

Wm. Patrick Madden  
Mayor

Monica Kurzejewski  
Deputy Mayor



Steven Strichman  
Commissioner of Planning

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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, November 3<sup>rd</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), Marc Pallozzi (MP), Katie McLaren (KM), John Normile (JN)

Board Members Absent

Jack McCann (JM)

Also in Attendance

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

Administrative Items

**Adoption of Meeting Minutes from October 6<sup>th</sup> by Resolution**

- CC motioned to approve Meeting Minutes from October 6<sup>th</sup>. JN 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 October 6<sup>th</sup> passed 3-0.

Old Business

**PLZBA 2021 0038** – 848 Fourth Avenue (80.25-11-11) [R-2: Two-Family Residential]

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.

- KM motioned for a negative declaration (SEQR) of this Unlisted action. JN 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 3-0.**

- JN motioned for Use Variance approval. KM 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 3-0.**

### New Business

**PLZBA 2021 0053** – Carlyle Avenue (101.59-5-16) [R-1: Single-Family Residential, Detached]  
Area Variance (maximum unit density deficiency of 0.6 units/acre) – *SEQR Type II per 6 NYCRR §617.5 (16)*  
The applicant, Frederick Metzger, is proposing a subdivision of one existing vacant lot into two lots so that a single-family home can be built upon each lot in the near future.

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

- JN motioned for Area Variance approval. KM 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 3-0.**

**PLZBA 2021 0054** – 245 Fifth Avenue (90.31-5-3) [R-2: Two-Family Residential]  
Use Variance (multi-family), Area Variance (parking deficiency of 3 spaces), and SEQR Determination (Unlisted)  
The applicant, Charles Brickley, is proposing to renovate this two-family building into a three-family. The property does not have off-street parking.

- Applicant presentation.
- Board member comments and questions to applicant.
- Request for public comment. No public comment.
- Commissioner deliberation.
- Applicant response.
- Commissioner Pallozzi present at 6:20PM.

- KM motioned for a negative declaration (SEQR) of this Unlisted action. JN 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 3-0.**

- KM motioned for Use 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 Use Variance approval passed 3-0.**

- 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 3-0.**

**PLZBA 2021 0056** – Taylor Apartments Building 1 – 125 River Street (100.68-1-1.1)

[R-5: High Rise Residential, Medium to High Density]

Area Variance (maximum unit density deficiency of 74.6 units/acre and parking deficiency of 79 spaces)

SEQR Determination (Unlisted)

The applicant, Taylor I, LLC, proposes to demolish both apartment buildings, Taylor 1 and 2, and construct a new 7-story, 153,375 sq. ft. mixed-use, mixed-income building in place of Taylor 1. Architectural plans support 140 residential units, ranging from one-bedroom to three-bedroom apartments. No changes to previously approved variances for Front, Side and Rear Setbacks as follows: Front setback along Congress Street: 10' required, 0' proposed. Side setbacks along River Street and 1st Street Alley: 10' each side required, 3.6' proposed; 30' total, 15.1' proposed. Rear setback along Ferry Street: 40' required, 21.6' proposed. Relief for maximum unit density: 60 units/acre required (medium rise), 134.6 units/acre proposed. Relief for off-street parking count: 157 spaces required, 38 on-site spaces proposed, 40 existing off-site spaces available for a total of 78 spaces.

- Applicant presentation.
- Board member comments and questions to applicant.
- Request for public comment. Public comment generally in opposition.
  1. Name: Sandra Rouse Address: 159 First Street
    - Commends THA and Pennrose for public outreach and management of project.
    - Concerned with the increase in height to seven stories.
  2. Name: Sandy Daigler Address: 128 First Street
    - Claims a seven story building is out of scale with the neighborhood.
    - Concerned that the height and density will create a precedent for future development.
  3. Name: Karla Guerri Address: 64 Washington Street
    - Concerned about the increased density and potential lack of parking.
- Commissioner deliberation.
- Applicant response.

- Counsel determined that the maximum unit density deficiency does not require an Area Variance. The City of Troy Zoning Code allows for a maximum density of 120 units/acre.
- No action taken.
- Proposal tabled to the December 1<sup>st</sup> meeting.

JN motioned to adjourn at 6:46 PM. MP 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 at 6:46 PM passed 4-0.**



TAP, Inc.  
THE COMMUNITY DESIGN CENTER OF NEW YORK'S CAPITAL REGION

Date: November 3, 2021  
To: Cathy Conroy, Chair, Troy Zoning Board of Appeals  
Steve Strichman, Commissioner of Planning and Community Development  
Dash Chrisner, Planning  
From: Barb Nelson, Director, TAP Inc.  
Re: PLZBA 2021 0056 – Taylor Apartments Building 1

Hello –

Cathy may not be aware, but Steve and Dash know that TAP has spoken in support of neighbors who are rallying against another project currently under site plan review. The issues with Kings Landing 2 are very similar to the issues being brought to my attention regarding Taylor Apartments Building 1. So, I would be remiss not to give this project equal attention.

The good news is that I and the residents who have spoken with me, completely applaud the site planning concepts of Taylor 1. The building shape, how it sits on the site, how it rebuilds the urban streetscape, how it anticipates the realignment of River Street, are all well done and receive our full support.

The impact that has everyone calling foul in this case is the request to almost double the density by adding two floors. The application states that our zoning ordinance allows 60 units per acre and the the applicant is proposing to build 134 units per acre. With two more sites to be included later it makes no sense to anyone that this density is necessary or warranted. This hardship is self created. I am curious to see how they can defend this as anything other than a self created hardship.

I urge the ZBA to defend our present ordinance and reject this variance request.