

On January 19, 2021 at 7:31 p.m., via remote meeting using the GoTo Meeting platform, Chairman Clark called the Zoning Board of Appeals meeting to order.

1. ROLL CALL

Present:

Glenn Clark
Aaron Green
Mahendra Kenkre
David Eisenbacher
James McCauley
Michael Bossenbroek
Orestis Kaltsounis

Also Present:

Paul Evans, Zoning and Compliance Specialist
Allan Motzny, Assistant City Attorney
Jackie Ferencz, Administrative Assistant, Planning Department
Bob Laux, Information Technology
Julie DuFrane, Assistant City Attorney

2. REVISED PROCEDURE- read by Vice Chair Bossenbroek

3. MODIFICATION OF ZONING BOARD OF APPEALS RULES OF PROCEDURE

Moved by McCauley
Seconded by Green

RESOLVED, to approve resolution modifying Rules of Procedure to allow electronic meetings.

Yes: All

MOTION PASSED

4. APPROVAL OF MINUTES – December 15, 2020

Moved by Green
Seconded by Eisenbacher
RESOLVED, to approve the December 15, 2020 meeting minutes.

Yes: All

MOTION PASSED

5. APPROVAL OF AGENDA – No changes

6. HEARING OF CASES:

A. VARIANCE REQUEST, 4928 PARK MANOR, NEETU SHARMA & AMBUJ MATHUR: A variance to allow a partially covered deck 10 feet from the rear property line where the development approval requires the deck to be no less than 25 feet from the rear property line.

Moved by Green
Second by McCauley

RESOLVED, to deny petitioner's request.

Yes: Green
Kenkre
Kaltsounis
Bossenbroek
McCauley
Clark

No: Eisenbacher

MOTION PASSED

Chair Clark called recess at 9:04pm
Meeting resumed at 9:10pm

B. VARIANCE REQUEST, 4095-4115 CROOKS AND PROPERTY ADJACENT, SAFET "SAM" STAFSA: Tollbrook North, LLC ("Developer") appeals the November 10, 2020 decision of the City of Troy's Planning Commission ("PC") to deny the Preliminary Site Plan ("PSP") for its Crooks Road Townhomes project to the City's Zoning Board of Appeals ("ZBA"). The Developer requests that the ZBA reverse the PC's decision and grant PSP approval.

Moved by Eisenbacher
Second by Bossenbroek

RESOLVED: That the ZBA finds that the decision by the Planning commission was arbitrary and capricious and the ZBA modifies the Planning Commission resolution to set it aside and the ZBA sends this Site Plan back to the Planning Commission to provide a more thorough and detailed resolution.

Member McCauley CALLS THE QUESTION

Yes: Kenkre
Eisenbacher
McCauley
Green
Bossenbroek
Clark

No: Kaltsounis

Vote on proposed resolution

Yes: Eisenbacher
Clark
Bossenbroek

No: Kaltsounis
Green
McCauley
Kenkre

MOTION Fails

Moved by Green
Second by McCauley

RESOLVED That the ZBA affirm the Planning Commission's decision on this matter.

Member Bossenbroek CALLS THE QUESTION

Yes: Bossenbroek
Kenkre
McCauley
Kaltsounis

No: Clark
Eisenbacher
Green

Vote on proposed resolution

Yes: Green
Kenkre
McCauley
Kaltsounis

No: Bossenbroek
Eisenbacher
Clark

MOTION Passes

7. COMMUNICATIONS: None

8. MISCELLANEOUS BUSINESS: Mr. Evans advised the Board that staff is working on a future ZBA training.

9. PUBLIC COMMENT: None

10. ADJOURNMENT: The Zoning Board of Appeals meeting ADJOURNED at 11:42pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'G. Clark', written over a horizontal line.

Glenn Clark, Chairman

A handwritten signature in black ink, appearing to be 'Paul Evans', written over a horizontal line.

Paul Evans, Zoning and Compliance Specialist

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