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Zoning Board of Appeals
NOTICE OF PUBLIC HEARING

Notice is hereby given that the Zoning Board of Appeals of the City of Troy, New York will conduct a REGULAR PUBLIC HEARING starting at **6:00 P.M.** on **September 2, 2014** in the 5th Floor Planning Department Hearing Room of The Hedley Building, to act upon the following requests for approvals and appeals from decisions made by the Bureau of Code Enforcement of said City of Troy.

Additional information regarding the above listed actions is available in the Department of Planning and Community Development located on the Fifth floor Troy City Hall, 433 River Street, Troy, New York 12180. Telephone: 279-7168. Office Hours are from 8:30 A.M. to 4:30 P.M. weekdays. Any persons having any interest in the above listed matters will be heard at said time and place.

Major Area Variance

ZB2014-021 Major Area Variance to allow for a parking deficiency related to a proposal to convert a 3 unit building into a 5 unit building at 3 Washington Place, an R-4 Zone, ID 101.77-1-3. Applicant is Sandra Vardine, 1 Deerfield Drive, Troy, NY 12180.

ZB2014-022 Major Area Variance to allow for a parking deficiency related to a proposal to convert a single family home into a two family home at 216 9th Street, an HCD Zone, ID 101.31-9-23. Applicant is Walter Urzan, 288.5 Tenth Street, Troy, NY 12180.

ZB2014-023 Major Area Variance to allow for a parking deficiency related to a proposal to convert a 3 family home into a 4 family home at 170 1st Street, an R-4 Zone, ID 100.76-10-15. Applicant is Warren Abele, 189 Second Street, Troy, NY 12180.

ZB2014-024 Major Area Variance to allow for a parking deficiency related to a proposal to construct 5 apartment buildings at Gurley Ave, a P Zone, ID 80.42-2-3. Applicant is Advanced Engineering, 11 Herbert Drive, Latham NY 12110

As required by Americans with Disabilities Act, auxiliary aids and services are available upon request. Please give one-week advance notice for services needed.

City of Troy Zoning Board of Appeals

Jay Vandenburg, Chairperson

Andrew Petersen, Executive Secretary

STAFF REPORT ZB2014-021

APPLICANT: Sandra Vardine

PROJECT DESCRIPTION:

ZB2014-021 Major Area Variance to allow for a parking deficiency related to a proposal to convert a 3 unit building into a 5 unit building at 3 Washington Place, an R-4 Zone, ID 101.77-1-3. Applicant is Sandra Vardine, 1 Deerfield Drive, Troy, NY 12180.

Per Section 285-91 of the Zoning Ordinance, each new residential unit requires 2 spaces off-street parking. The applicant proposes to add 2 additional unit requiring 4 spaces. The applicant proposes to provide 0 spaces therefore is deficient 4 spaces. The applicant will need a Major Area Variance to allow for a parking deficiency of 4 spaces.

REQUEST:

Major Area Variance to allow for a parking deficiency

Major Area Variance

In order to have a project approved that requires that an Area Variance be granted by the Z.B.A. all applicants must prove "Practical Difficulty" as it applies to the project.

In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the area variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the Board shall also consider:

- (1) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
- (2) Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance;
- (3) Whether the requested area variance is substantial;
- (4) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
- (5) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the area variance.

Based on the information provided by the applicant there are no other zoning deficiencies or violations.

APPROVALS NEEDED:

Major Area Variance to allow for a parking deficiency of 4 spaces.

SEORA: Staff recommends that the Board find this proposal to be an UNLISTED action with sufficient information available upon which to make a determination that the project is not expected to cause significant environmental impact. No local agencies are involved and no State or Federal agencies are involved.



ADAMS ST

WASHINGTON PL

FRANKLIN ST

2ND ST

CHURCH ST

WASHINGTON PL

3RD ST

FREARLY

WASHINGTON ST

FRANKLIN ST

STAFF REPORT ZB2014-023

APPLICANT: Warren Abele

PROJECT DESCRIPTION:

ZB2014-023 Major Area Variance to allow for a parking deficiency related to a proposal to convert a 3 family home into a 4 family home at 170 1st Street, an R-4 Zone, ID100.76-10-15. Applicant is Warren Abele, 189 Second Street, Troy, NY 12180.

