

**LOCAL LAW #3  
FOR INTRODUCTION ONLY**

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**A LOCAL LAW REPEALING  
TROY CITY CODE CHAPTER 71 "PLANNING COMMISSION"**

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**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF TROY:**

- Section 1.** Chapter 71 "Planning Commission" of the Code of the City of Troy is hereby repealed in its entirety.
- Section 2.** The City Council enacts the foregoing change to the Troy City Code in connection with enactment of a new Planning Board Ordinance to be considered herewith and, if enacted, codified as Chapter 72. This Local Law shall only be filed with the Secretary of State if Chapter 72 is duly enacted.
- Section 3.** This Local Law shall take effect upon its adoption and filing in accordance with New York State law.

Approved as to form, 7/26, 2024

  
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Dana L. Salazar, Corporation Counsel

<b>AYES: 4</b>	<b>NOS: 3(Spain-McLaren, Steele, Vera)</b>	<b>ABSTAIN: 0</b>	<b>ABSENT: 0</b>
<b>Troy City Clerk</b>	<b>Executive Action</b>		
Sent to Mayor <u>July 26, 2024</u>	Approved <input checked="" type="checkbox"/>	Date <u>7/26/24</u>	
Received from Mayor <u>July 29, 2024</u>	Veto _____		
City Clerk <u>M. Hernandez</u>	Mayor <u>C. ...</u>		

## Memorandum of Support

**Date:** July 8, 2024

**To:** Troy City Council

**From:** Dana Salazar, Corporation Counsel

**Title:** A Local Law repealing Chapter 71 “Planning Commission” of the Code of the City of Troy

**Summary of Provisions:** Chapter 71 “Planning Commission” of the City Code is repealed in its entirety. The repeal of this chapter will eliminate the current Planning Commission of the City of Troy.

**Effect on Present Law:** This action repeals Chapter 71 “Planning Commission” of the Troy City Code, and thus eliminates the Planning Commission to be replaced simultaneously by a new Planning Board, pursuant to enactment of a new Chapter 72.

**Fiscal Impact:** The elimination of the Planning Commission and subsequent enactment of a new Planning Board chapter will cost the taxpayers of the City of Troy \$2,000 in annual stipend per new board member. Five members will be appointed, for a total cost of \$10,000.00.

The Planning Commission has certain designated authority. The Commission was tasked with reviewing certain proposed development plans, lot changes or other changes to certain properties within the City.

The Planning Commission is not tasked with setting policy, nor may it act or fail to act for reasons outside of its jurisdiction. For example, the Planning Commission may confirm that a proposed house complies with the setback requirements of our local law, but they may not decline to approve plans for a house that is not aesthetically pleasing to the individual board members. Further, when rejecting a proposed plan or some aspect of it, the Commission must give specific, measurable guidelines for revisions. Vague or ambiguous comments of general dissatisfaction with a project and requests to redesign to meet an individual member’s preference of style or features are inappropriate.

Sporadic attendance by Commission members previously resulted in an increase of the Commission from five members to seven. However, attendance has not improved and, instead, the result has been that applicants sometimes face an entirely new Commission when returning for follow up – and, at times, have had to face entirely new requests for changes from the new Commission members who are seeing the project for the first time.

The inefficiency and disfunction of the current Planning Commission has caused all applicants, from those seeking a relatively straightforward lot line adjustment, to ambitious HUD funded affordable housing, to incur increased costs, delays and frustration. These increased costs are negatively and directly impacting Troy’s residents, including those who would otherwise benefit from truly affordable housing with a price tag that is not needlessly inflated.

TROY CITY COUNCIL VOTING RECORD  
Special Meeting - July 25, 2024

Ordinance No. \_\_\_\_\_

Resolution No. \_\_\_\_\_

Local Law No. 3

Introduced by Steele at the request of the Administration

Motion/Second: BK/JS

	Absent	Approve			Table		Amend	
		Aye	No	Abstain	Aye	No	Aye	No
Council Member Keal	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Brosnan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Spain-McLaren	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Vera	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Sorriento	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Casey	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council President Steele	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS		<u>4</u>	<u>3</u>	—	—	—	—	—

Motion to Table/Second: \_\_\_\_\_

Motion to Amend/Second: \_\_\_\_\_

Amendment: