

Wm. Patrick Madden
Mayor

Christopher Nolin
Deputy Mayor



Commissioner of Planning

DRAFT

Planning Commission

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

MEETING MINUTES

The Planning Commission of the City of Troy, New York, conducted a public meeting at **6:00 P.M. on Wednesday, January 17, 2023**, in person for the Board and available via Zoom conferencing, to act upon the following requests, referred by the Bureau of Code Enforcement of the City of Troy, for review and approval.

6:08 pm – Meeting called to order.

Commissioners in Attendance

Roddy Yagan (RY), William Comiskey (WC), Suzanne Spellen (SS), James Rath (JR), Stephen Maples (SM), Sara Wengert (SW),

Also, in Attendance

Richard Morrissey (Planning and Zoning Attorney), Eric Ferraro (Assistant Planner)

Administrative Items

- Adoption of Meeting Minutes from October 18th and November 15th, 2023, by resolution.
- **B.C. Motions to: Adopt October & November meeting/hearing minutes S.S. seconded.**

	Absent	Yes	No	Abstain	Recused
Roddy Yagan		X			
Sara Wengert		X			
Suzanne Spellen		X			
Warren Shaw	X				
James Rath		X			
William Comiskey		X			
Stephen Maples		X			
- **Motion to: Adopt October & November meeting/hearing minutes** passed **6-0**

Old Business

PLPC 2023 0045 – 185 Earl Street (101.22-11-11) [MU-II/N-IV]

Site Plan Review – SEQRA (Type II)

The applicant, Unity House of Troy, is proposing to renovate an existing structure and construct an addition to convert a vacant house to a teaching kitchen for skill development. The proposal calls for interior dining space, bathrooms, and a full working kitchen along with some site improvements.

*Commissioner Wengert recuses herself due to a conflict of interest.

- Applicant presentation: Unity House of Troy, LLC and LaBella Associates.
- Commissioner comments and questions to applicant:
 1. R.Y. "Are these materials new?"

Written by Eric Ferraro, On Behalf of the Executive Secretary

Additional information regarding the above listed actions is available by contacting the Planning Commission's Assistant Planner, eric.ferraro@troyny.gov.

As required by the Americans with Disabilities Act, auxiliary aids and services are available upon request. Please give one-week advance notice for services needed.

2. S.M. asks about challenges with the sidewalks.
3. E.F. In the future, Planning Department needs to get updated material before presenting.
4. B.C. Likes the inclusion of the ramp.
5. S.M. given the space constraints and used by folks at Unity House, Earl Street is a good example of a street that could be pedestrianized. Elaborates.
 - J.R. agrees that pedestrianization is not on the applicant but could be talked about with the city.
6. R.Y. did you address the garbage?

- Request for public comment: No Public comment.
- Commissioner deliberation:
 1. E.F. The Planning Department did not receive these updated materials.
- Applicant response:
 1. (R.Y.) Correct, we haven't submitted this edition yet. We just wanted to give you an update on where we're at.
 2. (S.M.) addresses challenges of sidewalk implementation.
 3. (R.Y.) Yes, garbage will go to the Unity House dumpsters across Earl Street.

- **J.R. Motions to: Approve site plan that was presented on 01-17-2024 on the condition that it's submitted to the Planning Dept and that the documents seen are what is on file with the City. R.Y. seconded.**

	Absent	Yes	No	Abstain	Recused
Roddy Yagan		X			
Sara Wengert					X
Suzanne Spellen		X			
Warren Shaw	X				
James Rath		X			
William Comiskey		X			
Stephen Maples		X			

- **Motion to: Approve site plan that was presented on 01-17-2024 on the condition that it's submitted to the Planning Dept and that the documents seen are what is on file with the City. Passed 5-0**

PLPC 2023 0043 – 110 Eighth Street (101.64-1-3) [C-I/C/C]

Site Plan Review – SEQRA (Type II)

The applicant, R.P.I., proposes 2 projects. One at Freshman Hill near the south end of the alumni sports & recreation center parking lot, which will include an open-air pavilion with a small building underneath for storage, (2) unisex restrooms, and an A/V room and a separate sport court area with perimeter netting for recreational basketball, volleyball, and pickleball. The second location will be at the corner of sunset terrace and Beman lane, which will include an open-air pavilion with a small building underneath for storage, (2) unisex restrooms, and an A/V room.

- Applicant presentation: By Jason Pollard representing R.P.I.
- Commissioner comments and questions to applicant:
 1. R.Y. Asks about the crushed stone sidewalk path.
 2. B.C. Appreciates all the changes. J.R. seconds
 3. J.R. Asks about width of stone path and the sidewalk and addresses design comments at the Sunset locations. Also asks about green scape plan and provides comments on suggested plantings. Appreciates the efforts on all fronts.
- Request for public comment:
- Commissioner deliberation:
 1. S.M. the regulation for sidewalks and stone paths require 4 feet.
- Applicant response:
 1. R.Y. no edging in the plans but we can take a look at it.
 - R.Y. just didn't want to see the stone get spread.
 2. (J.R.) Paths are both 4 feet wide. Budgetary constraints keep us from making them wider.

- Addresses comments on plantings.
- **S.W. Motions to: Approve Site Plan** **B.C. seconded.**

	Absent	Yes	No	Abstain	Recused
Roddy Yagan		X			
Sara Wengert		X			
Suzanne Spellen		X			
Warren Shaw	X				
James Rath		X			
William Comiskey		X			
Stephen Maples		X			
- **Motion to: Approve Site Plan** **passed 6-0**

PLPC 2023 0040 – 269-275 Fifth Avenue (90.23-10-4, 90.23-10-3.2, 90.23-10-3.1) [MU-2/N-III]
Site Plan Review – SEQRA (unlisted)

The applicant, Bruner LLC, wishes to construct a 6,400 sq. ft. strip mall with 1 laundromat and 3 retail units to be leased out. The project includes site improvements and newly paved on-site parking.

*Commissioner Rath takes over as Acting Chair for Commissioner Wengert, who recuses herself due to a conflict of interest.

- Applicant presentation: Khalid Ahktar
 1. Presents new material not submitted to the Planning Department.
- Commissioner comments and questions to applicant:
 1. R.Y. asks about the location of the dumpster.
 - S.W. I'm not sure you would want the dumpster right in front of your store. Makes suggestions.
 - J.R. also makes suggestions.
 - R.Y. You can have more surfaces that are impervious that are not just grass.
 2. R.Y. asks about signage and monument on site.
 3. J.R. addresses sign/monument and provides some suggestions. Also wants to see some larger shade trees in the green space. On the ramp going to the alley, it will need tactical warning strips. Likes the direction this project is going in.
 4. R.Y. Can you address the awning material? Exterior materials for façade. Roof.
 5. S.W. Comments on exterior materials. (Panels and stucco). Asks about height. You may need to brace the parapets.
 - E.F. A minimum of 2 stories is required in a N-III.
 6. J.R. comments on architecture/lack of windows/exterior materials. Addresses loading zone concerns. Also addresses Councilman Keal's road concerns.
 7. R.Y. reminds applicant of setback requirements.
- Request for public comment: Yes
 1. Ryan Brosnan – Has concerns.
 2. Bill Keal – Has concerns.
 3. Neighbor – Has concerns.
 4. Eva Arthur – Supports.
- Commissioner deliberation:
 1. S.W. →E.F. are they required to have 2 occupiable floors?
 - E.F. No, they don't need to be occupiable.
 2. B.C. asks about “application’s completeness” in relation to a final set of plans.
 - R.Y. clarifies concept of Application’s completeness.
 - R.Y.→E.F. Asks about discrepancies in complete streets form as it pertains to parking. Seeks clarification on parking requirements. (0 Parking stalls required)
- Applicant response:

1. (R.Y.) Responds to dumpster location comment. States they've been working with 3rd party and getting logistics to understand and reposition in most accessible and aesthetic way.
2. (J.R.) We need to have 20% impervious green space so we're limited.
 - (R.Y.) okay we can look into that (pervious/impervious)
3. We have 1 tenant so far (Halal food)
4. R.Y. responds to comment on signage.
5. J.R. yes, those strips will be implemented.
6. Addresses grease trap and service. Addresses awning comment by R.Y. (metal aluminum-based awning, custom made, 3 ft wide with recessed lights) and exterior materials and colors. Addresses roof forms.
7. S.W. responds to exterior materials comment and states the height will be 26 ft.
8. E.F. technically it is 2 stories because the laundromat has an office space upstairs.
 - E.F. are buildings separated by walkway?
 - Yes.

