



ALBANY COMMON COUNCIL
PLANNING, ECONOMIC DEVELOPMENT AND LAND USE COMMITTEE MINUTES
Alfredo Balarin, Chair

Meeting called by: Alfredo Balarin, Chair | Date: June 4, 2025 | Time: 5:34 pm

Committee Members Present: Balarin, Chair | Adams | Zamer | Hoey | Clarke

Council Members Present: Anane and Keegan

City Personnel Present: Shaniqua Jackson (City Clerk), Bryan Jimenez (Legislative Director), Alyssa Kamara (Junior Policy Analyst); Avi Epstein (Principal Planner)

Minutes

Agenda Item(s):

• **Ordinance 68.121.24 (Pending Amendment 06/16/25)**

AN ORDINANCE AMENDING CHAPTER 375 (UNIFIED SUSTAINABLE DEVELOPMENT ORDINANCE) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO PERMITTING ACCESSORY DWELLING UNITS

Public Comment:

- Karen Cunniff, Albany, NY—Concerns regarding Ordinance 68.121.24
- Karen Schupack, Albany, NY—in support of Ordinance 68.121.24
- David Nelson, Albany, NY—in support of Ordinance 68.121.24
- Daniel Plaat, Albany, NY—in support of Ordinance 68.121.24
- Bruce Mastorovich, Albany, NY—in support of Ordinance 68.121.24

Discussion:

- Council Member Keegan spoke to a public comment regarding the committee's transparency, noting where information may be accessed about legislation. Council Member Keegan further stated that Accessory Dwelling Units (ADUs) would not dominate the housing market as construction would be constrained and that this will not fix the housing crisis alone.
- Council Member Anane discussed the potential benefit of ADUs in addressing the housing crisis, noting their flexibility and accessibility. He further disputed that ADUs would eliminate single-family zoning and noted that Albany County is considering incentives for ADU construction.
- Chair Balarin invited Principal Planner Epstein to discuss updated language.
 - The word “detached” was removed from the first paragraph of Section 2, allowing for a building classified as a townhouse with only one dwelling unit to maintain an accessory dwelling unit.
 - The underlining of the phrase “Accessory Dwelling Unit” was undone.
- Committee Member Zamer asked how an ADU could be added to an attached single-unit townhouse dwelling to which Principal Planner Epstein responded that it would still have to abide by ADU regulations and that most townhouse owners would likely opt for creating a second standard dwelling unit, but where a townhouse exists in a single dwelling unit zone, those owners would be able to add an ADU.
- Committee Member Clarke asked if the ADU would need its own kitchen and bathroom to which Principal Planner Epstein responded affirmatively.

- Committee Member Clarke asked if there is a minimum square footage to which Principal Planner Epstein responded that there is no minimum.
- Committee Member Clarke expressed concerns regarding the owner-occupied requirement and an anticipated limited impact that permitting ADUs would have on the housing supply to which Principal Planner Epstein responded, noting that this is one step towards permitting missing middle housing.
- Committee Member Hoey asked about the owner-occupied requirement and the feasibility of its enforcement to which Principal Planner Epstein responded that the Department of Buildings and Regulatory Compliance has been made aware of the owner-occupied requirement and that they would already be conducting inspections.
- Committee Member Hoey requested that a step-by-step guide for establishing an ADU be created.
- Committee Member Clarke asked about the inclusion of special-use districts to which Principal Planner Epstein noted that non-conforming properties would be captured by the change.
- Committee Member Hoey asked about enforcing the tourist/transient-use clause and its enforcement, to which Principal Planner Epstein responded that the owner would have to provide an affidavit or attestation that such activity is not occurring and then that would be enforced through inspections and reviewing short term rental databases.
- Committee Member Hoey asked how parking needs would be addressed in areas without on-street parking to which Principal Planner Epstein responded that the typical ADU occupant does not increase vehicle demand and need for parking spaces.
 - Committee Member Hoey and Principal Planner Epstein discussed additional local concerns.
- Committee Member Adams noted that processes exist and will be implemented to address Committee Member Hoey's concerns; expressed support for permitting ADUs.
 - Committee Member Hoey noted that the Department of Buildings and Regulatory Compliance is only able to enforce code compliance when informed of noncompliance.
- Chair Balarin noted that given the high cost for constructing an ADU and the availability of properties without the additional ADU regulations, builders of ADUs are more likely building it as an investment for their family than an investment for profit.
- Committee Member Zamer noted that there are grant programs that become available to residents in the City of Albany if ADUs are permitted.
- Committee Member Adams moved to pass Ordinance 68.121.24 out of committee with a positive recommendation, seconded by Committee Member Zamer, and passed by the vote of the following committee members:
 - Affirmative: Balarin, Adams, Zamer
 - Negative: Hoey
 - Abstain: Clarke

Adjourn:

Committee Member Adams moved to adjourn, duly seconded by Committee Member Clarke. The Chair declared the meeting adjourned at 6:39 PM.

Respectfully Submitted,
Bryan Jimenez
 Legislative Director