

Catherine Conroy
Chairperson



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Zoning Board of Appeals

MEETING MINUTES

6:00 P.M. on Tuesday, March 26th the 5th Floor of 433 River Street

Roll Call:

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

Absent: Jack McCann

PL 2018-56 Hudson Terrace Mgmt., LLC seeks to appeal a decision from the Planning Commission, after being denied site plan approval on January 31 for 221 Stowe Ave.

The ZBA counsel, Andy Brick explained the basis of the appeal: to vacate the Planning Commission's decision to deny Site Plan approval. The appeal does not consider the merits or the project, or the previously approved variances.

Applicant's representative Andrew Gilchrist presented the case to appeal the Planning Commission's decision, under Section 285-43. Gilchrist explained the grounds for the appeal, claiming the Planning Commission's decision was based on density- even though the project was already given a variance by the ZBA for density. Gilchrist also claimed one Planning Commission member had been recently appointed (at the time of the site plan review) and did not have adequate time to review the project. Gilchrist reiterated how the appeal does not grant site plan approval or have an impact on the previously granted variances, but will send the case back to the Planning Commission for another site plan review.

CC noted only public comments on the merits of the appeal would be relevant, and not comments related to the merits of the overall project.

KM made a motion to grant the appeal, vacating the decision of the Planning Commission, with direction that the Planning Commission's decision should not be based on the density of the project. KM also noted the SEQRA had already been completed, with a negative declaration, by the ZBA before the variance was granted. Seconded by GP, and a 4-0 vote by the board to grant the appeal.

PLZB 2019-06 Juan Colon Rivera seeks an Area Variance for 446 Second St (111.44-7-41) for a parking deficiency (0 proposed, 2 required). Parking required for proposed laundromat. R-4 Zone

Applicant stated the hours of operation would be 7am-10pm and would have 12 washing machines and 6 dryers. No members of the public spoke in favor or in opposition.

Motion to declare negative SEQR declaration made by KM, seconded by JN.

Motion carries with a 4-0 vote.

Motion made to grant variance by GP, seconded by JN.

Motion carries with a 4-0 vote.

PLZB 2019-12 John Johanson seeks a Use Variance for 40 Springwood Manor (112.53-1-3) to create a farm and 300 square foot pavilion where produce will be grown and sold. R-3 and CON Zones

Applicant stated the site was historically used as a farm, is very secluded, and explained how farming is not outlined in the existing zoning code. Ben Stein and Alicia Brown explained some farming details, how they will be using organic practices, but not necessarily be given the USDA certification.

JN asked about livestock and application fertilizer.

Brown explained how there would be no synthetic fertilizer and will be using compost. Stein elaborated how smell will not be a concern.

No members of the public spoke in favor or in opposition.

Motion made to grant variance by JN with the following stipulations:

- no livestock will be raised or farmed on site (excludes fowl)
- raw manure and synthetic chemicals would not be used on site

Seconded by KM.

Motion carries with a 4-0 vote.

PLZB 2019-13 Eric Paulin seeks an Area Variance for 794 Fifth Ave (80.33-6-13) for a parking deficiency (0 proposed, 10 required). Parking required for proposed music school and recording studio. B-3 Zone.

Applicant explained the facility would only be used by a few people at one time, and the demand for parking would not be impacted. Facility would be closed by 7pm.

No members of the public spoke in favor or in opposition.

Motion to declare negative SEQR declaration made by KM, seconded by GP.

Motion carries with a 4-0 vote.

Motion made to grant variance by GP, seconded by JN.

Motion carries with a 4-0 vote.

PLZB 2019-15 River Farm, LLC seeks Area Variances for 10 Washington Pl (101.77-1-10) to convert a carriage house into a single family unit, causing a parking deficiency (0 proposed, 1 parking space required) and exceeding the lot's maximum density (4 units existing/maximum, one additional unit proposed). R-4 Zone

Phil Farinacci represented the applicant, as the contractor.

No members of the public spoke in favor or in opposition.

Motion to declare negative SEQR declaration made by KM, seconded by GP.

Motion carries with a 4-0 vote.

Motion made to grant variance by KM, seconded by JN.

Motion carries with a 4-0 vote.

PLZB 2019-17 Monolith Solar seeks a Use Variance for 3 Landfill Rd (112-4-36.11) to install a ground-mounted solar farm. CON Zone.

Monolith Solar represented by CEO Christopher Stroud.
No members of the public spoke in favor or in opposition.

Motion to declare negative SEQR declaration made by KM, seconded by JN.

Motion carries with a 4-0 vote.

Motion made to grant variance by GP, with the following stipulations:

- Project must receive any necessary approvals by NYDEC prior to opening

Seconded by JN

Motion carries with a 4-0 vote.

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.

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
Catherine Conroy, Chairperson James Rath, Executive Secretary