

Catherine Conroy
Chairperson



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Zoning Board of Appeals

MEETING MINUTES

Roll Call: Present: Chair Catherine Conroy (CC), Jack McCann (JM), Katie McLaren (KM), John Normile (JM)

Absent: Gary Pavlic

New Business

PLZB 2019-01 Joseph Palin seeks Area Variances for 821 Second Ave (80.24-7-5) to construct a pool in his back yard, creating side and rear setback deficiencies. 6' side and rear setbacks proposed, where 25' and 30' are required, respectfully. Property is zoned R-1.

Applicant absent, case tabled.

PLZB 2019-02 Dialysis Clinic, Inc. seeks Area Variances for 308-311 Oakwood Ave (80.-3-6), for a rear yard setback deficiency (22.4' proposed, 30' required) and a sign exceeding maximum signage area with a 8' x 4.5' proposed sign. Property is zoned R-1.

Tim Freitag, Bohler Engineering- representing Dialysis Clinic, Inc. presented the case and an update- the project has already received a use variance and area variance for exceeding maximum building height. Freitag explained the complexities of the site, which created the need for the variances. The topography, with bedrock, and neighboring property lines limited options of where the building could be placed. The rear yard variance was sought, since it seemed to be more favorable than a front setback deficiency. Ira Churchman, the project architect, was also in attendance to represent the project.

CC asked about getting from the dialysis center to neighboring businesses. Freitag explained people could use the shared driveway to access Dunkin Donuts, the adjacent parcel, and would not need to go onto Oakwood Ave to do so.

KM asked about traffic patterns inside the site's parking lot. Freitag clarified that the area in front of the building would have a two-way section, in addition to the drop-off zone, so traffic could still move easily within the lot.

JN asked if there would be any other business occupying the site. Freitag clarified that the entire site will be occupied by DCI, and no other medical office will be there. JN asked about the number of people who would be on site at a time. Churchman described the layout, how many patients are dropped off, mostly by an "ambulette" or other service, and receive treatment for a few hours. He continued to explain the site would have capacity for 25 patients at a time, who would not all be starting or finishing their treatment at the same time.

KM asked about the hours of operation. Churchman said the staff arrives around 6:30am and leaves by 4 pm.

Freitag pointed out the only building nearby, that would potentially be affected, was a garage. He then continued to explain the proposed signage. Their proposal requires two reliefs: proposing the freestanding sign

near the entrance, which would require a setback of 10 feet, and exceeding maximum signage size, proposing 128 square feet. The freestanding sign proposed is at 8' x 4', and a second sign on the building face.

No attendees present to speak in favor, or in opposition.

MOTION FOR NEGATIVE SEQRA DECLARATION made by KM, seconded by JN
Motion passed with a vote of 4-0

MOTION to APPROVE the area variance for rear setback deficiency made by KM, seconded by JN
Motion passed with a vote of 4-0

MOTION to APPROVE the area variance for exceeding maximum signage made by KM, seconded by JN
Motion passed with a vote of 4-0

PLZB 2019-03 12th Street Ventures seeks a Use Variance for 2246 and 2238 12th St (101.39-9-1) to use an old church as an event/meeting space and for commercial food production. Property is zoned R-2.

Bob Bedard, 36 Belle Ave, owner of "The Church" at 2246 and 2238 12th St. Bedard described the property, including the old church, school, and rectory. The Church had received a use variance to use the old school space for artists' studios in the past and would like to use the rest of the building as an event space and for commercial food production. The building already has a large kitchen space, originally used by the church (when it was an active congregation), and Bedard would like the space to be used by Yesfolk Tonics, who create fermented tea and other drinks.

CC asked what kind of events and what kind of times the events could operate. Bedard explained the space could be booked by anything deemed appropriate and would keep the hours compliant with city restrictions.

JM asked if the space would be similar to The Hangar. Bedard assured him it would not be similar, as most of it would consist of art exhibits and smaller concerts- mentioning how it is in a residential neighborhood.

Adam Elabd described how Yesfolk will use the space for brewing tea, and described the kitchen space. Elabd explained Yesfolk has received clearance from the Department of Agriculture, and that Yesfolk's process relatively non-intensive. He also explained they are only open to the public for limited hours, mostly to give tours, as most of their business is wholesale.

JN asked about the meeting space, expressing concern since it is in a residential neighborhood. KM suggested stipulating the variance to this owner, requiring another owner to seek a variance themselves, depending on their intended use. Bedard said the stipulation would not be a problem at all.

No attendees present to speak in favor, or in opposition.

MOTION FOR NEGATIVE SEQRA DECLARATION made by KM, seconded by JN
Motion passed with a vote of 4-0

MOTION to APPROVE the Use Variance for an event/meeting space and commercial food production made by JN with a stipulation, seconded by JM.

CONDITION: Variances granted only apply to 12th St. Ventures and would not be transferrable if the building was sold.

Motion passed with a vote of 4-0

MOTION TO ADJOURN made by JM, seconded by KM

Motion passed with a vote of 4-0
Meeting adjourned at 6:45 pm

Additional information regarding the above listed actions is available in the Department of Planning and Community Development located on the 5th floor of Troy City Hall, 433 River Street, Troy, New York 12180. Telephone: 279-7169. E-mail: james.rath@troyny.gov. Office hours are weekdays 8:30 A.M. to 4:30 P.M.

City of Troy Zoning Board of Appeals
Catherine Conroy, Chairperson James Rath, Executive Secretary