

December 4, 2018 – Zoning Board of Appeals – Meeting Minutes

Board members:

Pavlic: Present McCann: Present Conroy: Present McLaren: Present Normile: Present

Old Business (without 4 board member present at November's meeting, no actions were taken, but applicants were excused from attending the December meeting)

PLZB 2018-86 Nigro Companies seeks an Area Variance for 75-81 Vandenburg Ave (123.21-1-23.1), Rite Aid, for an additional sign on the south side of the building, exceeding the maximum area of signage allowed.

Carl Wheeler with AG Signs was representing Rite Aid/Nigro Companies, who are looking to install an additional wall sign to create a directional aid for drivers looking for the Rite Aid heading north, so they do not accidentally pass Rite Aid and need to turn around.

Public Comments: No community members spoke

SEQR: Unlisted (McLaren motions, McCann seconds) (5-0 in favor)

Normile made a motion to approve, **Pavlic** seconds

Pavlic: Yes McCann: Yes Conroy: Yes McLaren: Yes Normile: Yes

PLZB 2018-86 **Approved** (5-0)

PLZB 2018-87 Sean Meagher seeks an Area Variances for 28-34 Humiston Ave (90.49-2-22) to subdivide the property, creating front and side setback deficiencies, and a road frontage deficiency.

Public Comments: No community members spoke

SEQR: Type II (McLaren motions, McCann seconds) (5-0 in favor)

Normile made a motion to approve, **McLaren** seconds

Pavlic: Yes McCann: Yes Conroy: Yes McLaren: Yes Normile: Yes

PLZB 2018-87 **Approved** (5-0)

PLZB 2018-88 Adam Wilke seeks an Area Variance for 561-565 Congress St (101.80-2-44) to add a parking lot to the rear of the existing building, exceeding the maximum lot coverage by 21% (max is 60%).

The Board discussed how a survey was no longer required, since the previously worried neighbor was no longer concern, but decided a **stipulation** would be made, requiring a handicap parking space in the proposed lot, if there was one needed by a tenant

Public Comments: No community members spoke

SEQR: Type II (McLaren motions, McCann seconds) (5-0 in favor)

Normile made a motion to approve with the **stipulation** that a handicap parking space would be created if a tenant needed it, **Pavlic** seconds

Pavlic: Yes McCann: Yes Conroy: Yes McLaren: Yes Normile: Yes

PLZB 2018-88 **Approved (5-0)**

New Business

PLZB 2018-96 The American Legion seeks a Special Use Permit for 1304 Park Blvd (90.80-3-2) to convert a former medical office into non-healthcare related professional offices and add two exterior flagpoles.

Frederick Altman was representing the American Legion, and explained how the organization was seeking to relocate its headquarters from Albany to Troy and that the facility would not be a chapter (where events are held), but instead used as an office for professional uses, like administration. He also explained how the new use would not be making any exterior changes, except adding two flag poles.

McLaren proposed the American Legion fixes any sidewalks not up to code, Altman agreed

Public Comments: Ann Lyles, office director of the American Legion spoke in support and to reaffirm that the building would be used as a professional office

Jack McCann mentioned “1610”, suggesting he is a member of American Legion Post 1610

SEQR: Unlisted (McLaren motions, McCann seconds) (5-0 in favor)

Conroy made a motion to approve- clarifying the applicant would be permitted to add flag poles, need to meet landscaping criteria, and **stipulated** the sidewalks would need to be repaired. **McLaren** seconded

Pavlic: Yes McCann: Yes Conroy: Yes McLaren: Yes Normile: Yes

PLZB 2018-96 **Approved (5-0)**

PLZB 2018-97 Astra Wijaya seeks a Special Use Permit and an Area Variance and for 348 Second St (111.36-3-25) to create a Cat Lounge, “a place to relax and hang out with adoptable cats”. The Area Variance is for a parking deficiency of one space (3 provided where 4 are required).

Astra Wijaya explained his proposal for a coworking/lounge space where patrons could hang out with adoptable cats. Wijaya spoke with Christine Hillary (City Planning) to understand the need for a variance for the commercial use in the R-2. The maximum number of visitors: 12, and the maximum number cats: also 12.

Conroy asked about the café aspect

The applicant explained how the café aspect is limited, and the food and drinks would be prepared at other local businesses, and kept separate from the cats. The space will be a haven for foster cats, where patrons can come to hang out with and adopt cats. The cat lounge will get cats from local shelters and will not profit off the adoptions, but charge a small cover/entrance fee to sustain their business. The cat lounge will hold a “soft opening” and after gauging demand, and could be open up to 6 days a week.

Normile asked to stipulate that there would be no boarding of non-adoptable cats and that the variance would only be applicable to the applicants at this location (if the applicants moved, the space would not keep its variance)

Public Comments: Sid Fleischer spoke in favor of the project, as a positive for the neighborhood

SEQR: Unlisted (McLaren motions, Pavlic seconds) (5-0 in favor)

McLaren motions to approved the Special Use Permit and the Area Variance, **stipulating** there could be no boarding of animals and that the variance would only be applicable to the applicants. **Pavlic** seconded

Pavlic: Yes McCann: Yes Conroy: Yes McLaren: Yes Normile: Yes

PLZB 2018-97 **Approved** (5-0)

PLZB 2019-98 Richard Hisert seeks a Use Variance for 460 Pawling Ave (112.58-7-1) to create a bed and breakfast with 3 rooms (guests can stay no longer than 4 consecutive nights) in their owner-occupied home.

Richard Hisert was speaking on his application, with the Bed and Breakfast's future manager, Beth Gray. Hisert explained he was somewhat misled to believe it was already zoned for a B&B when purchased. He shared before and after photos of the project with the board. The applicants have made improvements, including 6 new off-street parking spaces. The space is and will remain owner-occupied and will be a traditional B&B, with no long term residents.

SEQR: Unlisted (McLaren motions, McCann seconds) (5-0 in favor)

Normile motions to approve, **McCann** seconds

Pavlic: Yes McCann: Yes Conroy: Yes McLaren: Yes Normile: Yes

PLZB 2018-98 **Approved** (5-0)
