

Wm. Patrick Madden  
Mayor

Chris Nolin  
Deputy Mayor

Catherine Conroy  
Zoning Board of Appeals Chair



**Zoning Board of Appeals**  
433 River St., Ste. 5001  
Troy, New York 12180

Steven Strichman  
Commissioner of Planning

Phone: (518) 279-7166  
steven.strichman@troyny.gov



**MEETING MINUTES**

The Zoning Board of Appeals of the City of Troy, New York, conducted a public meeting at **6:00 P.M. on Wednesday, March 2<sup>nd</sup>, 2022**, in City Council Chambers, 5th Floor, City Hall, 433 River Street and via Zoom conferencing, to act upon the following requests for approvals and appeals from decisions made by the Bureau of Code Enforcement of the City of Troy.

**6:02 PM – Meeting called to order**

Board Members in Attendance

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

Also in Attendance

Andy Brick (Planning and Zoning Attorney), Aaron Vera (City Engineer), Eric Ferraro (Assistance Planner), Angelina Apindem (Executive Secretary)

Administrative Items

**Adoption of Meeting Minutes from February 2<sup>nd</sup> by Resolution**

- CC motioned to approve Meeting Minutes from February 2<sup>nd</sup> KM 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 February 2<sup>nd</sup> passed 4-0.

New Business

**PLZBA 2022 0004 – 406 Fulton Street (101.45-4-12 | 0.21 ac. | B-4: Central Commercial)**

Area Variance (addition of units, commercial to residential) – SEQR (Unlisted)

The applicant, Greyhill Group, proposes to convert the upper four (4) floors of the Illium Building from office space to residential apartments. Up to fifty (50) units are proposed thus exceeding the maximum density of 120 units per acre. The applicant seeks a relief of 119 units per acre. All street-level uses will remain commercial.

The applicant is represented by Barb Nelson, R.A., of TAP Inc.

- Applicant presentation. The applicant requested the ZBA to amend the variance requested in their application; from 50 units to 40 units proposed, a relief of 71 units per acre. ZBA granted the request and voted based on the amended variance of 40 units.
- Board member comments and questions to applicant.
- Request for public comment. Public Comment generally in favor.
  - Public comment from CDTA stating support for the project given its access to CDTA routes. CDTA claims this project will be attractive to people without cars and would encourage walkability.
- 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 4-0.**

- **JN motioned for area Variance (maximum density per acre) 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 (maximum density per acre) approval passed 4-0.**

**PLZBA 2022 0006** – 5 Broadway (101.53-7-2 | 0.294 ac. | B-4: Central Commercial)

Area Variance (addition of units, commercial to residential) – SEQR (Unlisted)

The applicant, Greyhill Group, proposes to convert offices on the second floor of the Cannon Building to nine (9) residential apartments. Nine (9) new units bring the total units from thirty-five (35) to forty-four (44) thus exceeding the maximum density of 120 to 147 units per acre. The applicant seeks a relieve of 27 units per acre.

The applicant is represented by Barb Nelson, R.A., of TAP Inc.

- Applicant presentation. The applicant requested the ZBA amend the variance requested from 9 to 10 units, relief of 34 units per acre. ZBA granted the request and voted based on the amended variance of 10 units.
- 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 4-0.**

- **JN motioned for Area Variance (maximum density per acre) 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 (Maximum density per acre) approval passed 4-0.**

**PLZBA 2022 0017** – 476 Pawling Avenue (112.58-7-6 | 0.18 ac. | R-2: Two-family Residential)

Area Variance (maximum density and parking) and Use Variance (multi-family) – SEQR (Unlisted)

The applicant, Caroline Rudd, proposes to convert a first-floor office space back into a one-bedroom apartment. Currently, this structure is an existing non-conforming three-family residence. This proposal will exceed the maximum density of 12 units per acre. Twenty-three (23) units per acre are proposed, relief of nine (11) units per acre sought. Additionally, four (4) parking spaces are required, none are provided, relief of four (4) spaces is sought. The increase in units from three (3) to four (4) classifies this property as a multi-family residence, thus requiring the Use Variance sought.

- Applicant presentation.
- Board member comments and questions to applicant.
- Request for public comment. Public comment generally in opposition.
  - Public comment from Davida White: Claims the property has been a four-family residential for five years without off street parking. He suggested using space behind the property as parking space for the property.
- 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 4-0.**

- **KM motioned for Area Variance (maximum density per acre) 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 (maximum density per acre) approval passed 4-0.**

- **KM motioned for Area Variance (Parking Space) 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 (Parking Space) approval passed 4-0.**

- **KM motioned for Used Variance (multi -family) 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 (multi-family) approval passed 4-0.**

**PLZBA 2022 0016** – 329 9<sup>th</sup> St (90.79-4-31 | 0.055 ac. | R-2: Two-family Residential)

Use Variance (from Two-family Residential to a Three-family Residential)- SEQR (Unlisted)

The applicant, McBone, LLC proposes to convert a two-family Residential to a three-Family Residential Property. This proposal will result to a change in use from two-family Residential to a three-Family Residential thus the use variance sought. The change will also exceed the maximum density of 12 units per acre. Fifty-five (55) units per acre are proposed, relief of forty-three (43) units per acres is sought. Additionally, three (3) parking spaces are required, none are provided, relief of three (3) spaces is sought.

- 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 4-0.

- KM motioned for Area Variance (maximum density per acre) 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 (maximum density per acre) approval passed 4-0.

- KM motioned for Area Variance (Parking Space) 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 (Parking Space) approval passed 4-0.

- KM motioned for Used Variance (multi -family) 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 Used Variance (multi-family) approval passed 4-0.

- **JN motioned to adjourn at 6:48 PM. JM 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 6:48 PM passed 4-0.**



March 1, 2022

Steven Strichman  
Commissioner of Planning & Economic Development  
City of Troy Planning Department  
433 River Street  
Troy, New York 12180

***SUBJECT: Redevelopment of 406 Fulton St***

CDTA has seen the submitted area variance request for the above-referenced development. With Riverfront Station directly outside providing access to CDTA Routes #22, #85, #87, #182, #224, #286, #289, #370, #922, #923 and the #802 shuttle, this property will be extremely attractive to people without a car or who wish to use transit. Given this and Troy's strong walkability in general, CDTA supports the requested density maximum relief for this development. Transit service should help alleviate traffic and parking related concerns associated with density.

Thank you for your time.

Sincerely,

Ethan Warren  
Senior Planner, CDTA

cc: Ross Farrell, CDTA  
Sandy Misiewicz, CDTC

Jayne B Lahut  
Chairman  
Schenectady County

Michael J. Criscione  
Vice-Chairman  
Albany County

David M. Stackrow  
Treasurer  
Rensselaer County

Mark A. Schaeffer  
Secretary  
Albany County

Georgeanna M. Nugent  
Immediate Past  
Chairwoman  
Saratoga County

Dense A. Figueroa  
Albany County

Jaclyn L. Falotico  
Schenectady County

Peter D. Wohl  
Saratoga County

Joseph M. Spairana, Jr.  
Rensselaer County

Patrick M. Lance, Sr.  
Labor Representative

Carm Basile  
Chief Executive Officer

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-----Original Message-----

From: Frank White <frankwhite.csm@gmail.com>

Sent: Monday, February 28, 2022 9:12 AM

To: Steven.Strichman <Steven.Strichman@troyny.gov>

Subject: PLZBA 2022 0017. 476 Pawling Ave.

Good morning Mr. Strichman, the letter I received stating that 476 Pawling Ave. is a three family dwelling is not accurate that address has been a four family residence for five years. I personally talked to code enforcement a few times about the problem with no off street parking and I was ignored. The property at 476 Pawling Ave. has been nothing but problems for the last five years. Between parking, drug activity right across the street from Sacred Heart school to the most recent assault with a gun. During the police investigation the Troy Police discovered a ghost gun manufacturer in one of the apartments at 476 Pawling Ave. I know none of this has anything to do with parking but if the planning board or code enforcement would go and view the site they could see the mess behind this building which could easily be turned into parking spaces instead of a big eyesore.

Thank you, Davida White Sent from my iPad