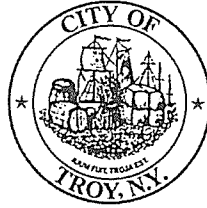




Wm. Patrick Madden
Mayor

Chris Nolin
Deputy Mayor

Catherine Conroy
Chair



Steven Strichman
Commissioner of Planning

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

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 meeting at 6:00 P.M. on Wednesday, April 6th, 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

Alaina Finan (Zoning Attorney), Aaron Vera (City Engineer), Steve Strichman (Commissioner of Planning), Eric Ferraro (Assistance Planner), Angelina Apindem (Executive Secretary),

Administrative Items

Adoption of Meeting Minutes from March 2nd by Resolution

- JN motioned to approve Meeting Minutes March 2nd. JM 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 March 2nd passed 4-0.

New Business

PLZBA 2022 0032 – 317 8th St (101.30-10-8| 0.074 ac. | R-2: Two-Family Residential)

Use Variance and Area Variances– SEQR Unlisted

The applicant, Danielle Dowdy, proposes to convert a Two-Family Residential property into a Three-Family Residential property. The following Variances are sought:

- o Use Variance: Change in use from Two-Family Residential to a Three-Family Residential.
- o Maximum density required is twelve (12) units per acre, forty-one (41) units per acre are proposed, relief of twenty-nine (29) units per acre.
- o Parking spaces required are three (3), none is provided, relief of three (3) spaces.
- 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 Motion for Use Variance (From Two Family to Three Family) 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 Use Variance (From Two Family to Three Family) approval passed 4- 0.**
- KM motioned for area Variances (maximum density per acre and parking) 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.**

PLZBA 2022 0031 – 162 9th St (101.39-6-21| 0.059 ac. | R-2: Two-family Residential)

Use Variance and Area Variances – SEQR Unlisted

The applicant, Mark Onwuji, proposes to convert a Two-Family Residential property into a Three-Family Residential property. The following Variances are sought:

- Use Variance.: Change in use from Two-Family Residential to Three-Family Residential.
- Maximum density required is twelve (12) units per acre, fifty-one (51) units per acre are proposed, relief of thirty-nine (39) units per acre.
- Three (3) parking spaces are required, none are provided, relief of three (3) spaces.
- 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.**

- JM Motion for Use Variance (From Two Family Residential to Three 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 (From Two Family to Three Family) approval passed 4- 0.**

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

PLZBA 2022 0035 – 15 Northern Dr (70.81-2-10 | 0.318 ac. | B-3: Shopping Center Commercial)

Use Variance - SEQR Unlisted

The applicant, Sarah Shrestha, is proposing to utilize a now-vacant building for the sale of automobiles, requiring a Use Variance.

- Applicant presentation.
- Board member comments and questions to applicant.
- Commissioner deliberation.
- Applicant response.
- KM motioned to table item to May 4th, JN seconded:

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

- **Motion to table item to May 4th passed 4-0.**

PLZBA 2022 0029 356 3rd St (112.21-16-4 | 0.071 ac. | R-4: Urban Neighborhood Residential, Medium – to High-Density)

Area Variances - SEQR Unlisted

The applicant, James Kennedy, proposes to renovate this Four-Family Residential property. The following Variances are sought:

- Minimum lot area required is 4,000 sq ft, property is 3,250 sq ft, relief of 750 sq ft.
 - Minimum lot width required is 60 ft, property lot width is 25 ft, relief of 35 ft.
 - Maximum density required is forty (40) units per acre, fifty-seven (57) units per acre are proposed, relief of seventeen (17) units per acre.
 - Parking spaces required are four (4) spaces, three spaces proposed, relief of one (1) parking space.
- 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.**

- JN motioned for Area Variances (min. lot area, lot width, density, and parking) 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 4-0.**

PLZBA 2022 0034 32 Manning Ave (112.38-5-27| 0.139 ac. | R-1: Single Family Residential)

Area Variance - SEQR Type II (per 617.5(c)(16))

The applicant, Robert Lanchok, proposes to construct a utility shed on his property. The required separation between an accessory structure and principal structure is twelve (12) feet (§ 285-70(j)(1)(a)), one (1) foot is provided, relief of eleven (11) feet sought.

- Applicant presentation.
- Board member comments and questions to applicant.
- Request for public comment. Public comments generally in opposition.
 1. Louis and Joan Bisio --34 Manning Ave, Troy- suggested that shed should be at least five feet from their property line as code requires.
Applicant claims that utility shed will be five feet from the Bisios' property line.
- Commissioner deliberation.

- Applicant response.
- JN motioned for Area Variance (minimum distance) approval. KM seconded

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

- **Motioned for Area Variance (minimum distance) approval passed 3-0.**

PLZBA 2022 0030 17 102nd St (90.39-5-27| 0.08 ac. | B-2 Community Commercial)
Special Use Permit (per § 285-58(C)(7)) and Area Variances - SEQR Type II (per 617.5(c)(18))
The applicant, Joe Johnson, is proposing to convert a Two-Family Residential property to a Three-Family property. The following Permit and Variances are sought:

- Special Use permit; residence below the second floor of the principal structure.
- Maximum density required is twelve (12) units per acre, thirty-eight (38) units per acre are proposed, relief of twenty-six (26) units per acre.
- Three (3) parking spaces are required, none are provided, relief of three (3) spaces.
- Applicant presentation.
- Board member comments and questions to applicant.
- Request for public comment. No Public comments
- Commissioner deliberation.
- Applicant response

- **KM motioned for a Special Use Permit 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 a Special Use Permit passed 4-0.**
Approved on condition that the applicant meets landscaping requirements that will be established by planning commission.

