

Catherine Conroy
Chairperson



Steven Strichman
Commissioner of Planning
Phone (518) 279-7166
Fax (518) 268-1690

Zoning Board of Appeals

MEETING MINUTES

6:00 P.M. on Tuesday, December 17th in the City Council Chamber, 5th Floor of 433 River Street

Present: Chair Catherine Conroy (CC), John Normile (JM), Gary Pavlic (GP)

Absent: Jack McCann, Katie McLaren

CC announced with only 3 members present, projects would need unanimous support to pass.

PLZB 2019-92 C&H Solutions seeks an Area Variance for 3209-3211 7th Ave (90.63-1-13) to convert a vacant 6 unit apartment into 12 units, which exceeds the maximum density and creates a parking deficiency (0 spaces proposed, 12 required). R4

C & H representatives Ricardo Cantu and “Ferg” presented their proposal, touching upon a letter sent to the board in the outlining density and cost factors of the project. Cantu explained how the existing structure takes up the entire frontage, and there is no access from the rear for parking. They continued to explain the need for 12 units was rooted in financial need, as the building requires a lot of renovating to be livable.

CC stated she saw the letter with the tables outlining figures. GP asked if there was an alleyway in the back, the applicants explained there was not.

The applicants explained there was a baseball field or park across the street and a community garden adjacent to the property, resulting in lower parking demand than other areas.

CC stated the main concern was the density, rather than the parking. Cantu explained the density analysis conducted by C&H, and how they determined the 1 and 2 bedroom units would result in lower density than 6 units with 3 or 4 bedrooms.

Public Comment- Two residents spoke in opposition, with concerns over parking. The second resident also expressed concern over density, claiming there would be “social problems”, that the (Troy Community Land Bank) sold the property to the applicants for a 6 unit renovation, and asked about the building layout.

Cantu addressed concerns, going over the building layout in some detail. He stated there would be plenty of street parking because of the neighboring land use. They continued to explain their density calculations show lower density with more 1-2 bedroom units over 4 bedroom units, which are also more marketable and provide a larger tax base. They plan on having a private garbage hauling company. Cantu explained they own the home, purchasing the building from the Land Bank and had communicated their plans effectively.

GP stated that he was not concerned about parking, given car ownership is low in the neighborhood. He continued to say a functioning house is better than an empty house.

Cantu explained the plan for garbage management, which included a supervisor's responsibility to coordinate upkeep.

JN asked if a live-in supervisor could be made contingent. James Rath (ZBA secretary) also suggested a contingency based on Planning Commission review and approval, to ensure the garbage and other concerns were handled properly.

CC expressed concern over the significance of the variance, and suggested the applicants provide financial evidence that fewer units would not be financially viable.

GP made a motion to **table** the case, JN seconded the motion. It passed 3-0, and the case was tabled.

PLZB 2019-95 The Community Builders, Inc. seeks Area Variances for 244-246 First Street (100.84-6-10) to construct an 84-unit apartment building with no front and side setbacks (10' required) and 111 parking spaces (164 required). R4

The applicant opted to table their case.

PLZB 2019-96 Robert Shaw seeks a Use Variance for 869 5th Ave (80.23-6-4) for a used car sales business. B3

Redmond Griffin (Red) represented the case on behalf of the applicant. Red stated there was a variance granted approximately 3 years ago for a used car lot. He explained that besides a restaurant that was in business for a few years, the lot has been vacant and in poor condition.

There was discussion over who currently owned the lot, and black top that had been installed without a permit.

CC asked why an allowed use would not be a viable option. The applicant said they purchased the lot thinking that a variance was granted and still valid.

JN asked if the property owner had previously operated the car business was ever operated on site, Red said no.

Public Comment- Residents expressed concern over the use, stating there was an abundance of used car lots in their communities and that they had a negative impact on property values and neighborhood aesthetics. One resident, Jim Gulli (also the District 1 Councilperson), stated they counted 13 existing car lots, excluded repair shops. Gulli added that car-dependent uses were out of line with comprehensive plan and there were plenty of allowed uses in the B3 zone. They continued to explain that they have never seen a "for sale" sign on the lot, so it there could be potential interest in developing the property without a variance.

JN inquired about what the Comprehensive Plan said, and then continued to express how this use would be out of line with the Plan and other guiding documents. CC stated the ZBA had approved it 3 years ago, but that GP was not there, but explained that it did seem to be going against the Comprehensive Plan.

Red asked the board if they would be willing to table the case so the other members would have a chance to weigh in.

GP made a motion to **table** the case, JN seconded the motion. It passed 3-0, and the case was tabled.

The meeting was adjourned at approximately 7:00 pm.