the area of yards, courts and other open spaces, and to regulate the density of population in any given area, and for said purposes to divide the city into districts.”

The philosophy of the law states that zoning and planning boards, commissions and officials must “preserve and protect the character of neighborhoods and the health, safety and welfare of the community.”

In empowering a municipality to regulate buildings zoning districts may be created and the rules governing those districts are left up to a municipality’s legislative body.

### *Zoning that Represents the Neighborhoods*

Troy has multiple designations for residential areas, each permitting different levels of usage and development. The Hillside and Beman Park most closely follow the parameters of R1 and R2 and very minimally R3. All of the single and two family homes are detached. Many



*Aerial view of the Hillside and Beman Park Neighborhoods (Google Earth)*

have large lots, yards and gardens. Many of the district’s 36 blocks are low density. As allowed in R2 districts there are two church buildings and a community garden. There are no professional offices as permitted in R3, but not R2 or R1. Thus, the current R3 designation does not represent the reality of the Hillside or Beman Park.

## Encouraging Home Ownership

The philosophy statement for R3 designations states the designation allows for the transition from one and two family homes to multi-family dwellings. Further it states:

*"The intent of these regulations is to provide for the orderly development of new low-rise apartment units and townhouses while maintaining the integrity of existing, stable neighborhoods. (§285.54.A)*

We maintain that this philosophy is at odds with itself. Integrity and stability of neighborhoods comes from increasing home ownership and owner-occupant rates, not increasing multi-family rental units. In his 1995 publication *Housing Ownership Goals for the Year 2000* then Secretary of Housing and Urban Development (HUD) Henry Cisneros stated:

Expanding home ownership is vitally important to our country, because home ownership is critical both to individual economic opportunity and also to strong communities.

This notion is underscored by the 2012 study by the National Association of Realtors titled *Social Benefits of Homeownership and Stable Housing*. It states:

Homeownership and stable housing go hand-in-hand. Homeowners move far less frequently than renters, and hence are embedded into the same neighborhood and community for a longer period. While 4.7 percent of owner-occupied residents moved from 2010 to 2011, 26 percent of renters changed residential location. (p.5) (NAR source: *The Current Population Survey, Geographical Mobility 2008 to 2009, Table 1.*)

What is the utility to neighborhood stability in allowing increased multifamily rental units in neighborhoods that are already struggling with owner occupancy rates? R3 zoning not only allows for multifamily units but also uses such as large off-street parking lots and expansion of non-conforming use. R3 rules work against the legal mandate that zoning help the health, welfare and stability of our Hillside and Beman Park neighborhoods.

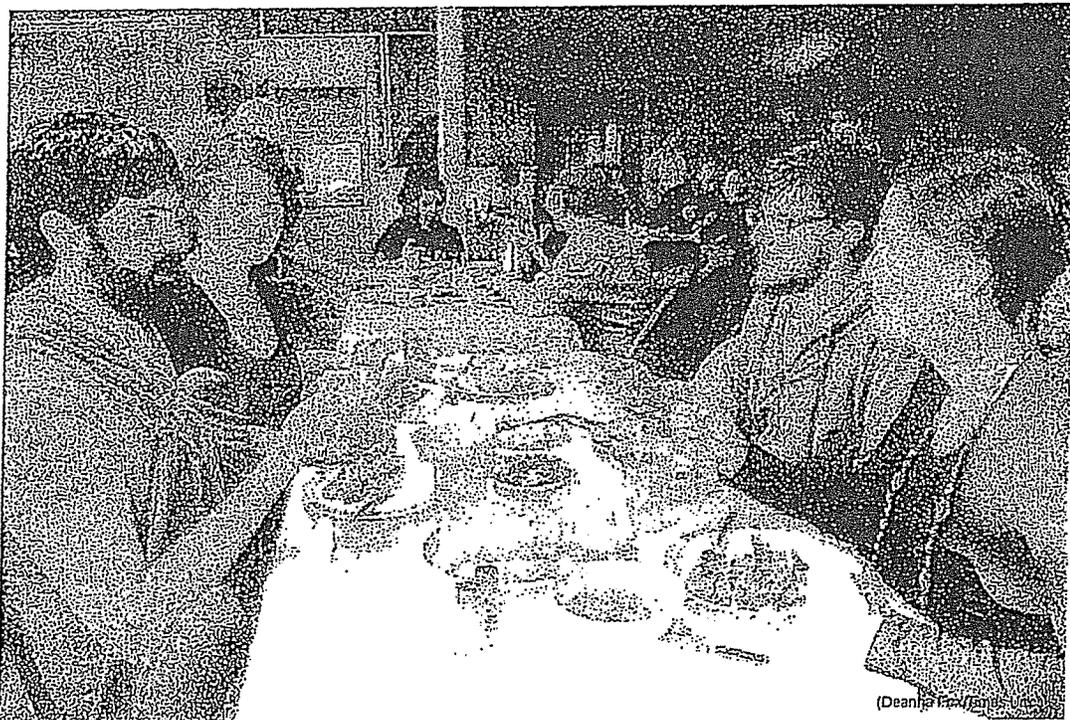
The argument here, however, is not to amend the zoning district parameters but to simply change the designation of our neighborhoods from R3 to R2.

## The Oakwood Community Center



*Linda O'Malley, director of the Oakwood Community Center being honored in 2013 by Ruth Pierpont, New York State Deputy Commissioner of the Office of Parks, Recreation and Historic Places. (Photos John Carl D'Annibale/Times Union)*

One recent force helping to create strong neighborhoods around Hoosick Street is the conversion of a National Register church into the Oakwood Community Center. This effort has been bravely spearheaded by Linda O'Malley who lives in the Hillside neighborhood.



In addition to many local groups meeting at Oakwood there is a monthly community dinner which draws people from both sides of Hoosick Street as well as other nearby neighborhoods.

### *Historical Significance and Neighborhood Cohesion*

Oakwood finds itself in an area zoned as the Hoosick St. Commerce District (HCD). In this zone are three National Register of Historic Places sites: The Oakwood Community Center, the Kate Mullany House on Eighth Street and the Esek Busey Firehouse at Tenth and Hoosick. One of Troy's oldest continually running industries, the Ross Valve Company, is located in this zone as is the home of one of Troy's first mayors. The area was home for several years to Irish labor leader James Connolly whose statue is in Troy's riverfront park and for whom the James Connolly Speakers' Forum at Oakwood is named.

Pride in and understanding of the history of the area fits hand-in-hand with efforts to forge strong neighborhoods. The Oakwood Community Center is critical in the discussion of neighborhood zoning as a salient example of community involvement, neighborhood enrichment and alternative development. It is important to mention in this document to help understand the holistic neighborhood connections that were disturbed by the arterialization of Hoosick Street and the community efforts to re-establish these weakened ties. Converting our neighborhoods to R2 status would underscore the strength of these community bonds.

## Troy's Comprehensive Plan and Rezoning

Troy has a current comprehensive plan and state law requires that zoning changes fit with the mandates of that plan. Below is the section of Troy's plan regarding housing:

### **§285.6 Goals and Objectives of the Comprehensive Plan**

C. Housing. The highest priority facing any well-established community is to foster the stabilization and improvement of existing neighborhoods and housing stock. As a second but almost equally high priority, the City of Troy must encourage the availability of a wide range of new housing opportunities for citizens of all income levels. The goals and objectives are:

(1) To conserve existing, habitable dwellings through rehabilitation;

(2) To eliminate substandard housing principally through rehabilitation and allow for demolition only when no other alternatives are practically available;

(3) To provide for the enhancement of existing residential neighborhoods by encouraging land use policies and public investment which will protect the essential characteristics of those neighborhoods.

The goals of our proposal are clearly in line with Troy's Comprehensive Plan which seeks the renovation of existing structures in neighborhoods. In contrast, the current R3 designation seeks to impose new multi-family housing in our neighborhoods. This objective is clearly at odds with sections 1 and 2 presented above.

Perhaps the most glaring departure of the R3 designation from the Comprehensive Plan is represented in section 3, above. The Comprehensive Plan calls for land use policies that protect the "essential characteristics" of our neighborhoods. How can a designation that in its very definition seeks to "transition" a neighborhood from existing one and two family homes to new multifamily buildings support a Comprehensive Plan *mandating the protection of the essential characteristics of our neighborhoods?* It clearly cannot. The R3 designation is at dangerous odds with Troy's Comprehensive Plan and not fitting for our two neighborhoods.

It is of note that the comprehensive plan does call for, listed second in importance, "new housing." While this may be read by some as support for the R3 encouragement of multi-family structures, this would be an incomplete interpretation. The fact is, Troy has different zoning designations precisely to protect the character of neighborhoods. The comprehensive plan's call for "new housing opportunities" would certainly not lead one to argue for the abolition of all our zoning designations! Nor should the argument be made that a new housing goal would restrict the changing of the Hillside and Beman Park to an R2 zone. New housing construction would still be allowed in the Hillside and Beman Park, the construction would simply have to conform to the land use allowed in an R2 zone.

### **Proposed Comprehensive Plan Update**

There is an update to Troy's comprehensive plan in the works, but it is hard to imagine it would have a mandate opposed to the current comprehensive plan's neighborhood goals outlined in the previous section. It is also of note that the new comprehensive plan is far from completion, has not gone through legally required public hearings and has not been adopted by the city. While we applaud the efforts for a new plan and think consulting with the team preparing the new plan would be prudent, an as of yet non-existent plan should not be used as a legal standard to measure this proposal. But, as previously mentioned, it is hard to imagine the new plan would be in opposition to this proposal or the housing goals of the current plan.

To support this claim we have researched documentation from the managers of the new plan, Urban Strategies Inc. of Toronto Canada. It's website "Realize Troy" (<http://www.realizetroy.com/abouttheproject/>) outlines the methodology and goals in the development of the updated comprehensive plan. It states:

*The Comprehensive Plan will be developed through significant public consultation and will establish a clear community based vision and action plan to guide the city's overall development over the next 20 years addressing both the current and future needs of the community...*

*The Comprehensive Plan process will consider a broad range of important topics that are necessary for the creation of a healthy, inclusive and vibrant community. To be successful, the plan needs to reflect the values and aspirations of Troy's citizens.*

Citizen involvement, healthy communities, aspirations of citizens - the proposal to change our neighborhoods from R3 to R2 is in line with the stated goals of the new plan. There are a few more paragraphs on the goals of the project and the reader can use the link above to access the page. But it is of note that there is little in-depth information on the project, no drafts of a new plan, no clear timeline for completion. Again, we have great hopes the updated plan will fulfill the goals outlined on the website, but it seems to be very early in the process.

