



**Planning Commission  
NOTICE of PUBLIC HEARING**

The Planning Commission of the City of Troy, New York conducted a public hearing on **Thursday, December 19, 2019 at 6 pm** in the Main Conference Room, 5<sup>th</sup> Floor, City Hall, 433 River Street, in order to hear and decide on proposals for development as follows:

**6:00 pm – Call to Order**

**Roll Call:** Chair Aaron Vera (AV), Suzanne Spellen (SS), Sara Wengert (SW), Anthony Mohen (AM), and Barbara Higbee (BH) recorded as present.

**Also in attendance:** Andy Brick, Counsel; James Rath, Executive Secretary

**CONSENT AGENDA**

**PRB2019-0649 48 Fourth St** – Applicant is seeking a change of use (from retail to office space)

**PRB2019-0650 43 Third St** – Applicant is seeking a change of use (vacant to neighborhood commercial)

*AV asked for public comment; no public comments were made.*

**Motion to approve consent agenda made by AV, seconded by AM.**

**Consent Agenda approved by a vote of 5-0.**

**OLD BUSINESS**

**PLPC2019-0085 – 71 Brunswick Rd** – Applicant is proposing to demolish an existing deteriorated structure and build a new equipment building. Project location is 71 Brunswick Road, an R1 Zone, Tax Map ID 101.81-2-2.

Applicant is Robert Talham, 71 Brunswick Road, Troy, NY 12180.

*Applicant clarified issues surrounding sight distances and signage.*

**Motion to approve by SW, seconded by SS.**

**APPROVED BY A VOTE OF 5-0**

**NEW BUSINESS**

**PLPC2019 – 0095 -3283 Sixth Ave** – Site Plan Review of a Change of Use from Convenience Store to Grocery Store.

Project location is 3283 Sixth Ave, an R4 Zone, Tax Map ID 90.54-3-2. Applicant is Nolan Engineering,

*Applicant gave overview of proposed grocery store, stating the differences between a convenience store and grocery store are understood. The applicant submitted a petition with 84 signatures supporting the proposal.*

*Andy Brick explained parameter of grocery store is that the store must use at least 75% of its accessible floor space for “foodstuffs” including fruits and vegetables.*

*AV asked for public comment- over 12 members of the public spoke in favor of the proposal, 1 member of the public spoke in opposition.*

*SS asked about employees and hours of operation. The applicant said there at least 2 employees present in the morning, 3 at night; with hours of operation from 7am to midnight.*

*SS asked if on-site seating would be provided, the applicant stated there would be no seating and no loitering would be allowed.*

*The board discussed the hours of operation, with concern that midnight was too late, and agreed on 7am-10pm, to which the applicant agreed to. AV reminded the applicant they can appeal to extend the hours at a later date.*

*Conditions:*

- 1. Parking amended to no more than 11 spaces, with space 4 (shown on the site plan) eliminated.*
- 2. Hours will be no earlier than 7am and no later than 10pm.*
- 3. Surveillance covering the interior and exterior of the property required, 24/7, kept for at least two weeks.*
- 4. Any outdoor lighting must be downward facing and "darksky" compliant*

**Motion to approve by SW, seconded by AM.**

**APPROVED BY A VOTE OF 5-0**

**PC2018-0031 – 244-246 First Street** - SEQRA and Site Plan Review of a proposal to demolish existing buildings and construct a 4-story, 81-unit residence with 96 parking spaces (with 15 spaces banked). Project location is 244-246 First Street, an IND Zone, Tax Map ID 100.84-6-10. Applicant is The Community Builders Inc., 90 State Street Suite 602, Albany, NY 12207.

*SW recused herself for the portion of the hearing.*

**Motion to approve by AV, seconded by BH.**

**APPROVED BY A VOTE OF 4-0**

**PRB2019-0842 - 869 Fifth Ave** – SEQRA and Site Plan Review of a proposal to open a used car lot. Project location is 869 Fifth Ave, a B3 Zone, Tax Map ID 80.25-6-4. Applicant is Robert Shaw, 75 White Oak Street, New Rochelle, NY 10801.

**Motion to table by AV, seconded by BH.**

**4-0**

**PRD2019-0843 - 708 Jacob Street** – Site Plan Review of a proposal to demolish a 3 story brick building. Project location is 708 Jacob Street, an R4 Zone, Tax Map ID 101.38-5-41. Applicant is RPI, 110 Eighth St, Troy, NY 12180.

*The applicant presented the case for needing to demolish the structure, citing several safety concerns.*

*SW and AV expressed concerns over abrupt grade changes. The applicant assured the board there would be no unprotected abrupt grade changes, and would try to get the site to a simply lawn.*

*AV asked the applicant to put up a sign, to warn people the building is unsafe.*

**Motion to approve by AV, seconded by BH.**

**APPROVED BY A VOTE OF 5-0**

**AV made a motion to adjourn at 7:35, seconded by AM.**

**Approved 5-0**

Executive Secretary

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