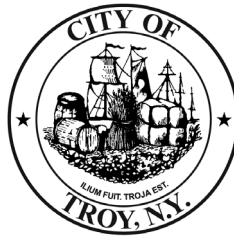


Wm. Patrick Madden
Mayor

Christopher Nolin
Deputy Mayor



Dylan Turek
Commissioner of Planning

Phone: (518) 279-7166
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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, August 16, 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.

6:05 pm – Meeting called to order.

Commissioners in Attendance

William Comiskey (WC), Suzanne Spellen (SS), Roddy Yagan (RY), Anthony Mohen (AM), James Rath (JR), Stephen Maples (SM)

Also, in Attendance

Andy Brick (Planning and Zoning Attorney), Eric Ferraro (Assistant Planner), Dylan Turek (Commissioner of Planning), Richard Morrissey (Corporate Counsel)

Administrative Items

Adoption of Meeting Minutes from July 19th, 2023, by Resolution

- **B.C. Motions to: Adopt July PC meeting minutes. R.Y. seconded.**

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

- **Motion to: Adopt July PC meeting minutes. passed 5-0**

*Commissioner Mohen arrives (6:08 PM)

- **J.R. Motions to: Adjourn public Hearing for 1011 2nd Ave project to September PC meeting. S.M. seconded.**

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

- **Motion to: Adjourn public Hearing for 1011 2nd Ave project to September PC meeting passed 6-0**

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.

Old Business

[PLPC 2023 0039](#) –1011 2nd Avenue (70.64-1-1, 70.56-1-6) [Planned Development District]
Concept/Site Plan Review – SEQRA (Type I)

The applicant, Starlight Development LLC, is proposing to construct 3 multifamily apartment buildings (231 units) with underground parking and surface parking, travel lanes, sidewalks, and multiuse path on an undeveloped 11-acre parcel. Site enhancements include private connections to municipal water/sewer as well as on site stormwater management.

***Corporate Counsel Richard Morrissey stands in for Andy Brick, who has recused himself from this agenda item.**

(Audio complications)

- Applicant presentation: Brian Oysterhaut and John Ahearn
- Commissioner comments and questions to applicant:
 1. R.Y. Separate site plan and narrative from everything else that's not within the purview of the project; supports a reduction of asphalt and agrees w/applicant in that the site is not entirely urban.
 2. B.C. The less asphalt the better.
 3. S.M. – Asks about willingness to work with opposition groups, specifically the Friends of the Mahicantuck.
 4. R.Y. wants to see most of the staff notes and recommendations incorporated into the site plan for the next meeting.
 5. S.S. Cites historically relevant agencies recommendations to reduce development footprint. Inquires about sensitive archaeological sites.
 6. J.R. Inquires about soil depth (as a constraint) because some to the things the PC is looking for is butting up against this.
 7. S.S. Asks about the elevations as seen from street to façade/entrances of buildings.
 8. R.Y. brings up bicycle infrastructure. Asks J.R. to comment.
 9. J.R. asks applicant about 'legend' on site plan and what the multipurpose path is made of; Cites some requirements of the bicycle plan in new zoning. Asks about sidewalk connections and paths to/from the buildings. Makes suggestions on ways to connect pedestrian accessibility on site. S.M. seconds and adds suggestions.
 10. R.Y. wants to see a structural detail of the gazebo.
 11. R.Y. discusses allocated spaces for children's amenities (ex. Playground) and roof access. Brings up exterior materials/colors. Thinks the current color scheme is too busy. Likes the blue and white [bays]. Wants to see black window casings (S.S. 2nds). Discusses roofline and lighting plan.
 12. S.S. Thinks design would be better without gables. Thinks it needs more in the design. Thinks there's potential. Please get rid of corbels on the porches.
 13. J.R. Comments on design. Asks about river views. Suggestions on multipurpose trail to incorporate trees on both sides. J.R. wants to see more of the comments sent via e-mail to be incorporated. Cites green scape plan.
 14. S.M. comments on run-off and bioswales.
 15. R.M. asks about the meter facility on the site plan and where line runs. Clarifies that site plan layout was made in coordination with the infrastructure lines.
 - R.Y. has DPU weighed in?
- Request for public comment: No public comment
- Commissioner deliberation:
 1. J.R.- Wants to walk the site with commissioners.
 2. R.Y. – Looking for counsel's guidance.
 3. R.M.- If a quorum meets it must be noticed. Recommends making it public.
 4. B.C. – Smaller groups seems feasible.
 5. R.Y. asks S.M. to clarify position on interest of working with affected neighbors. A.M. chimes in.

6. J.R. asks E.F. about the height of grass. E.F. responds. Anything above 6” is against code. Dir. Of Code should be consulted on the issue.
 7. Discussion as to how soon site plan is sent out for 3rd party P.E. review.
- Applicant response:
 1. Opposes open public meeting allowing public to walk site with commissioners. Believes there is a way to show grounds to commissioners without having to call it an open meeting to the public. We can coordinate with Eric F.
 2. (B.C.) We’ll look at that (reduction of asphalt & parking).
 3. Applicant has been working with affected residents and have curtailed the design in many respects to their points of interest/contention.
 4. Responds to S.S. regarding archaeological sites. Cites studies from Hartgen Archaeological Assoc.
 5. Responds to R.Y about soil composition & depth (B.C. asks for some clarification) regarding PC recommended amenities and archaeological sites.
 6. We have bicycle parking in all buildings.
 7. Applicant asks about an idea of community garden consideration.
 8. References the SWMP (S.M.). Will work on James’s comments.
 9. Responds to R.M. about water lines accessing the site.

