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## Zoning Board of Appeals

433 River St., Ste. 5001  
Troy, New York 12180

### MEETING MINUTES (DRAFT)

The Zoning Board of Appeals of the City of Troy, New York, conducted a public hearing at **6:00 P.M. on Wednesday, October 6<sup>th</sup>, 2021**, on the 5<sup>th</sup> Floor of 433 River Street, to act upon the following requests for approvals and appeals from decisions made by the Bureau of Code Enforcement of the City of Troy.

#### 6:01 PM – Meeting called to order

##### Board Members in Attendance

Catherine Conroy (CC), Jack McCann (JM), Marc Pallozzi (MP), Katie McLaren (KM), John Normile (JN)

##### Also in Attendance

Andy Brick (Planning and Zoning Attorney), Aaron Vera (City Engineer), Dash Chrisner (Executive Secretary)

#### Administrative Items

##### **Adoption of Meeting Minutes from September 1<sup>st</sup> by Resolution**

- JM motioned to approve Meeting Minutes from September 1<sup>st</sup>. MP seconded:

	Absent	Yes	No	Abstain	Recused
Cathy Conroy		X			
John Normile		X			
Jack McCann		X			
Marc Pallozzi		X			
Katie McLaren		X			

- Motion to approve Meeting Minutes from September 1<sup>st</sup> passed 5-0.**

#### New Business

[PLZBA 2021 0045](#) – 494 River Street (101.30-7-22)

Area Variance (Rear setback deficiency) – *SEQR Type II per 6 NYCCR §617.5 (16)*

The applicant, First Columbia LLC, proposes to utilize the site of a recently demolished church for a new five (5) story, 31,000 sq. ft. self-storage facility as part of the adjacent existing self-storage facility at 500 River Street. This new storage facility will be constructed atop the existing foundation of the recently demolished church.

An Area Variance for a 15.5 foot setback is sought where 20 feet is required.

Chris Bette, P.E., Vice President of First Columbia LLC, will be speaking on behalf of the proposal.

- Applicant presentation.
- Board member comments and questions to applicant.
- Request for public comment. No public comment.
- Commissioner deliberation.
- Applicant response.

- MP motioned for Area Variance approval. JM seconded:

	Absent	Yes	No	Abstain	Recused
Cathy Conroy		X			
John Normile		X			
Jack McCann		X			
Marc Pallozzi		X			
Katie McLaren		X			

- **Motion for Area Variance approval passed 5-0.**

**PLZBA 2021 0046** – The Bargain Block

545, 549 and 558 River Street (101.22-9-1, 101.22-5-7 THRU 8, and 101.22-10-1 THRU 2)

Area Variance (Parking deficiency) and SEQR Determination (Unlisted)

The applicant, First Columbia LLC, proposes to construct a rock climbing gym on the south end of the Flanigan Square building, a 123-unit senior housing facility at 549 River Street, and a loading dock and entrance to the existing building at 558 River Street.

An Area Variance for a parking deficiency is sought where 418 spaces are proposed and 479 spaces are required. Chris Bette, P.E., Vice President of First Columbia LLC, will be speaking on behalf of the proposal.

- Applicant presentation.
- Board member comments and questions to applicant.
- Request for public comment. Public comments generally in opposition.
  1. Name: John Ambuhl Address: 2423 Fifth Avenue
    - Doesn't believe all three components of the project should be packaged together.
    - Concerned about the increase to parking demand in the area.
  2. Name: Amy Klein Address: CEO of Capital Roots
    - Concerned about the grocery store component in project being so close to Capital Roots.
    - Capital Roots' project is breaking ground next month.
- Commissioner deliberation.
- Applicant response.

- KM motioned for a negative declaration (SEQR) of this Unlisted action. JM seconded:

	Absent	Yes	No	Abstain	Recused
Cathy Conroy		X			
John Normile		X			
Jack McCann		X			
Marc Pallozzi		X			
Katie McLaren		X			

- **Motion for a negative declaration (SEQR) of this Unlisted action passed 5-0.**

- CC motioned for Area Variance approval. JM seconded:

	Absent	Yes	No	Abstain	Recused
Cathy Conroy		X			
John Normile		X			
Jack McCann		X			
Marc Pallozzi			X		
Katie McLaren		X			

- **Motion for Area Variance approval passed 4-1.**

**PLZBA 2021 0038** – 848 Fourth Avenue (80.25-11-11)

Use Variance (Commercial) and SEQR Determination (Unlisted)

The applicant, Kevin Vandenburg, is proposing to use this property as a professional office and a woodshop.