Thus, we maintain that the *legal* measure for this proposal can only be the current comprehensive plan. Given the early stages of planning for a new plan and lack of a clear timeline, it would be imprudent to delay this action until the new plan is finished, which could be years away - or even subject to cancelation with the change of city administrations.

### **Spot Zoning**

We have heard some mention that this proposal would be read by the courts as "spot zoning" and not be legally valid. The zone contains thirty-six city blocks while spot zoning refers to "small parcels." An examination of the 2015 New York State Department of State document *Zoning and the Comprehensive Plan*, should put to rest the worry of legal challenge based on spot zoning. Moreover, the document furthers our position that zoning law should benefit the general welfare of a community, in this case with our proposed zoning change.

[http://www.dos.ny.gov/lg/publications/Zoning\\_and\\_the\\_Comprehensive\\_Plan.pdf](http://www.dos.ny.gov/lg/publications/Zoning_and_the_Comprehensive_Plan.pdf)

Spot Zoning

Perhaps the most important theme in the leading cases interpreting the requirement that zoning be in accordance with a comprehensive plan is the language in those cases indicating that the courts will look to see whether zoning is for the benefit of the whole municipality. This requirement does not, however, preclude future zoning amendments that “respond to changed conditions in the community...”. The question is whether the change “conflict[s] with the fundamental land use policies and development plans of the community ...”.<sup>27</sup> Against this background principle, the concept of improper “spot zoning” arose.

The question of whether a rezoning constitutes “spot zoning” should be answered by determining whether the rezoning was done to benefit individual owners rather than pursuant to a comprehensive plan for the general welfare of the community.

Spot zoning refers to the rezoning of a parcel of land to a use category different from the surrounding area, usually to benefit a single owner or a single development interest. Size of the parcel is relevant, but not determinative. Illegal spot zoning occurs whenever “the change is other than part of a well-considered and comprehensive plan calculated to serve the general welfare of the community.”<sup>28</sup>

A review of the relevant cases reveals that spot zoning is the antiithesis of zoning undertaken in accordance with a well-considered plan. The landmark case in the field of spot zoning is *Rodgers v. Village of Tarrytown*<sup>29</sup>, in which the Court of Appeals defined the rezoning of relatively small parcels of land in terms of the comprehensive planning requirement:

*“Thus, the relevant inquiry is not whether the particular zoning under attack consists of areas fixed within larger areas of different use, but whether it was accomplished for the benefit of individual owners rather than pursuant to a comprehensive plan for the general welfare of the community”<sup>30</sup>*

The fact that a rezoning will benefit a landowner will not on its own invalidate the action, so long as the action accords with a comprehensive plan. But to be in accordance with the plan, the rezoning must also further some clearly identified public purpose. In *Save Our Forest Action Coalition, Inc. v. City of Kingston*, a 107-acre parcel within a residential district was rezoned “light industrial” in order to accommodate a local manufacturing firm and the local development corporation. The court rejected a spot zoning challenge:

*“Here, the primary motivation for the zoning amendment was to support local economic development through retention of the City’s largest employer and to reap associated economic and tax benefits in connection with the development of a business park. The determination was made*

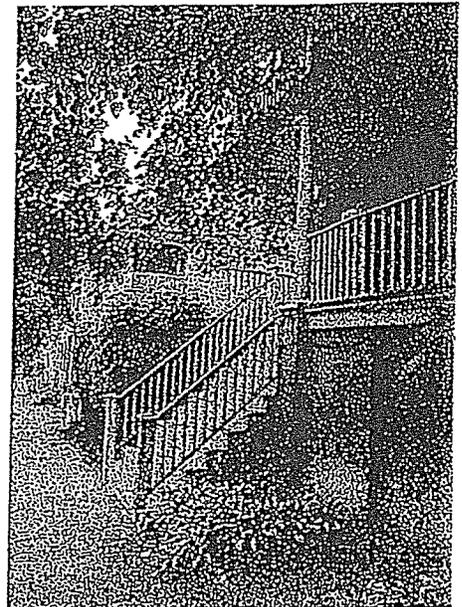
*after an extensive review process, including a consideration of the impact on adjoining residential areas, consistency with existing zoning plans, environmental concerns and the availability of other suitable sites....In our view, the record discloses that sufficient "forethought has been given to the community's land use problems".... and that there was a "reasonable relation" between the rezoning determination and the worthwhile goal of improving the economic health of the community....[citations omitted].<sup>31</sup>*

If the record shows that the zoning amendment seeks to accomplish valid public purposes and that "sufficient forethought" has been given it, the comprehensive plan requirement is met, even where the zoning amendment provides distinct treatment to a relatively small parcel.<sup>32</sup> If the evidence reveals that the rezoning was not enacted to benefit the community as a whole, or was enacted without regard to the community, the rezoning will fail to meet the comprehensive plan requirement.<sup>33</sup>

## Summary

The intention of zoning laws is clear. These laws are designed to control and regulate land use and to protect the health and welfare of communities. There have been unintended consequences in Troy's current zoning that work precisely against this legal mandate.

A very simple fix for the zoning problems created in Troy's Hillside and Beman Park neighborhoods is changing the zoning designation from R<sub>3</sub> to R<sub>2</sub>. The change is consistent with Troy's current Comprehensive Plan and the stated goals of the new comprehensive plan being developed. We respectfully ask the Troy City Council, Planning Commission, Zoning Board, Planning Department and the Mayor quickly take up this matter and enact legislation to remedy the zoning woes outlined in this paper. Our neighborhoods and city will be stronger for it.



## Appendix

Following are the zoning laws for districts R1 through R3 as exist currently in Troy city law:

### § 285-52

#### *R-1 Single-Family Residential Detached.*

A. Philosophy. This District is designed to preserve and extend existing single-family detached home neighborhoods. The intent is to provide for larger-scale urban lots, spacious living units, wide streets and, where economically practical, sidewalks in a low-density setting.

B. Allowed uses:

- (1) Detached single-family residences.
- (2) Open spaces.
- (3) Home occupations.
- (4) Accessory structures incidental to allowed uses (1), (2) (including private garages, carports, toolsheds, and swimming pools).

C. Special permit uses:

- (1) Churches.
- (2) Nonpublic elementary and secondary schools.

D. Lot characteristics:

- (1) Minimum lot area: 7,200 square feet.
- (2) Minimum lot width: 70 feet at front building line.
- (3) Minimum setbacks:
  - (a) Front: 25 feet
  - (b) Rear: 30 feet
  - (c) Sides: 10 feet each or 20 feet on one side, if zero lot line design.
- (4) Maximum lot coverage: 40%.
- (5) Maximum density: 5.5 units per acre.

E. Building height: 25 feet.

F. Off-street parking:

- (1) Single-family: two spaces per unit.
- (2) Home occupation: two spaces.
- (3) Other uses: See parking schedule, § 285-91.

### § 285-53

#### *R-2 Two-Family Residential.*

A. Philosophy. This District is designed to maintain the integrity of existing traditional two-family unit residential neighborhoods and to encourage the con-

struction of duplex units either as infill housing or on a larger scale at a low-to-medium density.

B. Allowed uses:

- (1) All uses allowed in an R-1 Zone.
- (2) Two-family residence.
- (3) Community garden.
- (4) Community residential facility.  
[Added 12-3-2009 by L.L. No. 4-2009]
- (5) Congregate living facility.  
[Added 12-3-2009 by L.L. No. 4-2009]
- (6) Rooming house.  
[Added 12-3-2009 by L.L. No. 4-2009]

C. Special permit uses:

- (1) Uses requiring a special permit in R-1 Zones.

D. Lot characteristics:

- (1) Minimum lot area:
  - (a) Single-family detached: 5,800 square feet.
  - (b) Two-family: 3,500 square feet per unit.
- (2) Minimum lot width at front building line: 50 feet.
- (3) Minimum setbacks:
  - (a) Front: 20 feet.
  - (b) Rear: 30 feet.
  - (c) Sides: five feet each side or 10 feet on one side, if zero lot line design.
- (4) Maximum lot coverage: 50%.
- (5) Maximum density:
  - (a) Single-family detached: 7.5 units per acre.
  - (b) Two-family: 12 units per acre.

E. Maximum building height: 35 feet.

F. Off-street parking:

- (1) Single-family detached: two spaces per unit.
- (2) Two-family, duplex: two spaces per unit.
- (3) Home occupation: two spaces.
- (4) Other uses: See parking schedule, § 285-91.

§ 285-54

***R-3 Multiple-Family Residential, Medium-Density.***

A. Philosophy: This District allows for the transition from lower-density, large-lot one- and two-family residences to medium-density, multifamily residences of various types. The intent of these regulations is to provide for the orderly

development of new low-rise apartment units and townhouses while maintaining the integrity of existing, stable neighborhoods. Additionally, limited professional and existing home occupation uses will be permitted within the scale of existing immediately adjacent neighborhoods.

B. Allowed uses:

- (1) Uses allowed in R-2 Zone.
- (2) Multifamily, low-rise, medium-density apartment house.
- (3) Multifamily, low-rise, medium-density townhouse.
- (4) Single-family attached and semi-attached.

C. Special permit uses:

- (1) Uses requiring a special permit in R-2 Zones.
- (2) Funeral parlors.
- (3) Professional offices for no more than four professionals, conducting business collectively or individually and not employing more than 1.25 persons each.
- (4) Business offices for no more than five employees.
- (5) Off-street parking lots as principal use.
- (6) Expansion of nonconforming uses.
- (7) Community residential facilities.

D. Lot characteristics:

- (1) Minimum lot area:
  - (a) Single-family detached: 5,000 square feet.
  - (b) Two-family: 2,500 square feet per unit.
  - (c) Other residential: 2,500 square feet per unit.
- (2) Minimum lot width at front building line:
  - (a) Single-family detached, two-family: 40 feet.
  - (b) Other residential: 15 feet per unit with a minimum lot width at the front building line of 60 feet.
- (3) Minimum setbacks:
  - (a) Front: 15 feet.
  - (b) Rear: 20 feet.
  - (c) Sides: 10 feet total.
- (4) Maximum lot coverage: 50%.
- (5) Maximum density:
  - (a) Single-family detached: 10.5 units per acre.
  - (b) Other residential types: 21.5 units per acre.

E. Maximum building height: 35 feet.

F. Off-street parking:

- (1) Single-family detached: two spaces per unit.
- (2) Other residential types:
  - (a) New construction: two spaces per unit.

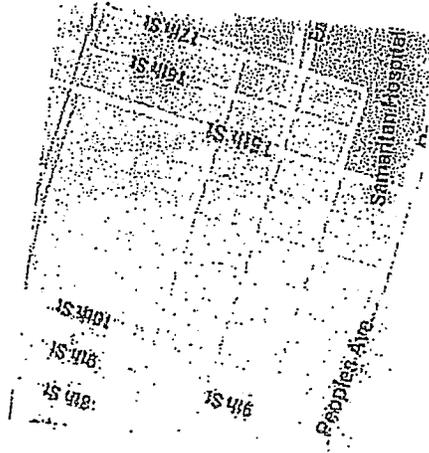
- (b) Rehabilitation: one space per existing unit.
- (3) Home occupation: two spaces.
- (4) Other uses: See parking schedule, § 285-91.

Petitioning Troy, NY City Council and 1 other

# Troy's Hillside Neighborhood Should Be Zoned R2



andrew lynn troy, NY



Troy NY's Hillside and Beman Park neighborhoods are nestled between People's Avenue, Eighth St., Seventeenth St. and Hoosick St. The district is comprised of approximately 425 buildings and contains 36 blocks. This area has long been designated as an R3 zone, despite having only 33 three-family structures, a mere 8% of the homes in these neighborhoods. The reality of this zoning area hovers between

Share this petition

80 supporters

20 needed to reach 100

Share on Facebook

Add a personal message (optional)

Troy, NY City Council, Mayor  
Lou Rosamilia: Troy's Hillside  
Neighborhood Should Be Zoned  
R2

Post to Facebook

Send a Facebook message

Send an email to friends

Tweet to your followers

From a building-by-building analysis we undertook, we discovered there are 133 one-family homes (31% of homes) and 259 two-family neighborhoods (61% of homes). The current zoning designation of our building stock is noticeably out of line with the existing uses of the philosophy for future development. (please note the zoning philosophies linked above)

As the developments on Hoosick Street continue The Hillside and Beman Park will continue to be negatively impacted - traffic increases, corporate chains encroach, and green space disappears. These developments may be good for business, but not for our neighborhood. An R2 zone will help us preserve a more residential character in the face of these developments, and establish more legal protection for residents and owner-occupants with an investment in the neighborhood.

We respectfully request the Mayor, City Council, Planning Commission, Zoning Board and Planning Department work to enact legislation to zone this area as an R2 zone.

The first step is to hold a public hearing where the citizen residents of this neighborhood have an opportunity to voice opinions to those in power.

## Share this petition

80 supporters

20 needed to reach 100

Share on Facebook

Add a personal message (optional)

Troy, NY City Council, Mayor  
Lou Rosamilia: Troy's Hillside  
Neighborhood Should Be Zoned  
R2

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Send a Facebook message

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<https://www.change.org/p/> Copy link

Sponsor an ad to show this petition to more potential supporters

Promote this petition

LETTER TO

Troy, NY City Council  
Mayor Lou Rosamillia

Troy's Hillside Neighborhood Should Be Zoned R2

## UPDATES

50 supporters

1 week ago

andrew lynn started this petition

2 weeks ago

## REASONS FOR SIGNING

Most Popular · Latest

Corinne Cosgrave-Honsinger TROY, NY

It's the right thing to do. ...

about 4 hours ago · Liked 0

Margaret Kownack TROY, NY

about 4 hours ago · Liked 0

Many of my most treasured memories center within the Beman Park/Hillside North Neighborhood. I spoke out on behalf of the Beman Park residents at council meetings as it pertained to the mini-dorming issue. The preservation of our neighborhoods character and charm are part what makes Troy hereelf so special. e-designating this area as R2 is more in line with its actual usage and stock. I'm rongly in favor of this.

vid Martin TROY, NY

about 5 hours ago · Liked 0

lieve in responsible development and zoning, with particular care to the existing hborhood base.

David Bissember TROY, NY

about 8 hours ago · Liked 0

Upon review of the zoning change request, it is evident that there is a need to rezone this area of Troy. This change would help preserve the residential character of the neighborhood by encouraging owner-occupancy, which is critical to the preservation of our neighborhoods.

Susan Steele TROY, NY

1 day ago · Liked 0

I want to hear how all affected by this change feel about it

Amy Halloran TROY, NY

1 day ago · Liked 0

I want the city to value its residential taxpayers.

Judith Kapila TROY, NY

1 day ago · Liked 0

I'm signing because I am in an R-1 zone and the business below me (Taiham) is allowed to operate 24/7 with no restrictions and in addition to his waterproofing business has moved in an asphalt paving business. The neighborhood has NO RECOURSE!

Mark McGrath TROY, NY

3 days ago · Liked 0

It will benefit the residents that live there.

Robert Miller TROY, NY

3 days ago · Liked 0

This neighborhood is on the edge, it could improve or deteriorate. We need to do all we can to support improvement. Allowing higher density housing will only compound the existing problems.

Imela Bentien TROY, NY

4 days ago · Liked 0

While Troy is technically a small city, it's really just a big small town. Each of its neighborhoods is important. Encouraging owner-occupancy is critical to maintaining the character of our city and would be supported by this change.

NORIKO KURODA LAKE GEORGE, NY

8 days ago · Liked 0

I'm signing because we need quieter and peace neighborhood of the Hillside.

Robert Doherty TROY, NY

7 days ago · Liked 0

This preserves and promotes neighborhoods, the most important parts of any city.

jennifer baumstein PUTNAM VALLEY, NY

7 days ago · Liked 0

This is a NEIGHBORHOOD. A place where we want to LIVE. Hillside residents are passionate, caring families and we want to support their efforts by preserving the integrity of the place. Development will change it for the worse.

Ellen R. Piccerelli BARRINGTON, RI

10 days ago · Liked 0

I feel the neighborhood should be preserved.

Ken Zalewski TROY, NY

10 days ago · Liked 0

I was an early adopter of this plan, and I've been working with neighborhood leaders to down-zone this area.

n wallace TROY, NY

10 days ago · Liked 0

This neighborhood is incorrectly zoned. It is made up of predominantly one and two family homes.

Jim de Seve TROY, NY

10 days ago · Liked 0

It is time for the planning commission to hold the public hearing about this issue. No more delays. Let's have some democracy!

Twila Mattison COHOES, NY

10 days ago · Liked 0

This petition makes good sense. We should open more opportunities for more people. We need more homes in existing stock/ Thank you.

Gerj de Seve TROY, NY

11 days ago · Liked 0

Hillside residents have worked very hard over many years to keep their neighborhood intact and to improve the livability of area. This dedication should be encouraged and rewarded by granting the security of R-2 designation.

Annee Borthwick TROY, NY

11 days ago · Liked 0

Life since 1969 in downtown is made better by the two-family homes on the Hillside. Reducing the zoning to R2 provides protection from Horrible Hoosick St over-growth. NorthCentral needs rezoning to R2 to encourage transformation of existing homes.

Linda O'Malley TROY, NY

11 days ago · Liked 0

Hoosick Street has been enough of an insult to the Hillside. More development puts it at even greater risk.

Michelle Cerone TROY, NY

11 days ago · Liked 0

I own a home here, live here, and am part of a community HERE!

David Beditz TROY, NY

12 days ago · Liked 0

I have been a resident of the Beman Park neighborhood my entire life and wish to preserve the quality of life we have enjoyed all these years.

I do not want to see any more commercial ventures.

John Allison TROY, NY

12 days ago · Liked 0

I live here

Shanna Goldman TROY, NY

12 days ago · Liked 0

Please, please don't ruin my favorite neighborhood in all of Troy but letting chains and hoosick st bleed into it.

maura marcks WATERVLIET, NY

12 days ago · Liked 0

I am a homeowner in the hillside neighborhood and would like to preserve its residential qualities

Carolyn Braunius TROY, NY

12 days ago · Liked 0

I live in the hillside neighborhood because it is quite, and close to downtown. I do not want to see my community changed by adding more commercial properties. People are buying up houses and fixing them up, because they like the community the way it is.

Victoria Kereszi TROY, NY

12 days ago · Liked 0

This is a residential neighborhood and I'd love to keep our children and families safe from extra traffic, accidents, litter, demolition of homes, etc.

Mark Russo NEW YORK, NY

13 days ago · Liked 0

Re-zoning would better reflect the character of our neighborhood and be better for the people living in it.

Beth Steckley TROY, NY

13 days ago · Liked 0

During the 26 yrs. I've owned and lived in the Hillside I've seen a number of properties switch from rental to owner-occupied. We need to support this positive shift by revising the zoning to R-2 to coincide with the way the vast majority of residents are now using their buildings.

theresa murray TROY, NY

13 days ago · Liked 0

I FEEL IT SHOULD BE ZONED R2. IT IS BETTER FOR THE NEIGHBORHOOD.

Nathan Meltz TROY, NY

13 days ago · Liked 0

I support lower density for my neighborhood

Kian Tjong TROY, NY

13 days ago · Liked 0

I support this change.

Elizabeth Rodriguez TROY, NY

13 days ago · Liked 0

This change makes sense for the neighborhood and the City is taking too long to upgrade our out of step Zoning Ordinance.