- **B.C. Motions to: Declare application complete**

J.R. seconded.

	Absent	Yes	No	Abstain	Recused
Roddy Yagan		X			
Sara Wengert		X			
Suzanne Spellen		X			
Warren Shaw	X				
James Rath		X			
William Comiskey		X			
Stephen Maples		X			

- **Motion to: Declare application complete** passed **6-0**

- **R.Y. Motions to: Close Public Comment period**

J.R. seconded.

	Absent	Yes	No	Abstain	Recused
Roddy Yagan		X			
Sara Wengert		X			
Suzanne Spellen		X			
Warren Shaw	X				
James Rath		X			
William Comiskey		X			
Stephen Maples		X			

- **Motion to: Close Public Comment period** passed **6-0**

- **S.W. Motions to: Schedule public hearing for February 21st**

S.S. seconded.

	Absent	Yes	No	Abstain	Recused
Roddy Yagan		X			
Sara Wengert		X			
Suzanne Spellen		X			
Warren Shaw	X				
James Rath		X			
William Comiskey		X			
Stephen Maples		X			

- **Motion to: Schedule public hearing for February 21st** passed **6-0**

New Business

PLPC 2023 0049 – 487 Campbell Ave (112.-4-12.114) [MU-II/N-III] Sketch Plan Conference for Subdivision Review – SEQRA (unlisted)

The applicant, 493 Campbell, LLC, is proposing to subdivide the parcel located at 487 Campbell Avenue into 2 lots. 487 Campbell Avenue would be 1.126 acres with an existing commercial structure, and 491 Campbell Avenue would be .469 Acres for a proposed multi-story residential building.

- Applicant presentation: By Nick Riggione
- Commissioner comments and questions to applicant:
 1. R.Y. asks for overview of proposal. “If a sale occurs, how will tenants access parking lot without trespassing? Is there a timeline on the groundbreaking?
 2. J.R. asks for an overview of the need for the subdivision. Mentions need for easement in approvals.
 3. R.Y. asks about dumpster location(s). Wants clarity on easements for next meeting and drainage issues related to statements on short EAF.
 - Not ready to declare application complete. R.M. concurs. Especially pertaining to easement issues.
- Request for public comment: No public comment at this time.
- Commissioner deliberation:
 1. B.C. asks about sketch plan conference status.
 - E.F. Confirms and clarifies.
 2. R.Y. asks about short EAF concerns. E.F. clarifies. Asks if the commission needs to declare subdivision review applications complete before scheduling a hearing. E.F. & R.M. confirm, yes.
 3. R.M. Have these been surveyed? The easement has to attach to one of the property descriptions. Can’t have an easement existing by itself.
- Applicant response:
 1. (R.Y.) No changes to the layout. There will be an easement that is not yet in place.
 2. (J.R.) We wanted to break it up for tax purposes. Clean title and maybe down the road we decide to do something with a bank they require them to be broken up. Groundbreaking in March.
 3. (R.Y.) responds to dumpster questions/concerns.

- **S.W. Motions to: Table item to the February PC meeting R.Y. seconded.**

	Absent	Yes	No	Abstain	Recused
Roddy Yagan		X			
Sara Wengert		X			
Suzanne Spellen		X			
Warren Shaw	X				
James Rath		X			
William Comiskey		X			
Stephen Maples		X			
- **Motion to: Table item to the February PC meeting passed 6-0**

Discussion amongst commissioners:

- Commission discusses concerns regarding areas needing pedestrianization and procedures/suggestions to support/encourage at municipal level.
- Commission discusses “streamlining” of meetings/procedures.
- Commission discusses PC procedures for applicants that are new to the updated zoning code.
- Commission discusses limiting the ability of applicants to utilize electronic sharing devices and introduce new material to the commission on meeting/hearing nights.

R.Y. motioned to: Adjourn November PC hearing at: 7:56 PM J.R. seconded.

	Absent	Yes	No	Abstain	Recused
Roddy Yagan		X			
Sara Wengert		X			
Suzanne Spellen		X			
Warren Shaw	X				
James Rath		X			
William Comiskey		X			
Stephen Maples		X			

Motion to: Adjourn hearing at: 7:56 P.M. passed 6-0.