- Applicant presentation.
- Board member comments and questions to applicant.

- Request for public comment. No public comment.
- Commissioner deliberation.
- Applicant response.
- Representative for the proposal was not the owner. The Board requested proof of ownership, documentation of contract, or Authorization to Act as Agent on behalf of the property owner.
- Proposal withdrawn with no action.

**PLZBA 2021 0042** – 401 Third Street (111.36-8-8)

Minor Accessory Structure and Area Variance (Residential, setback deficiency)

SEQR Type II per 6 NYCRR §617.5 (17)

The applicant, Sidney Fleisher, is proposing to construct a carport behind this property along Franklin Street Alley. An Area Variance is sought for a 3-foot rear setback where 3 feet 7 ½ inches is required and for a 2-foot side setback where 3 feet 7 ½ inches is required due to the new accessory structure.

- Applicant presentation.
- Board member comments and questions to applicant.
- Request for public comment. No public comment.
- Commissioner deliberation.
- Applicant response.
- JM motioned for Minor Accessory Structure and Area Variance approval. MP seconded:

	Absent	Yes	No	Abstain	Recused
Cathy Conroy		X			
John Normile		X			
Jack McCann		X			
Marc Pallozzi		X			
Katie McLaren		X			

- **Motion for Minor Accessory Structure and Area Variance approval passed 5-0.**

**PLZBA 2021 0047** – 576 Fifth Avenue (80.86-6-12)

Area Variance (Multi-family residential parking deficiency) and SEQR Determination (Unlisted)

The applicant, Larry Tune of AW Lakia Holding LLC, is proposing to convert a 3-story existing masonry school building into a 24-unit market-rate multi-family building. No dedicated parking area is proposed for this project. The applicant is represented by Liza Rodriguez, R.A., of TAP Inc.

- Applicant presentation.
- Board member comments and questions to applicant.
- Request for public comment. Public comment generally in opposition.
  1. Name: Taliana Moja Address: Lives across street from project
    - Concerned about the increase to the parking demand, especially in the summer.
- Commissioner deliberation.
- Applicant response.

- KM motioned for a negative declaration (SEQR) of this Unlisted action. JM seconded:

	Absent	Yes	No	Abstain	Recused
Cathy Conroy		X			
John Normile		X			
Jack McCann		X			
Marc Pallozzi		X			
Katie McLaren		X			

- **Motion for a negative declaration (SEQR) of this Unlisted action passed 5-0.**

- KM motioned for Area Variance approval. JN seconded:

	Absent	Yes	No	Abstain	Recused
Cathy Conroy		X			
John Normile		X			
Jack McCann		X			
Marc Pallozzi		X			
Katie McLaren		X			

- **Motion for Area Variance approval passed 5-0.**

**PLZBA 2021 0050** – 309 Eighth Street (101.30-10-12)

Area Variance (Parking deficiency) and SEQR Determination (Unlisted)

The applicant, Unity House of Troy Inc, recently received approval for a change of use from administrative use to a 6-bed Situational Crisis Center Residence that will provide residential services to adults experiencing acute symptoms of their mental illness. This Area Variance sought is for a parking deficiency in which four (4) parking spaces are proposed where seven (7) are required.

The applicant is represented by Sara Drury, EIT, of Chazen Engineering.

- Applicant presentation.
- Board member comments and questions to applicant.
- Request for public comment. No public comment.
- Commissioner deliberation.
- Applicant response.

- KM motioned for a negative declaration (SEQR) of this Unlisted action. MP seconded:

	Absent	Yes	No	Abstain	Recused
Cathy Conroy		X			
John Normile		X			
Jack McCann		X			
Marc Pallozzi		X			
Katie McLaren		X			

- **Motion for a negative declaration (SEQR) of this Unlisted action passed 5-0.**

- KM motioned for Area Variance approval. JN seconded:

	Absent	Yes	No	Abstain	Recused
Cathy Conroy		X			
John Normile		X			
Jack McCann		X			
Marc Pallozzi		X			
Katie McLaren		X			

- **Motion for Area Variance approval passed 5-0.**

JM motioned to adjourn in memory of former board member Gary Pavlic at 7:01 PM. CC seconded:

	Absent	Yes	No	Abstain	Recused
Cathy Conroy		X			
John Normile		X			
Jack McCann		X			
Marc Pallozzi		X			
Katie McLaren		X			

**Motion to adjourn meeting in memory of former board member Gary Pavlic at 7:01 PM passed 5-0.**