**ORDINANCE AMENDING THE 2016 GENERAL FUND BUDGET AND THE 2016 SPECIAL REVENUE FUND TO ESTABLISH A SPECIAL REVENUE PROJECT/ACCOUNT AND TO APPROPRIATE CERTAIN FUNDS FOR THE PURPOSE OF A 10% COMMITMENT OF THE TOTAL COST FOR NEW YORK WORKS ROUND II- ENVIRONMENTAL RESTORATION PROGRAM, SCOLITE – UPPER HUDSON RIVER**

---

The City of Troy, convened in City Council, ordains as follows:

**Section 1.** The City of Troy 2016 General Fund Budget and Special Revenue Budget is herein amended as set forth in Schedule A entitled:

“July 2016 Budget Amendments  
NY Works Round II – Environmental Restoration Program,  
Scolite – Upper Hudson River”

Which is attached hereto and made a part hereof.

**Section 2.** This act shall take effect immediately.

Approved as to form, July 5<sup>th</sup>, 2016

\_\_\_\_\_  
Kevin Glasheen, Corporation Counsel

**AYES: 9**  
**NOES:0**  
**ABSTAIN:**

**Troy City Clerk**

**Executive Action**

Sent to Mayor \_\_\_\_\_

Approved \_\_\_\_\_ Date \_\_\_\_\_

Received from Mayor \_\_\_\_\_

Veto \_\_\_\_\_ Not Endorsed \_\_\_\_\_

City Clerk \_\_\_\_\_

Mayor \_\_\_\_\_

**MEMORANDUM OF SUPPORT FOR AMENDING  
THE 2016 GENERAL FUND & SPECIAL REVENUE FUND**

**Title:** Ordinance amending the 2016 General Fund Budget and the 2016 Special Revenue Fund to establish a special revenue project/account and to appropriate certain funds for the purpose of a 10% commitment of the total cost for New York Works Round II – Environmental Restoration Program, Scolite – Upper Hudson River

**Effect on Present Law:** None

**Purpose;** To appropriate funds for the purpose of a 10% commitment of the total cost for NYWII Environmental Restoration Program, Scolite – Upper Hudson River.

**Fiscal Impact:** The committed amount by the City of Troy is 10% (\$67,421) of the estimated project cost of \$674,205.

**Council Committee:** Finance

Cheryl Christiansen  
City Clerk  
Lucille Taylor  
Deputy City Clerk



Office of the City Clerk

Phone (518) 279-7102  
Fax (518) 270-4639

## CERTIFICATION

*I, Cheryl Christiansen, City Clerk to the City Council of the City of Troy, located in the County of Rensselaer, State of New York, do hereby certify that the following Resolution #66 was adopted at the Regular Meeting of the City Council held on September 4, 2014 and is on file and of record.*

*I have compared the foregoing Resolution #66 thereof, now on file in this office and the same is a true and correct copy of said Resolution. The whole of said original Resolution #66 was duly adopted by a vote of 9 Affirmative votes and 0 Negative votes, (being at least a majority of the voting strength of the City Council) on the 4<sup>th</sup> day of September, 2014.*

*In Testimony Whereof, I have hereunto set my hand and affixed the seal of the City of Troy this 11th day of September, 2014.*

  
Cheryl Christiansen  
City Clerk  
City of Troy, New York

(SEAL)

**RESOLUTION AUTHORIZING THE ITEMS LISTED BELOW PURSUANT TO THE NEW YORK  
WORKS II ENVIRONMENTAL RESTORATION PROJECTS FUNDING**

---

WHEREAS, The City of Troy, herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest and is required in order to implement the Project; and

WHEREAS, Article 56 of the Environmental Conservation Law authorizes State assistance to municipalities for environmental restoration projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith; and

WHEREAS, the enacted Executive Budget for State Fiscal year 2013-2014 (the "13/14 Budget") as reflected in Chapter 54, Laws of 2013 (the "Laws of 2013"), provided New York Works II funding for services, expenses, and indirect costs related to various environmental projects including, but not limited to, environmental restoration projects. The Law allows the Department of Environmental Conservation (the "Department" to enter into agreements with municipalities to undertake environmental restoration projects on behalf of a municipality upon request, provided that the municipality shall provide ten percent of the total project costs (hereinafter referred to as "NY WII ERP") ; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Troy that the Mayor is the representative authorized to act in behalf of the Municipality in all matters related to State assistance under ECL Article 56, Title 5. The Mayor is also authorized to make a request to the Department (by applying for participation in the NY WWII ERP) to enter into an agreement to undertake an environmental restoration project on behalf of the Municipality, execute the NY WWII ERP Agreement, submit Project documentation, and otherwise act for the Municipality's governing body in all matter related to the Project and to State assistance; and

NOW THEREFORE BE IT FURTHER RESOLVED, that the Municipality agrees that it will fund its portion of the cost of the Project by reimbursing the Department ten percent (10%) of Project costs and that funds will be available to reimburse the Department within ninety (90) days after receipt of an invoice from the Department; and

NOW THEREFORE BE IT FURTHER RESOLVED, that one (1) certified copy of this Authorization be prepared and sent to the Albany office of the New York State Department of Environmental Conservation together with the Application for Participation in NY WWII ERP, and

NOW THEREFORE BE IT FURTHER RESOLVED, that this Authorization takes effect immediately.

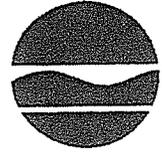
Approved as to form, August 13, 2014

Ian H. Silverman, Esq., Corporation Counsel

AYES: 9  
NOES: 0  
ABSTAIN: 0

Troy City Clerk	Executive Action
Sent to the Mayor 9/5/14	Approved, Date 9/11/14
Received from the Mayor 9/11/14	Veto Not Endorsed
City Clerk <u>[Signature]</u>	Mayor <u>[Signature]</u>

**New York State Department of Environmental Conservation**  
**Division of Environmental Remediation**  
Office of the Director, 12th Floor  
625 Broadway, Albany, New York 12233-7011  
Phone: (518) 402-9706 • Fax: (518) 402-9020  
Website: [www.dec.ny.gov](http://www.dec.ny.gov)



Joe Martens  
Commissioner

JAN 09 2015

Honorable Louis Rosamilia  
Mayor, City of Troy  
433 River Street  
Troy, New York 12180

RE: New York Works Round II  
Environmental Restoration Program  
Site Name: Scolite – Upper Hudson River  
Site Number: E442037

Dear Mayor Rosamilia:

The New York State Department of Environmental Conservation (DEC) is pleased to announce that your application for participation in the Environmental Restoration Program (ERP) for the above site has been accepted. This project will be funded in accordance with the 2013-14 New York State budget appropriation for environmental restoration projects under the New York Works Round II (NYWII) statewide capital infrastructure program.

Based upon the review of the application, and a timely return of the signed NYWII ERP Agreement (Agreement), DEC is prepared to execute an Agreement for the above-described property. Enclosed are three original proposed Agreements. Please have an authorized representative sign all three originals where indicated and return them to my attention at 625 Broadway, Albany, New York. The Agreement shall not be effective until it is fully executed by the parties.

Please note, the Agreement must be signed and returned to DEC within 30 calendar days. If not returned in this timeframe, DEC will consider the Application withdrawn and the offer to enter the NYWII ERP rescinded.

Under the Agreement, in addition to paying 10% of project costs, the Municipality's responsibilities include:

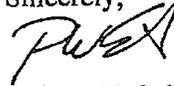
- 1) executing and implementing any DEC prepared Environmental Easement (EE);
- 2) implementing the Site Management Plan (SMP), if one is required, including all operation, maintenance and monitoring requirements of the site remedy; and
- 3) providing the required Periodic Review Reports (PRR) as set forth in the SMP.

DEC responsibilities under the Agreement include:

- 1) designing and implementing the remedy set forth in the Record of Decision (ROD), or as subsequently modified based on new information in accordance with DER-2, *Making Changes to Selected Remedies*;
- 2) preparation of any necessary EE documents for the Municipality's execution; and
- 3) preparation of any necessary SMP.

DEC anticipates beginning remedial design immediately upon execution of an Agreement and field work for a proposed project based on a schedule developed during the remedial design. Please refer to the enclosed NYWII ERP Guidance document for information on invoices and payments. DEC looks forward to working with you on this project. You may contact the DEC's project team identified in the attached draft Agreement to discuss the next steps.

Sincerely,



Robert W. Schick, P.E.

Director

Division of Environmental Remediation

Enclosures

cc: Michael Ryan, DEC  
Keith Goertz, DEC  
Robert Cozzy, DEC  
James Quinn, DEC  
Laura Zeppetelli, DEC  
Karen Diligent, DEC  
Andrew Guglielmi, DEC  
Krista Anders, DOH

**SCHEDULE A**  
**July 2016 Budget Amendments**

**NY Works Round II - Environmental Restoration Program**  
**Scolite - Upper Hudson River**

<b>General Fund</b>	<b>Original *</b> <b><u>Budget</u></b>	<b><u>Change</u></b>	<b>Revised</b> <b><u>Budget</u></b>
Contingencies A.1990.0418.0000.0000	455,000.00	(67,421.00)	387,579.00 a)
Interfund Transfers Special Revenue Fund A.9950.0901.0000.0000	-	67,421.00	67,421.00 a)
Net Change		<hr style="border-top: 1px solid black;"/> <hr style="border-top: 1px solid black;"/>	

**Special Revenue Fund - Revenue**

Interfund Transfers Scolite/Hudson River Estuary Project CD.0000.5031.8000.8308	-	67,421.00	67,421.00 a)
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**Special Revenue Fund - Expenditures**

Equipment & Capital Outlay - Scolite/Hudson River Estuary Project CD.2016.0200.8000.8308	-	67,421.00	67,421.00 a)
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Footnote

- a) Transfer for Scolite Site City portion of project.