New Business

PLPC 2023 0021 –124 Fourth Street (101.61-2-11), [DMU/DT I]
 Sketch Plan Conference –SEQRA (Type I)

The applicant, Michael Kang, proposes a 25-seat cocktail bar with tapas and cold snacks on the first floor as well as office and event space on the 2nd. The third-floor use is TBD. Additionally, Mr. Kang looks to make minor site improvements and update the exterior façade.

- Applicant presentation: Michael Kang
- Commissioner comments and questions to applicant:
 1. J.R., Have you gone to HRC. Asks about façade.
 2. R.Y. asks about the covered gangway and lighting and security cameras. Asks about waste management plan and color scheme on façade and other small structural details. Looking for colored elevations and where lighting is on exterior.
- Request for public comment: No public comment
- Commissioner deliberation: Yes
- Applicant response:
 1. Has gone to HRC and is working with them.
 2. Covered gangway was pre-existing. No plans to remove it. Keeps gangway dry.
 3. No big differences in exterior lighting except signage perhaps. Security cameras will be all over property. There are grease traps and garbage will be stored in back. Site does not allow for a dumpster. Responds to HRC’s recommendations for façade colors and design.

- **R.Y. Motions to: Declare Application complete** **S.M. seconded.**

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

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

- **R.Y. Motions to: Act as lead agency under SEORA A.M. seconded.**

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

- **Motion to: Act as lead agency under SEORA passed 6-0**

- **A.M. Motions to: Schedule for a public hearing in September 20th S.M. seconded.**

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

- **Motion to: Schedule for a public hearing in September 20th 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, – SEORA (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.

- Applicant presentation: Khalid Ahktar
- Commissioner comments and questions to applicant:
 1. R.Y. asks about arrangement of building layout. Wants to see more in landscaping plan. Wishes to see all staff comments realized. Discussion of site layout. Thinks the use is appropriate but the layout is more suburban and should be more urban in nature. Wants to ensure applicant is aware that current layout will require variances.
 2. S.M. Family dollar [cited as model by applicant] is an example of why city changed the code. Shouldn't be used as a template. Believes there's great potential with the project. Wants storefronts directly facing community rather than creating private space. Works against walkability. Suggests parking to be in the rear. Pushes back on reasons for parking not in back; explains. J.R. agrees. It's too suburban.
 3. J.R. references guidance in zoning code. References staff report.
 4. R.Y. Suggests site parking, traffic flow and walkways/walkability. Appreciates renderings. Thinks repositioning parking will alleviate a lot of concerns cited in staff report and commissioners. Discusses exterior materials. (J.R. seconds)
 5. J.R. asks about smells that might come from the laundromat and what applicant intends.
 6. R.Y. asks about tenancy. Cautions food service might involve grease traps and additional requirements.
 7. J.R. comments on plantings. Wants to see more trees on 5th avenue. Discusses sidewalks.
 8. E.F. discusses garbage, frontage, transparency, and viability of site plan layout to each.
 9. J.R. thinks its complete but wants to see staff notes incorporated. R.Y. echoes same.
- Request for public comment: No
- Commissioner deliberation:
- Applicant response:

1. Responds to R.Y about layout. Cites the Family Dollar on Second Ave as a template of project layout.
2. Parking is in front because he wants people to see plaza in use. Concerns about parking in back due to crime.
3. Intends on amending site plan to include all comments for next month.
4. Not sure about tenancy yet, but is certain that there will be no tobacco, convenience stores or liquor. Wants to put garbage on outside of each retail unit.
5. Mentions intention for foundation consideration.
6. Responds to J.R.'s comments on trees and sidewalks.
7. Responds to potential for a dumpster.

• **J.R. Motions to: Declare Application complete** **S.M. seconded.**

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

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

• **R.Y. Motions to: Act as lead agency under SEQRA** **S.M. seconded.**

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

• **Motion to: Act as lead agency under SEQRA** **passed 6-0**

• **A.M. Motions to: Set hearing for September 20th PC meeting** **S.M. seconded.**

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

• **Motion to: Set hearing for September 20th PC meeting** **passed 6-0**

Commissioner deliberation:

1. J.R. asks about site visit to 1011 2nd Ave
 - E.F. wants to ensure legality of applicant's statement of a site visit by commissioners that doesn't need to be public.
2. S.M. wants to ensure a sub-committee for 1776 6th Ave is created.
 - Sub-committee: R.Y., S.M., & J.R.

A.M. motioned to: Adjourn July PC meeting at: 8:25 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			
Stephen Maples		X			

Motion to: Adjourn meeting at: 8:25 PM passed 6-0.