Per Section 285-91 of the Zoning Ordinance, each new residential unit requires 2 spaces off-street parking. The applicant proposes to add an additional unit requiring 2 spaces. The applicant proposes to provide 0 spaces therefore is deficient 2 spaces. The applicant will need a Major Area Variance to allow for a parking deficiency of 2 spaces.

REQUEST:

Major Area Variance to allow for a parking deficiency

Major Area Variance

In order to have a project approved that requires that an Area Variance be granted by the Z.B.A. all applicants must prove "Practical Difficulty" as it applies to the project.

In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the area variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the Board shall also consider:

- (1) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
- (2) Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance;
- (3) Whether the requested area variance is substantial;
- (4) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
- (5) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the area variance.

Based on the information provided by the applicant there are no other zoning deficiencies or violations.

APPROVALS NEEDED:

Major Area Variance to allow for a parking deficiency of 2 spaces.

SEORA: Staff recommends that the Board find this proposal to be an UNLISTED action with sufficient information available upon which to make a determination that the project is not expected to cause significant environmental impact. No local agencies are involved and no State or Federal agencies are involved.



ADAMS ST

WASHINGTON ST

2ND ST

FREAR AVE

1ST ST

1ST STREET AVE

RIVER ST

WASHINGTON ST

STAFF REPORT ZB2014-022

APPLICANT: Walter Urzan

PROJECT DESCRIPTION:

ZB2014-022 Major Area Variance to allow for a parking deficiency related to a proposal to convert a single family home into a two family home at 216 9th Street, an HCD Zone, ID 101.31-9-23. Applicant is Walter Urzan, 288.5 Tenth Street, Troy, NY 12180.

Per Section 285-91 of the Zoning Ordinance, each new residential unit requires 2 spaces off-street parking. The applicant proposes to add an additional unit requiring 2 spaces. The applicant proposes to provide 0 spaces therefore is deficient 2 spaces. The applicant will need a Major Area Variance to allow for a parking deficiency of 2 spaces.

REQUEST:

Major Area Variance to allow for a parking deficiency

Major Area Variance

In order to have a project approved that requires that an Area Variance be granted by the Z.B.A. all applicants must prove "Practical Difficulty" as it applies to the project.

In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the area variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the Board shall also consider:

- (1) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
- (2) Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance;
- (3) Whether the requested area variance is substantial;
- (4) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
- (5) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the area variance.

Based on the information provided by the applicant there are no other zoning deficiencies or violations.

APPROVALS NEEDED:

Major Area Variance to allow for a parking deficiency of 2 spaces.

SEORA: Staff recommends that the Board find this proposal to be an UNLISTED action with sufficient information available upon which to make a determination that the project is not expected to cause significant environmental impact. No local agencies are involved and no State or Federal agencies are involved.



STAFF REPORT ZB2014-024

APPLICANT: Advanced Engineering (Nick Costa)

PROJECT DESCRIPTION:

ZB2014-024 Major Area Variance to allow for a parking deficiency related to a proposal to construct 5 apartment buildings at Gurley Ave, a P Zone, ID 80.42-2-3. Applicant is Advanced Engineering, 11 Herbert Drive, Latham NY 12110

Per Section 285-91 of the Zoning Ordinance, each new residential unit requires 2 spaces off-street parking. The applicant proposes to construct 72 unit requiring 144 spaces. The applicant proposes to provide 134 spaces therefore is deficient 10 spaces. The applicant will need a Major Area Variance to allow for a parking deficiency of 10 spaces.

REQUEST:

Major Area Variance to allow for a parking deficiency

Major Area Variance

In order to have a project approved that requires that an Area Variance be granted by the Z.B.A. all applicants must prove "Practical Difficulty" as it applies to the project.

In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the area variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the Board shall also consider:

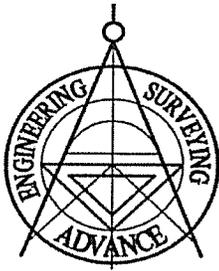
- (1) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
- (2) Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance;
- (3) Whether the requested area variance is substantial;
- (4) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
- (5) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the area variance.