**RESOLUTION APPOINTING THE TROY CITY COUNCIL AS LEAD AGENCY PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT IN CONNECTION WITH THE PROPOSED ACTION OF REZONING THE HILLSIDE AND BEMAN PARK NEIGHBORHOODS FROM R-3 TO R-2 ZONING**

---

**WHEREAS**, the Troy City Council is considering a proposed rezoning of the Hillside/Beman Park neighborhoods from their current zoning of R-3 Multiple Family Residential, Medium Density to R-2 Two Family Residential; and

**WHEREAS**, the City Council has assumed the role of applicant for the proposed action and Councilman Dean Bodnar – District 3, the district in which the subject neighborhoods are located, has agreed to serve as sponsor for the proposed action; and

**WHEREAS**, an amendment or change to a zoning ordinance is a proposed action that is subject to review pursuant to the State Environment Quality Review Act (“SEQR”); and

**WHEREAS**, since a rezoning action is a legislative decision requiring implementation by means of an ordinance, the municipal board with primary responsibility for making this decision is the City Council; and

**WHEREAS**, the lead agency for SEQR purposes is the board with primary responsibility for making the decision which in this case is the City Council.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council hereby assumes the role of lead agency for SEQR purposes in connection with the proposed action to rezone the Hillside/Beman Park neighborhoods from an R-3 zone to an R-2 zone.

Approved as to form, June 2, 2016

\_\_\_\_\_  
Kevin P. Glasheen, Corporation Counsel

**AYES: 9**  
**NOES:0**  
**ABSTAIN:**

**Troy City Clerk**

**Executive Action**

Sent to Mayor \_\_\_\_\_

Approved\_\_\_\_\_ Date\_\_\_\_\_

Received from Mayor\_\_\_\_\_

Veto\_\_\_\_\_ Not Endorsed\_\_\_\_\_

City Clerk\_\_\_\_\_

Mayor\_\_\_\_\_

## Memo in Support

In the past year, Councilman Dean Bodnar has served as a sponsor for City Council legislation on behalf of the residents of the Hillside and Beman Park neighborhoods in connection with a request for a change in the zoning of these neighborhoods. These neighborhoods are located between Eighth Street on the west, Seventeenth Street on the east, Peoples Avenue on the south and Hoosick Street on the north. This area encompasses approximately 36 City blocks.

Within this area, there are 133 one-family residences which comprise 31% of the homes in the area. There are 259 two-family homes which comprise 61% of the homes in the area. Finally, there are 33 homes that are three-family structures comprising 8% of the homes in these neighborhoods.

The area is currently zoned R-3, Multiple-Family Residential, and Medium Density. The current zoning allows for the transition from lower density, large lot one and two-family residences to various types of residences including low-rise medium density apartment houses. Given the preponderance of single and two-family residences, the sponsor and residents believe that a zoning of R-2, Two-Family Residential is a more appropriate zoning classification that will help to maintain the stability of the neighborhood and therefore request a change in the zoning of the area from R-3 to R-2.

Pursuant to the Troy City Code, Sec. 285-49 (B), it is the City Council that approves any change in the zoning of a district and any changes to the City's Official Zoning Map. Any amendments to the Zoning Code, such as the action proposed here, require a review pursuant to the State Environmental Quality Review Act ("SEQR"). The lead agency for such a review is the board or agency that is responsible for approving or denying the proposed action. In this instance, since the Council is the board or agency that must grant or deny the requested action, it is appropriate for the City Council to act as lead agency for SEQR purposes. By this resolution, the City Council declares itself the lead agency for SEQR review purposes in connection with the request to change the zoning of this area from R-3 to R-2.

*Full Environmental Assessment Form  
Part I - Project and Setting*

**Instructions for Completing Part I**

Part I is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part I based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part I is accurate and complete.

**A. Project and Sponsor Information.**

Name of Action or Project: Rezoning of Hillside and Beman Park neighborhoods in Troy NY from R3 Zone to R2 Zone		
Project Location (describe, and attach a general location map): Area bounded roughly by Hoosick St., 8th St., People's Avenue, 15th St., Jacob St., 17th St. in Troy NY		
Brief Description of Proposed Action (include purpose or need):  This legislative action would change the current R3 zoning of approximately 36 blocks of the Hillside and Beman Park neighborhood in the City of Troy NY to R2 zoning. Area is currently zoned R3 despite a small number of buildings being 3-family. Updating the zoning would bring the neighborhoods in question in line with the physical realities of the structures contained within. Please see Part F for full rationale.		
Name of Applicant/Sponsor:  Troy City Council / Dean Bodnar, Councilmember		Telephone: (518) 279-7317  E-Mail: dean.bodnar@troyny.gov
Address: 433 River Street		
City/PO: Troy	State: NY	Zip Code: 12180
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): The proposed action involves approximately 425 properties		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	City Council must vote on action and resolution to support SEQR determination as per this form	September 1, 2016
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Troy Planning Commission has held public hearing.	October 28, 2015
c. City Council, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	City Council must hold a public hearing	July 7, 2016
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Rensselaer County Planning Commission must review proposed action	August 15, 2016
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		Yes No <input checked="" type="checkbox"/>
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		Yes No <input checked="" type="checkbox"/>
iii. Is the project site within a Coastal Erosion Hazard Area?		Yes No <input checked="" type="checkbox"/>

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>If Yes, complete sections C, F and G.</li> <li>If No, proceed to question C.2 and complete all remaining sections and questions in Part I</li> </ul>	
C.2. Adopted land use plans.	
a. Do any municipally-adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	Yes No <input checked="" type="checkbox"/>
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	Yes No <input checked="" type="checkbox"/>
If Yes, identify the plan(s):	
_____	
_____	
_____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	
Yes No <input checked="" type="checkbox"/>	
If Yes, identify the plan(s):	
_____	

<b>C.3. Zoning</b>	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district? Current zoning classification in R3	xYes No
_____	
b. Is the use permitted or allowed by a special or conditional use permit?	Yes No x
c. Is a zoning change requested as part of the proposed action? If Yes, i. What is the proposed new zoning for the site?	x Yes No
_____	
<b>C.4. Existing community services.</b>	
a. In what school district is the project site located? <u>Troy</u>	
b. What police or other public protection forces serve the project site? Troy	
_____	
c. Which fire protection and emergency medical services serve the project site? Troy	
_____	
d. What parks serve the project site? Small City Parks located on 9 <sup>th</sup> St. between Hoosick and Hutton; 8 <sup>th</sup> St. between Hoosick and Hutton; and 9 <sup>th</sup> St. between Jacob and Eagle and Beman Park between 15 <sup>th</sup> St. and Samaritan Hospital.	

**D. Project Details**

<b>D. 1. Proposed and Potential Development Not applicable – no proposed construction</b>	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?	
_____	
b.a. Total acreage of the site of the proposed action?	_____ acres
b. Total acreage to be physically disturbed?	_____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	_____ acres
c. Is the proposed action an expansion of an existing project or use?	Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, and square feet)? %	Units:
d. Is the proposed action a subdivision, or does it include a subdivision?	Yes No
If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)	
_____	
ii. Is a cluster/conservation layout proposed?	Yes No
iii. Number of lots proposed?	
iv. Minimum and maximum proposed lot sizes? Minimum	Maximum
_____	
e. Will proposed action be constructed in multiple phases?	Yes No
i. If No, anticipated period of construction:	_____ months
ii. If Yes:	
• Total number of phases anticipated	_____
• Anticipated commencement date of phase 1 (including demolition)	_____ month _____ year
• Anticipated completion date of final phase	_____ month _____ year
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:	
_____	

<p>f. Does the project include new residential uses? <span style="float: right;">Yes No</span>          If Yes, show numbers of units proposed.</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;">One Family</td> <td style="width: 25%; text-align: center;">Two Family</td> <td style="width: 25%; text-align: center;">Three Family</td> <td style="width: 25%; text-align: center;">Multiple Family (four or more)</td> </tr> <tr> <td style="padding-top: 10px;">Initial Phase</td> <td></td> <td></td> <td></td> </tr> <tr> <td style="padding-top: 5px;">At completion</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="padding-top: 5px;">of all phases</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> </table>	One Family	Two Family	Three Family	Multiple Family (four or more)	Initial Phase				At completion	_____	_____	_____	of all phases	_____	_____	_____	
One Family	Two Family	Three Family	Multiple Family (four or more)														
Initial Phase																	
At completion	_____	_____	_____														
of all phases	_____	_____	_____														
<p>g. Does the proposed action include new non-residential construction (including expansions)? <span style="float: right;">Yes No</span>          If Yes,</p> <p><i>i.</i> Total number of structures _____</p> <p><i>ii.</i> Dimensions (in feet) of largest proposed structure:                      height;                      width; and                      length</p> <p><i>iii.</i> Approximate extent of building space to be heated or cooled:                      Square feet _____</p>																	
<p>h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <span style="float: right;">Yes No</span>          If Yes,</p> <p><i>i.</i> Purpose of the impoundment: _____</p> <p><i>ii.</i> If a water impoundment, the principal source of the water:                      Ground water    Surface water streams    Other specify: _____</p> <p><i>iii.</i> If other than water, identify the type of impounded/contained liquids and their source. _____</p> <p><i>iv.</i> Approximate size of the proposed impoundment.                      Volume: _____ million gallons; surface area: _____ acres</p> <p><i>v.</i> Dimensions of the proposed dam or impounding structure:                      height;                      length _____</p> <p><i>vi.</i> Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____</p>																	
<b>D.2. Project Operations</b>																	
<p>a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) <span style="float: right;">Yes No</span>          If Yes:</p> <p><i>i.</i> What is the purpose of the excavation or dredging? _____</p> <p><i>ii.</i> How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?</p> <ul style="list-style-type: none"> <li>• Volume (specify tons or cubic yards): _____</li> <li>• Over what duration of time? _____</li> </ul> <p><i>iii.</i> Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.</p> <p>_____</p> <p><i>iv.</i> Will there be onsite dewatering or processing of excavated materials? <span style="float: right;">Yes No</span></p> <p>If yes, describe. _____</p> <p>_____</p> <p><i>v.</i> What is the total area to be dredged or excavated? _____ acres</p> <p><i>vi.</i> What is the maximum area to be worked at any one time? _____ acres</p> <p><i>vii.</i> What would be the maximum depth of excavation or dredging? _____ feet</p> <p><i>viii.</i> Will the excavation require blasting? <span style="float: right;">Yes No</span></p> <p><i>ix.</i> Summarize site reclamation goals and plan: _____</p> <p>_____</p> <p>_____</p>																	
<p>b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <span style="float: right;">Yes No</span>          If Yes:</p> <p><i>i.</i> Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____</p> <p>_____</p>																	

*ii.* Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*iii.* Will proposed action cause or result in disturbance to bottom sediments? Yes No  
 If Yes, describe: \_\_\_\_\_

*iv.* Will proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No  
 If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

*v.* Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

---

*c.* Will the proposed action use, or create a new demand for water? Yes No  
 If Yes:

*i.* Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

*ii.* Will the proposed action obtain water from an existing public water supply? Yes No  
 If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

*iii.* Will line extension within an existing district be necessary to supply the project? Yes No  
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

*iv.* Is a new water supply district or service area proposed to be formed to serve the project site? Yes No  
 If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

*v.* If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

*vi.* If water supply will be from wells (public or private), maximum pumping capacity: \_\_\_\_\_ gallons/minute.

