

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” STAFA: 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,



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Glenn Clark, Chairman



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Paul Evans, Zoning and Compliance Specialist

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