

Wm. Patrick Madden
Mayor

Christopher Nolin
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Planning Commission

433 River St., Ste. 5001
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MEETING MINUTES

The Planning Commission of the City of Troy, New York, conducted a public meeting at **6:00 P.M. on Wednesday, January 18th, 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.

6:04 pm – Meeting called to order.

Commissioners in Attendance

James Rath (JR), William Comiskey (WC), Suzanne Spellen (SS), Sara Wengert (SW), Anthony Mohen (AM)

Also, in Attendance

Andy Brick (Planning and Zoning Attorney), Eric Ferraro (Assistant Planner), Steven Strichman (Commissioner of Planning & Economic Development)

Administrative Items

Planning Commission to take a 1-time, temporary vote on a Vice Chairperson in the wake of Chairman Yagan's absence.

- **A.M. Motions to: Elect Anthony Mohen as temporary Vice Chairman of the PC for 1/18/23. J.R. seconded.**

	Absent	Yes	No	Abstain	Recused
Roddy Yagan	X				
Sara Wengert		X			
Suzanne Spellen		X			
James Rath		X			
Anthony Mohen				X	
William Comiskey		X			

- **Motion to: Elect Anthony Mohen as temporary Vice Chairman of the PC for 1/18/23. passed 4-0**

***This action will be renewed at the February PC Meeting for a permanent designation.**

Consent

PLPC 2023 0001 –251 Broadway (101.53-8-1) [[B-4: Central Commercial](#)]
Site Plan Review –SEQR (unlisted)

The applicant, Grocery Wine Shop, LLC, proposes to convert a former frame shop in the downtown historic district into a wine cellar.

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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.

- Applicant presentation: None
- Commissioner comments and questions to applicant. No
- Request for public comment: No
- Commissioner deliberation:
 1. J.R.: Inquires into the STOP WORK order issued to applicant’s property.
 2. A.B. clarifies.
- Applicant response: None

• **J.R. Motions to: Approve Consent Agenda B.C. seconded.**

	Absent	Yes	No	Abstain	Recused
Roddy Yagan	X				
Sara Wengert		X			
Suzanne Spellen		X			
Anthony Mohen		X			
James Rath		X			
William Comiskey		X			

- **Motion to: Approve Consent Agenda. passed 5-0.**

Old Business

PLPC 2022 0108 –391 Third Street (111.36-8-3) [R-4: Urban Neighborhood Residential, Medium to High Density]
 –SEQR (Type II)

The applicants, Waleed Almekhlafi & Alazzi Alghalisi, are proposing to convert a vacant space (formerly barbershop) into a delicatessen specializing in Boars Head meats, sandwiches and salads. No alcohol, tobacco products or lottery items will be sold. The applicant had a chance to listen to the public and is returning with a revised plan to alleviate their concerns.

- Applicant presentation: Liza Rodriguez (TAP) & Waleed Almekhlafi
- Commissioner comments and questions to applicant.
- Request for public comment: Yes
 1. Chuck Conroy
 - Wants to know what enforcement mechanisms/authorities can hold applicant to Delicatessen standards and any proposed stipulations (No alcohol, tobacco & lottery sales).
 - A.B. clarifies all authorities including Code Enforcement & Public
 - Mr. Conroy is satisfied with responses.
- Commissioner deliberation:
 1. J.R.- Believes that the applicant has addressed the concern. Also asks about lighting & signage.
 2. S.W., J.R.- Asks about City serviced trash can on the sidewalks.
 - E.F. Clarifies city’s position.
- Applicant response:
 1. Lighting will not be directed towards residential property but towards the sidewalks and corner. Signage would be on window. Trash will be off sidewalks and kept in check.

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- **S.W. Motions: To Approve site plan & Application with the Stipulation that no sale of alcohol, tobacco or any forms of lottery are sold at the establishment. B.C. seconded.**

	Absent	Yes	No	Abstain	Recused
Roddy Yagan	X				
Sara Wengert		X			
Suzanne Spellen		X			
Anthony Mohen		X			
James Rath		X			
William Comiskey		X			

Motions: To approve site plan & application w/the stipulation that prohibits the sale of alcohol, tobacco and all forms of lottery passed **5-0.**

PLPC 2022 0078 – Troy Atrium/0 Fourth Street (101.53-4-2.1) [**B-4: Central Commercial**]
 Site Plan Review – SEQR (Type 1)

-The applicant, Bryce Properties, LLC, is returning to propose the redevelopment of the southern portion of the Troy Atrium into a 26,910 sq. ft., 5 story building with exterior parking, 1st floor interior parking and 100 multi-family residential units above. The applicant is represented by Environmental Design Partnership, LLP

- Applicant presentation. Brian Osterhout
- Commissioner comments and questions to applicant.
 1. J.R. asks for clarification that no changes have been made to proposal since December PC meeting.
- Request for public comment: No
- Commissioner deliberation:
 1. A.B. addresses [previous] concern about gaps in information that are needed for lead agency to act on SEQR.
 - Recent city and applicant correspondences directly address concerns. With these concerns alleviated, A.B. clarifies & confirms PC has the right to make a determination on SEQR
 2. Steve. S. wishes to make change on SEQR form Pt. II (Impact on land); No→Yes. Confirms A.B.’s assessment.
 - Scheduled to be on the City Council meeting next Thursday to discuss (01/26/23)
 - States they will be requiring further review, especially the structural engineering.
 3. S.W. looks for additional clarity. A.B. clarifies.
 4. B.C. addresses strong view for PE review in previous month. Wants clarification of why this is not needed as a mandate by the PC. A.B. clarifies.
- Applicant response.
 1. Confirms J.R.’s assessment, no changes.
 2. States their various degrees of liability.

- **S.W. Motions: To make a Negative Declaration for SEQR B.C. seconded.**

	Absent	Yes	No	Abstain	Recused
Roddy Yagan	X				
Sara Wengert		X			
Suzanne Spellen		X			
Anthony Mohen		X			
James Rath		X			
William Comiskey		X			

Motions: To make a Negative Declaration for SEQR passed **5-0.**

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- **A.M. Motions: Approve Site Plan once all necessary City Council approvals are obtained. S.S. seconded.**

	Absent	Yes	No	Abstain	Recused
Roddy Yagan	X				
Sara Wengert		X			
Suzanne Spellen		X			
Anthony Mohen		X			
James Rath		X			
William Comiskey		X			

Motion: Approve Site Plan once all necessary City Council approvals are obtained. Passed: 5-0.

Adoption of Meeting Minutes from December 21st 2022, by Resolution:

- **A.M. Motions to: Adopt Meeting Minutes from 12/21/22. S.S. seconded.**

	Absent	Yes	No	Abstain	Recused
Roddy Yagan					
Sara Wengert		X			
Suzanne Spellen		X			
James Rath		X			
Anthony Mohen		X			
William Comiskey		X			

- **Motion to: Adopt meeting minutes from December 21st, 2022. Passed 5-0**

A.M. motioned to: Adjourn January PC meeting at 6:37 PM J.R. seconded.

	Absent	Yes	No	Abstain	Recused
Roddy Yagan		X			
Sara Wengert		X			
Suzanne Spellen	X				
Anthony Mohen		X			
James Rath		X			
William Comiskey		X			

Motion to: Adjourn meeting at 6:37 PM passed 5-0.