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*d.* Will the proposed action generate liquid wastes? Yes No  
 If Yes:

*i.* Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

*ii.* Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combinations, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

\_\_\_\_\_

*iii.* Will the proposed action use any existing public wastewater treatment facilities? Yes No  
 If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

<ul style="list-style-type: none"> <li>• Do existing sewer lines serve the project site? _____</li> <li>• Will line extension within an existing district be necessary to serve the project? _____</li> </ul> <p style="margin-left: 20px;">If Yes:</p> <ul style="list-style-type: none"> <li>• Describe extensions or capacity expansions proposed to serve this project: _____            _____            _____</li> </ul>	<p>Yes No Yes No</p>
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____</p> <p style="margin-left: 20px;">If Yes:</p> <ul style="list-style-type: none"> <li>• Applicant/sponsor for new district: _____</li> <li>• Date application submitted or anticipated: _____</li> <li>• What is the receiving water for the wastewater discharge? _____</li> </ul> <p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):            _____            _____</p> <p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____            _____            _____</p>	<p>Yes No</p>
<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____</p> <p style="margin-left: 20px;">If Yes:</p> <p style="margin-left: 40px;">i. How much impervious surface will the project create in relation to total size of project parcel?            _____ Square feet or _____ acres (impervious surface)            _____ Square feet or _____ acres (parcel size)</p> <p style="margin-left: 40px;">ii. Describe types of new point sources. _____            _____</p> <p style="margin-left: 20px;">iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?            _____            _____</p> <ul style="list-style-type: none"> <li>• If to surface waters, identify receiving water bodies or wetlands: _____            _____</li> <li>• Will stormwater runoff flow to adjacent properties? _____</li> </ul>	<p>Yes No</p>
<p>iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____</p>	<p>Yes No</p>
<p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____</p> <p style="margin-left: 20px;">If Yes, identify:</p> <p style="margin-left: 40px;">i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)            _____</p> <p style="margin-left: 40px;">ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)            _____</p> <p style="margin-left: 40px;">iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)            _____</p>	<p>Yes No</p>
<p>g. Will any air emission sources named in D.2.f(above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____</p> <p style="margin-left: 20px;">If Yes:</p> <p style="margin-left: 40px;">i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____</p> <p style="margin-left: 40px;">ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> <li>• _____ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)</li> <li>• _____ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)</li> <li>• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)</li> <li>• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)</li> <li>• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)</li> <li>• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)</li> </ul>	<p>Yes No</p> <p>Yes No</p>

<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <span style="float: right;">Yes No</span></p> <p>If Yes:</p> <p><i>i.</i> Estimate methane generation in tons/year (metric): _____</p> <p><i>ii.</i> Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>		
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <span style="float: right;">Yes No</span></p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p> <p>_____</p>		
<p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <span style="float: right;">Yes No</span></p> <p>If Yes:</p> <p><i>i.</i> When is the peak traffic expected (Check all that apply):    Morning                  Evening                  Weekend Randomly between hours of _____ to _____</p> <p><i>ii.</i> For commercial activities only, projected number of semi-trailer truck trips/day: _____</p> <p><i>iii.</i> Parking spaces:    Existing _____    Proposed _____    Net increase/decrease _____</p> <p><i>iv.</i> Does the proposed action include any shared use parking? <span style="float: right;">Yes No</span></p> <p><i>v.</i> If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p>_____</p> <p><i>vi.</i> Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <span style="float: right;">Yes No</span></p> <p><i>vii.</i> Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <span style="float: right;">Yes No</span></p> <p><i>viii.</i> Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <span style="float: right;">Yes No</span></p>		
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <span style="float: right;">Yes No</span></p> <p>If Yes:</p> <p><i>i.</i> Estimate annual electricity demand during operation of the proposed action: _____</p> <p><i>ii.</i> Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p><i>iii.</i> Will the proposed action require a new, or an upgrade to, an existing substation? <span style="float: right;">Yes No</span></p>		
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p><i>i.</i> During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> </td> <td style="width: 50%; vertical-align: top;"> <p><i>ii.</i> During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> </td> </tr> </table>	<p><i>i.</i> During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p><i>ii.</i> During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>
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<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p>	<p>Yes No</p>
<p>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen?</p> <p>Describe: _____</p>	<p>Yes No</p>
<p>n. Will the proposed action have outdoor lighting?</p> <p>If yes:</p> <p>i Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p>	<p>Yes No</p>
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?</p> <p>Describe: _____</p>	<p>Yes No</p>
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day?</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p> <p>_____</p>	<p>Yes No</p>
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time (e.g., month, year)</p> <p>iii. Generally describe proposed storage facilities: _____</p>	<p>Yes No</p>
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>Yes No</p>
<p>ii. Will the proposed action use Integrated Pest Management Practices?</p>	<p>Yes No</p>
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> <li>• Construction: _____ tons per _____ (unit of time)</li> <li>• Operation: _____ tons per _____ (unit of time)</li> </ul> <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul>	<p>Yes No</p>

<p>s. Does the proposed action include construction or modification of a solid waste management facility?          If Yes:</p> <p><i>i.</i> Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities):</p> <p><i>ii.</i> Anticipated rate of disposal/processing:</p> <ul style="list-style-type: none"> <li>• Tons/month, if transfer or other non-combustion/thermal treatment, or</li> <li>• Tons/hour, if combustion or thermal treatment</li> </ul> <p><i>iii.</i> If landfill anticipated site life: _____ years</p>	<p>Yes No</p>
<p>t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?          If Yes:</p> <p><i>i.</i> Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility:</p> <p>_____</p> <p><i>ii.</i> Generally describe processes or activities involving hazardous wastes or constituents:</p> <p>_____</p> <p><i>iii.</i> Specify amount to be handled or generated _____ tons/month</p> <p><i>iv.</i> Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents:</p> <p>_____</p> <p><i>v.</i> Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?          If Yes: provide name and location of facility: _____</p> <p>If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:          _____</p>	<p>Yes No</p> <p>Yes No</p>

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site																																							
<p>a. Existing land uses.</p> <p><i>i.</i> Check all uses that occur on, adjoining and near the project site.</p> <p>Urban    Industrial    Commercial    Residential (suburban)    Rural (non-farm)</p> <p>Forest    Agriculture    Aquatic    Other (specify): _____</p> <p><i>ii.</i> If mix of uses, generally describe:</p> <p>_____</p> <p>_____</p>																																							
b. Land uses and covertypes on the project site.																																							
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Land use or Covertypes</th> <th style="text-align: center;">Current Acreage</th> <th style="text-align: center;">Acreage After Project Completion</th> <th style="text-align: center;">Change (Acres +/-)</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">• Roads, buildings, and other paved or impervious surfaces</td> <td></td> <td></td> <td></td> </tr> <tr> <td style="padding: 2px;">• Forested</td> <td></td> <td></td> <td></td> </tr> <tr> <td style="padding: 2px;">• Meadows, grasslands or brush lands (non-agricultural, including abandoned agricultural)</td> <td></td> <td></td> <td></td> </tr> <tr> <td style="padding: 2px;">• Agricultural (includes active orchards, field, greenhouse etc.)</td> <td></td> <td></td> <td></td> </tr> <tr> <td style="padding: 2px;">• Surface water features (lakes, ponds, streams, rivers, etc.)</td> <td></td> <td></td> <td></td> </tr> <tr> <td style="padding: 2px;">• Wetlands (freshwater or tidal)</td> <td></td> <td></td> <td></td> </tr> <tr> <td style="padding: 2px;">• Non-vegetated (bare rock, earth or fill)</td> <td></td> <td></td> <td></td> </tr> <tr> <td style="padding: 2px;">• Other Describe: _____</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)	• Roads, buildings, and other paved or impervious surfaces				• Forested				• Meadows, grasslands or brush lands (non-agricultural, including abandoned agricultural)				• Agricultural (includes active orchards, field, greenhouse etc.)				• Surface water features (lakes, ponds, streams, rivers, etc.)				• Wetlands (freshwater or tidal)				• Non-vegetated (bare rock, earth or fill)				• Other Describe: _____						
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<p>c. Is the project site presently used by members of the community for public recreation?  <i>i. If Yes: explain:</i> _____</p>	<p>Yes No</p>
<p>d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?          If Yes,  <i>i. Identify Facilities:</i>          _____</p>	<p>Yes No</p>
<p>e. Does the project site contain an existing dam?          If Yes:  <i>i. Dimensions of the dam and impoundment:</i></p> <ul style="list-style-type: none"> <li>• Dam height: _____ feet</li> <li>• Dam length: _____ feet</li> <li>• Surface area: _____ acres</li> <li>• Volume impounded: _____ gallons OR acre-feet</li> </ul> <p><i>ii. Dam's existing hazard classification:</i> _____  <i>iii. Provide date and summarize results of last inspection:</i>          _____</p>	<p>Yes No</p>
<p>f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?          If Yes:  <i>i. Has the facility been formally closed?</i>  <ul style="list-style-type: none"> <li>• If yes, cite sources/documentation: _____</li> </ul> <i>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:</i>          _____          _____  <i>iii. Describe any development constraints due to the prior solid waste activities:</i> _____</p>	<p>Yes No</p> <p>Yes No</p>
<p>g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?          If Yes:  <i>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:</i>          _____</p>	<p>Yes No</p>
<p>h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?          If Yes:  <i>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:</i></p> <p>Yes – Spills Incidents database                      Provide DEC ID number(s): _____          Yes-Environmental Site Remediation database                      Provide DEC ID number(s): _____          Neither database</p> <p><i>ii. If site has been subject of RCRA corrective activities, describe control measures:</i>          _____          _____</p>	<p>Yes No</p> <p>Yes No</p>
<p><i>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?          If yes, provide DEC ID number(s):</i> _____</p> <p><i>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):</i>          _____</p>	<p>Yes No</p>