- **KM motioned for Area Variances (density and parking) 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 and parking) approval passed 4-0.**

PLZBA 2022 0036 487 Campbell Ave (112.-4-12.114 | 1.59 ac. | B-5 Highway Commercial)

Area Variances - SEQR Unlisted

The applicant, Nick Riggione, is proposing a 3-story mixed use building with commercial on the first floor and apartments on the 2nd and 3rd floor. The following Area Variances are sought:

- Maximum building height required is thirty-five (35) ft, forty-five (45) ft are proposed, relief of ten (10) ft.

Twenty-eight (28) parking spaces are required, twenty-four (24) spaces are proposed, relief of four (4) parking spaces are sought.

- Applicant presentation.
- Board members 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 Variances (maximum height and parking) 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 4-0.**

PLZBA 2022 0033 3154 6th Ave (90.63-5-1| 0.037 ac. |R-4: urban Neighborhood Residential, Medium – to High- Density)

Area Variances - SEQR (Unlisted).

The applicant, QIMA LLC, is proposing to build a four unit multifamily on this vacant property. The following Area Variances are sought:

- Minimum lot area required is 4,000 square feet (sf.), lot size is 1,563 sf, relief of 2,437 sf.
 - Minimum lot width required is 60 feet, 25 feet proposed, relief of 35 feet.
 - Front setback required is 10 feet, 8 feet proposed, relief of 2 feet.
 - Rear setback required is 20 feet, 16 feet proposed, relief of 4 feet.
 - Side setback required is ten (10) feet on both sides, one (1) foot proposed, relief of nine (9) feet.
 - Maximum density required is forty (40) units per acre, 109 units per acre proposed, relief of 69 units.
 - Parking spaces required are eight (8) spaces, zero (0) proposed, relief of eight (8) parking spaces
- Applicant presentation.
 - Board members 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.**

- **CC motioned for Area Variances 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 3-1.**

PLZBA 2022 0018 – 411 9th St (90.71-8-5| 0.09 ac. | R-2: Two-Family Residential)

Area Variance (§ 285-53(D)(3)(c)) – SEQR Type II (per 617.5(c)(16))

The applicant, Sheina G. Saeger is proposing to construct an attached carport and deck.

The required side setback is five (5) feet, one (1) foot proposed, relief of four (4) feet sought.

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

- **KM motioned for Area Variance (side setback) 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 (side setback) approval passed 4-0.**

PLZBA 2022 0039 – 37 First St (100.60-4-4| 0.09 ac. | B-4: Central Commercial).

Area Variance SEQR Type II (per 617.5(c)(16))

Applicant Russell Brooks is proposing to construct a carriage house on his property. The minimum side and rear accessory setback required is five (5) feet (§ 285-70(J)(1)(b)), zero (0) feet proposed, relief of 5 feet sought.

- Applicant presentation.
- Board member comments and questions to applicant.
- Request for public comment. Public comments generally in support.
 - Gordon Lattey & Michele Vennard, 40 1st St. Troy

Claims that the project will add to the architectural completeness of the alley.

- Commissioner deliberation.
- Applicant response

- JN motioned for Area Variance (rear accessory setbacks) 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 (rear accessory setback) approval passed 4-0.**

KM motioned to adjourn meeting at 7:52 PM. JN seconded

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

Motion to adjourn meeting at 7: 52 PM passed 4-0.

April 5, 2022

Zoning Board of Appeals
433 River St., Ste 5001
Troy, NY 12180
zoningboard@troyny.gov

Re: Notice of Public Hearing, April 6, 2022
PLZBA 2022 0034 32 Manning Avenue (112.38-5-27)|0.139ac.|R-1: Single Family
Residential) Area Variance – SEQR Type II (per 617.5(c)(16))

We are submitting this letter in objection to the request noted above.

First, the reference item does not provide any detail of where exactly is this “utility shed” being built: is it going in the backyard replacing their existing shed, is it going next to their relative’s house (30 Manning Avenue) or is it intended to be built on their driveway where a tent was erected to cover two cars which has since been taken down? And what is the size of the “utility shed”?

Second, since we are not sure of the size or where it will be placed, we would like to formally state, that if it is indeed being built at the top of their driveway – we have every expectation that what is being built is at least at the minimum of what the law requires, 5 feet from our property line.

Third, we currently have a drainage problem due to the extended (and raised) driveway installed by the property owner which is only 1 foot from our property line. Any additional large structures built on the driveway has the potential to cause further drainage issues.

Last, we were not previously notified of any change of variance request, and this notice was just received on Friday, 4/1/22.

Thank you for your consideration and please acknowledge receipt of this objection.

Sincerely,

Louis & Joan Bisio
34 Manning Avenue
Troy, NY 12180

TO: zoningboard@troyny.gov

FR: Gordon Lattey, Michele Vennard, owners 40 1st St., Troy

RE: PLZBA 2002 0039 – 37 First St – proposed carriage house construction

As long time (20 years +) residents of downtown Troy, we strongly support any variances that the Brooks are proposing for a new construction carriage house in the alley behind 37 First St. Like the other carriage houses on the alley, this new structure would add to the architectural completeness of the alley. Further, the Brooks are excellent stewards of the historic Sage neighborhood and all the work they have completed on 37 First Street is done with great sensitivity of our historic neighborhood.

Thank you for the opportunity to provide comment on this project.