Based on the information provided by the applicant there are no other zoning deficiencies or violations.

APPROVALS NEEDED:

Major Area Variance to allow for a parking deficiency of 10 spaces.

SEORA: Staff recommends that the Board find this proposal to be an UNLISTED action with sufficient information available upon which to make a determination that the project is not expected to cause significant environmental impact. No local agencies are involved and no State or Federal agencies are involved.



Advance Engineering & Surveying, PLLC

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Nicholas Costa, PE
John P. Petrucco, LS

PROJECT NARRATIVE **Bordaile Apartments**

City of Troy, County of Rensselaer

July 2014

Site Location: Intersection of Cemetery Road and Gurley Avenue
Applicant: Keystone Companies, Inc.
Proposed use: Residential Apartments
Current Zoning: Planned Development (P)

Description of Proposed Project

The project site is located at the westerly quadrant of the intersection of Gurley Avenue and Cemetery Road in the City of Troy. The site encompasses approximately 4.7 acres and is currently undeveloped and zoned Planned Development (P) in accordance with the City of Troy Zoning Regulations. The parcel was previously approved as a subdivision of 19 residential lots with one new street, Bordaile Drive.

As shown on the Sketch Plan, the applicant proposes to develop the existing 4.7+/- acres parcel into 72 residential apartments. The apartments will be developed in six (6) two-story buildings, each building would contain 12 apartment units. Municipal water and sanitary sewer services would be extended to each building separately. The infrastructure to provide the municipal services exists nearby the site and will be extended to each building. The proposed roadway will have a similar alignment as the previously approved Bordaile Drive. The roadway would be privately owned and maintained. Parking for the proposed 72 units would be conveniently located along the roadway and in a separate parking lot at the terminus of the roadway. The required parking is based on two parking spaces per apartment resulting in a total of 144 parking spaces being required for the proposed project. The project proposes a total of 131 parking spaces, including 6 handicap spaces. The proposed parking ratio is 1.8 parking spaces per apartment and it is less than the required ratio of 2 to 1. Therefore, a variance will be required.

An area of the parcel is shown as reserved and will be utilized for the management of the stormwater runoff resulting from the construction of the proposed development. The runoff would be directed to the stormwater management facility for water quality and for quantity purposes in accordance with the NYSDEC Stormwater Regulations. Stormwater management will be designed and constructed using a detention basin which will

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maintain or reduce stormwater runoff from impacting downstream properties and drainage facilities. Construction phase and post-construction stormwater management will be in compliance with Phase II SPDES General Permit GP-0-10-001 regulations and requirements, which minimizes on-site soil erosion and controls sediments and sediment laden water from traveling downstream and affecting adjacent properties.

Impact on Adjoining Property

Noise

The project is residential in nature and will not create noise other than typical for residential developments.

Visual

The buildings are residential structures and will have limited visual impact.

Drainage

The stormwater management system will be designed so that the peak runoff rate from the developed site will not exceed the existing peak runoff rate. The stormwater management plan will be designed in accordance with the City of Troy requirements and the New York State Department of Environmental Conservation regulations under General Permit GP-0-10-001.

Impact on Services

Traffic

Projected trip generations for the project were determined based on examination of the ITE Trip Generations 9th Edition. Land Use Code 220 – Apartment was used. The average rate for trip generation is 0.62 trips per unit for PM. Peak hour traffic is estimated at:

<u>Use</u>	<u>PM Trips</u>
Apartment	45

Based on this estimation, there will not be a significant impact to the traffic in this area and the surrounding road network can accommodate the slight increase.

Sanitary Sewer

The project site is located near a municipal sanitary sewer system therefore the project will utilize the existing municipal sanitary sewer systems to provide sanitary sewer service to the proposed development. It is estimated that the average sanitary sewer generation rate for the proposed development will be approximately 22,000 gallons per day.

Water

The project site is located near a municipal water system therefore the project will utilize the existing municipal water system to provide water service to the proposed development. Average water usage for the project is estimated at approximately 22,000 gallons per day.