m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____	
n. Does the project site contain a designated significant natural community? <span style="float: right;">Yes No</span> If Yes:	
<i>i.</i> Describe the habitat/community (composition, function, and basis for designation): _____ _____	
<i>ii.</i> Source(s) of description or evaluation: _____	
<i>iii.</i> Extent of community/habitat:	
<ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or-): _____ acres</li> </ul>	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;">Yes No</span>	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;">Yes No</span>	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;">Yes No If</span> yes, give a brief description of how the proposed action may affect that use: _____ _____	
<b>E.3. Designated Public Resources On or Near Project Site</b>	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;">Yes No</span> If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;">Yes No</span> <i>i.</i> If Yes: acreage(s) on project site? _____ <i>ii.</i> Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;">Yes No</span> If Yes:	
<i>i.</i> Nature of the natural landmark:      Biological Community      Geological Feature <i>ii.</i> Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;">Yes No</span> If Yes:	
<i>i.</i> CEA name: _____ <i>ii.</i> Basis for designation: _____ <i>iii.</i> Designating agency and date: _____	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	Yes No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: 0 Archaeological Site      0 Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	Yes No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	Yes No
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	Yes No
If Yes:	
<i>i.</i> Identify resource: _____	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
<i>iii.</i> Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	Yes No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
	Yes No

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name: Dean Bodnar Date \_\_\_\_\_

Signature \_\_\_\_\_ Title City Council Member, 4<sup>th</sup> District

RESOLUTION AUTHORIZING THE RETENTION AND UTILIZATION OF THE SERVICES OF  
COLLAR CITY AUCTIONS & REALTY INC. FOR AUCTIONEER SERVICES ON ALL CITY  
OWNED SURPLUS PROPERTY

---

WHEREAS, the City of Troy has been storing excessive amounts of surplus property including police-seized items, bicycles, broken down vehicles, broken copiers, and computer equipment; and

WHEREAS, the City of Troy issued a Request for Proposal for the purpose of entering into a two year agreement with an auctioneer; and

WHEREAS, the City Purchasing Agent received one qualified response; and

WHEREAS, the Proposal was reviewed by the staff of the Office of the City Comptroller; and

WHEREAS, the committee reviewing the response from Collar City Auctions feels it provides the most cost effective and full service choice for the City of Troy in disposing of the surplus property; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Troy will retain and utilize the services of Collar City Auctions & Realty Inc. for auctioneer services for a two-year period and the Mayor is authorized to finalize and execute an agreement with Collar City Auctions & Realty, Inc. for those services.

Approved as to form, June 7, 2016

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Kevin P. Glasheen, Corporation Counsel



## Inter-Office Memorandum

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To: Joseph A. Mazzariello, Deputy Comptroller

From: Kathleen E. Kussler, Purchasing Agent

Date: June 3, 2016

Re: Auctioneer Services RFP

On Wednesday May 25, 2016 the Purchasing Department received one (1) response to the RFP for Auctioneer services. That response was from Randy Passonno of Collar City Auctions. Randy has been the only one to respond in the past three RFP's we have advertised. Most companies these days only want to do online auctions. Randy does both on-site and on-line to maximize the exposure and return for the City.

Many of the current department heads have had previous experience with Randy and his team, and Bill Chamberlain was always very pleased with the interactions they had. He recommended Randy for several of the auctions I issued previous RFP's for.

I am respectfully requesting we award a two year contract to Randy for all the surplus property auction needs the City has. Previously we had done each auction separately, and it was very time consuming to put together the property lists, issue an RFP and wait for an award and contracts, and then finally schedule the auction. By the time the auction was held, the property room was filling up again. By having one auctioneer for 2 years, it will allow the City to schedule auctions as soon as the property is declared surplus by the City Council. We will only have to wait for the Auctioneer to set up. It will streamline the process tremendously.

If you are in agreement, I will draw up the award letter and contracts for approval. The first auction should be the police property room, which has already been declared surplus.

**Resolution Appointing Cindy Doran to the Special Committee on the Location of Troy  
City Hall**

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WHEREAS, the Troy City Charter Section C-19 authorizes the City Council to appoint a special committee; and,

WHEREAS, the Troy City Council on June 2, 2016 adopted Resolution #57 establishing a Special Committee on the Location of Troy City Hall; and

WHEREAS, the Troy City Council now wishes to add an additional member onto this special committee; and

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council hereby appoints Cindy Doran to the special committee.

Approved as to form, June 9, 2016

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Kevin P. Glasheen, Corporation Counsel

**RESOLUTION APPOINTING COMMISSIONERS OF DEEDS FOR THE CITY OF TROY**

---

**BE IT RESOLVED**, that the City Council hereby appoints the following person, as identified in the attached applications hereto and made a part hereof, Commissioners of Deeds for the City of Troy for a two-year term,

Mary E. Sweeney - 07/07/16-07/07/18  
161 8<sup>th</sup> Avenue  
Troy, New York 12180

John J. Smith - 07/07/16-07/07/18  
654 4<sup>th</sup> Street  
Troy, New York 12180

Patrick A. Russo – 07/07/16-07/07/18  
52 Defreest Avenue  
Troy, New York 12180

Richard Mason -07/07/16-07/07/18  
2 Hialeah Dr.  
Troy NY 12182

Approved as to form, June 3, 2016

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*Kevin P. Glasheen*, Corporation Counsel

**Resolution of The Troy City Council And City of Troy Adopting The "Think Differently" Initiative To Assist Individuals With Special Needs And Their Families**

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**WHEREAS**, the "Think Differently" initiative is about promoting awareness and acceptance of all people, and advocating for the inclusion of all individuals living with special needs and on the Autism Spectrum; and

**WHEREAS**, our state and communities are stronger because of our diversity and differences; and

**WHEREAS**, according to the Center for Disease Control (CDC) over 55 million people, or approximately 19% of Americans, have a type of disability or special need; and

**WHEREAS**, for some people with special needs, the very things that make them unique can also keep them on the sidelines, separate from those who might not understand their differences or uniqueness; and

**WHEREAS**, it is important for Troy City Officials, residents and business owners to promote and provide guidance to those with special needs on how to access publicly supported services available to them in the community; and

**WHEREAS**, it is important to encourage and educate the community and businesses on ways that they can make facilities and services more accessible and methods to train staff to welcome and support special needs customers and co-workers; and

**WHEREAS**, the goal of this initiative is to provide a supportive and inclusive environment for individuals of all abilities by supporting community events that expand family friendly opportunities for people with special needs and their families; and

**WHEREAS**, adopting the "Think Differently" initiative is an important statement that the Troy City Council can make to show their support for the differently-abled children and adults with special needs, and their families.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council adopts the "Think Differently" initiative and the Troy City Council, City of Troy officials, residents and businesses will work together to implement the "Think Differently" initiative so that all are better prepared to communicate with, provide for, and support those living with special needs and on the Autism Spectrum.

Approved as to form, June 10, 2016

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Kevin P. Glasheen, Corporation Counsel



City Hall, 433 River Street, Suite 5000, Troy, New York 12180

RES. #67

Motion By:  
Seconded By:

**RESOLUTION BY THE TROY CITY COUNCIL APPROVING AND ENDORSING THE CITY OF TROY, NY IN ITS APPLICATION TO NYS HOMES AND COMMUNITY RENEWAL FOR FUNDING UNDER THE NEW YORK MAIN STREET PROGRAM**

**WHEREAS**, the City of Troy, N.Y. desires to apply for up to five hundred thousand dollars (\$500,000.00) in financial assistance through the 2016 Consolidated Funding Application (CFA) under the New York Main Street Program; and

**WHEREAS**, the application proposes funding to assist property owners to complete building renovations to downtown “main street” buildings on 4<sup>th</sup> Street between Adams Street and Division Street; and

**WHEREAS**, the proposed funding will contribute to ongoing community revitalization efforts; and

**WHEREAS**, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located.

**NOW, THEREFORE, BE IT RESOLVED**, that the Troy City Council of the City of Troy, NY approves and endorses the 2016 New York Main Street Program for assistance prepared and to be submitted by the City of Troy, N.Y. in an amount not to exceed the maximum award amount of five hundred thousand dollars (\$500,000.00) and, upon such approval of said request, to enter into and execute a project agreement with the State for such financial assistance to the City of Troy, NY And to the residents in the designated 4<sup>th</sup> street area.

Passed by the following vote of all Troy City Council Members voting in favor thereof:

Affirmative Troy City Council Members:

Affirmative: #  
Negative: #  
Abstain: #

I, \_\_\_\_\_, do hereby certify that resolution # 67 was passed at a meeting of the Troy City Council held on \_\_\_\_\_, and is [incorporated in the original minutes of said meeting OR on file and of record], and that said resolution has not been altered, amended or revoked and is in full force and effect.

Signature of Clerk

[Official Seal of Municipality]



City Hall, 433 River Street, Suite 5000, Troy, New York 12180

RES. #67

**AYES: 9**  
**NOES: 0**  
**ABSTAIN:**

**Troy City Clerk**

Sent to Mayor \_\_\_\_\_

Received from Mayor \_\_\_\_\_

City Clerk \_\_\_\_\_

**Executive Action**

Approved \_\_\_\_\_ Date \_\_\_\_\_

Veto \_\_\_\_\_ Not Endorsed \_\_\_\_\_

Mayor \_\_\_\_\_

**RESOLUTION APPOINTING MEMBERS OF THE STANDING COMMITTEES OF THE COUNCIL**

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**BE IT RESOLVED**, that pursuant to §§ C-3 and C-9 of the City Charter, the President shall be the president officer of the council; shall be the chairman of the standing committee on Finance; and shall be, ex officio, a nonvoting member of all other standing committees; and

**BE IT FURTHER RESOLVED**, that pursuant to § C-10 of the City Charter, the following nominations for standing committee memberships are hereby approved:

**FINANCE:** Membership on this committee shall include the President of the City Council as Chairperson and all other members of the Council.

**LAW:** Membership of this committee shall include the Corporation Counsel, his staff and at least three (3) Council members as follows:

1. Mark McGrath
2. Jim Gulli
3. Robert Doherty

**PLANNING AND ECONOMIC DEVELOPMENT:** Membership of this committee shall include the Commissioner of Planning and Economic Development assistants, the Chair of the Planning Commission and at least three (3) Council members as follows:

**PUBLIC SAFETY:** Membership of this committee shall include the Commissioner of Public Safety, Police Chief, Fire Chief and at least three (3) Council members as follows:

1. Kim Ashe-McPherson
2. Mark McGrath
3. Dean Bodnar
4. John Donohue
5. Erin Sullivan-Teta

**RES. # 68**

**PUBLIC UTILITIES:** Membership of this committee shall include the Deputy Mayor, Superintendent of Public Utilities, Supervisor of Water Plant Operations, Supervisor of Water, Supervisor of Sewers and at least three (3) Council members as follows:

**GENERAL SERVICES:** Membership of his committee shall include the Deputy Mayor, Commissioner of General Services, City Engineer, Director of Parks and Recreation, Supervisor of Streets, Supervisor of Buildings and at least three (3) Council members as follows:

**SCIENCE AND TECHNOLOGY:** Membership of this committee shall include the Deputy Mayor, at his/her discretion, a representative of the Bureau of information Services and at least three (3) Council members as follows:

Approved as to form, June 28, 2016

\_\_\_\_\_

Kevin P. Glasheen, Corporation Counsel

**AYES: 9**  
**NOES: 0**  
**ABSTAIN:**

**Troy City Clerk**

Sent to Council President \_\_\_\_\_

Date \_\_\_\_\_

Received from Council President \_\_\_\_\_

\_\_\_\_\_  
City Clerk

**Legislative Action**

Approved \_\_\_\_\_

Veto \_\_\_\_\_ Not Endorsed \_\_\_\_\_

\_\_\_\_\_  
Council President

**General Services**

Jim Gulli, Chair  
Dean Bodnar  
Bob Doherty  
John Donohue  
Mark McGrath

**Planning & Economic Development**

Dean Bodnar, Chair  
Kim Ashe-McPherson  
Jim Gulli  
Lynn Kopka  
Mark McGrath

**Public Utilities**

John Donohue, Chair  
Dean Bodnar  
Erin Sullivan-Teta

**Science & Technology**

John Donohue, Chair  
Kim Ashe-McPherson  
Lynn Kopka

**RESOLUTION TO AMEND § 3 -103 G. OF THE CITY OF TROY PROCUREMENT POLICY**

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**WHEREAS**, the Troy City Council wishes to provide for the public opening of bid proposals at the time and place designated in the public notice: and

**WHEREAS**, the provisions relating to the opening of proposals are set forth in § 3 -103 G. of the City Procurement Policy; and

**WHEREAS**, the City Council wishes to amend § 3 – 103 G. of the Procurement Policy to include such a provision for the public opening of bids.

**NOW, THEREFORE, BE IT RESOLVED** that § 3 – 103 G. of the City Procurement Policy shall be amended as follows:

G. At the time and place designated, in the Request for Proposals, the Purchasing Agent or the designee will receive the proposals. The proposals shall be opened publicly at such designated time and place. Proposals will be analyzed and thereafter a selection made. A register of proposals shall be prepared which sets forth the name of each proposer. The register of Proposals shall be open for public inspection after the award of the contract.

Approved as to form, June 28, 2016

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*Kevin P. Glasheen, Esq.*, Corporation Counsel

**RESOLUTION DESIGNATING ALL UNCLE SAM CITIZEN ORIENTED EVENTS IN 2016 AS BICENTENNIAL EVENTS**

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**WHEREAS**, an Uncle Sam Committee has been formed to develop events to be held in the place and instead of the Uncle Sam Parade to celebrate the City's long heritage as the home of Uncle Sam and to provide enjoyable events for the citizens; and

**WHEREAS**, the Uncle Sam Committee has scheduled various events on September 10, 2016; and

**WHEREAS**, 2016 is the Bicentennial Celebration year for the City of Troy and events to honor our Uncle Sam heritage should constitute a part of the Bicentennial Celebration.

**NOW, THEREFORE, BE IT RESOLVED**, that the events scheduled on September 10, 2016 and such other events as may be scheduled by the Uncle Sam Committee to be held to honor the City of Troy's Uncle Sam heritage shall be deemed to be Bicentennial Celebration events.

Approved as to form, July 1, 2016

\_\_\_\_\_  
Kevin P. Glasheen, Corporation Counsel

<b>AYES: 8</b>	
<b>NOES:1</b>	
<b>ABSTAIN:</b>	
<b>Troy City Clerk</b>	<b>Executive Action</b>
Sent to Mayor _____	Approved _____ Date _____
Received from Mayor _____	Veto _____ Not Endorsed _____
City Clerk _____	Mayor _____

**RESOLUTION CONFIRMING AND RATIFYING THE CITY CLERK'S FILING OF LOCAL LAW #2 OF 2016 ON JUNE 29, 2016 IN THE OFFICE OF SECRETARY OF STATE**

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**WHEREAS**, in January of 2015, Mayor Louis Rosamilia appointed a Charter Review Commission pursuant to the provisions of Sec. 36 of Municipal Home Rule Law; and

**WHEREAS**, after many public hearings and Commission meetings, the Charter Review Commission drafted a new proposed Charter for the City of Troy; and

**WHEREAS**, the proposed City Charter was forwarded to the Rensselaer County Board of Elections to be voted on by the electorate at the general election to be held on November 3, 2015; and

**WHEREAS**, on November 3, 2015, Troy voters adopted the new Troy City Charter; and

**WHEREAS**, pursuant to the Municipal Home Rule Law, the new City Charter, upon the approval of the electorate, became a local law; and

**WHEREAS**, the new Charter was designated as Local Law #3 of 2015; and

**WHEREAS**, pursuant to Sec. 27 of the Municipal Home Rule Law, the new Charter was to be filed within 20 days of passage with the Office of Secretary of State; and

**WHEREAS**, said Charter was not filed within the requisite time and could not take effect until so filed with the Secretary of State; and

**WHEREAS**, in order to ensure the continuity of government and to have a valid, duly filed Charter take effect as scheduled, the City has filed said Charter with the Office of Secretary of State; and

**WHEREAS**, pursuant to filing requirements of the Office of the Secretary of State, the above Local Law 3 of 2015, as it was being filed in 2016, required a Local Law 2016 designation from the agency and was so designated as Local Law 2 of 2016.

**NOW THEREFORE, BE IT RESOLVED**, that Local Law #3 of 2015 is hereby renumbered and re-designated as Local Law #2 of 2016 for filing purposes with the Office of Secretary of State.

**BE IT FURTHER RESOLVED that** the Troy City Council hereby confirms and ratifies the City Clerk's filing of Local Law #2 of 2016 on June 29, 2016 in the Office of Secretary of State.

Approved as to form, July 1, 2016

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Kevin P. Glasheen, Corporation Counsel

**AYES: 9**  
**NOES: 0**  
**ABSTAIN:**

**Troy City Clerk**

Sent to Mayor \_\_\_\_\_

Received from Mayor \_\_\_\_\_

City Clerk \_\_\_\_\_

**Executive Action**

Approved \_\_\_\_\_ Date \_\_\_\_\_

Veto \_\_\_\_\_ Not Endorsed \_\_\_\_\_

Mayor \_\_\_\_\_

**Resolution Appointing a Special Committee on the Location of Troy City Hall**

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**WHEREAS**, the Troy City Charter Section C-12 authorizes the City Council to appoint a special committee; and

**WHEREAS**, it is in the public interest to review and report on the best location for Troy City Hall; and

**WHEREAS**, the location of Troy City Hall is currently located at 433 River Street, 5<sup>th</sup> Floor, Troy, NY; and

**WHEREAS**, the City is currently paying approximately \$360,000 annually in rent for the use of the fifth floor as a space for city hall; and,

**WHEREAS**, the Troy City Council on May 12, 2016 unanimously adopted a Corrective Action Plan (CAP); and

**WHEREAS**, the CAP recommends that in order to decrease expenses, the Council and administration consider relocating City Hall; and

**WHEREAS**, it is in the financial and public interest to review various options for the location of City Hall.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council hereby appoints the following to the special committee:

Chairperson Teri Kippen - Licensed Real Estate Agent, John Cubit - Information Technology,  
Andrea Daly - Neighborhood Activist, Councilman Bob Doherty - District 4,  
Councilman John Donohue - District 6, Cindy Doran - Rensselaer County Legislature, David  
Graham - Architecture & Historic Buildings, Councilman Jim Gulli - District 1, Frank Laposta –  
Business Owner, Michael Lashway- Finance, Alex Nichols - Commercial Real Estate Broker,  
Kevin Vandenburg - Developer

**BE IT FURTHER RESOLVED**, that the committee shall review all reasonable options while considering the future location of City Hall and be afforded access to all requisite city records; and,

**BE IT FURTHER RESOLVED**, the committee shall issue a report to the City Council President and City Council regarding the most cost effective option for the location the future of Troy City Hall no later than December 31, 2016.

Approved as to form, July 6, 2016

\_\_\_\_\_  
Kevin P. Glasheen, Corporation Counsel

**AYES: 8**

**NOES: 1**

**ABSTAIN:**

**Troy City Clerk**

**Legislative Action**

Sent to Council President \_\_\_\_\_

Approved \_\_\_\_\_

Date \_\_\_\_\_

Veto \_\_\_\_\_ Not Endorsed \_\_\_\_\_

Received from Council President \_\_\_\_\_

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Council President