

VILLAGE OF ALTAMONT
ZONING BOARD OF APPEALS
SPECIAL MEETING
Thursday, May 25, 2017

Present:

Maurice McCormick, Chairman
John Huber
Danny Ramirez
Kate Provencher
Michael LaMountain

Kelly Best, Secretary
Glenn Hebert, Building/Zoning Administrator
John Scally, Trustee
Tim Wilford, Chairman, Planning Board
Steve Caruso, Member, Planning Board

(The purpose of the special meeting was to meet with the Building Inspector/Zoning Administrator to clarify number items which were of concern to the Zoning Board of Appeals. Some were clarification on variance requests and other items included follow-up on variances and special use permits issued.)

Chairman Wilford opened the meeting at 7 pm.

The Zoning Board asked Mr. Hebert if the latest applicant at 161 Main Street should have applied for a height variance. Mr. Hebert stated that after reviewing the plans, that a height variance would be needed for Mr. Sullivan of 161 Main Street.

The Zoning Board discussed Section 355-16 B(1)b with Mr. Hebert. He stated that he thought that part of the Village Code should be removed. The Board stated that they felt Mr. Sullivan did not need to apply for a variance for the eaves of the garage in his building. Mr. Hebert then stated that the Zoning Board of Appeals has the final decision whether a variance is required or not.

The Zoning Board of appeals stated that Mr. Sullivan was charged a fee for a variance relating to eaves in a side yard setback that was not needed and since Mr. Sullivan will need to apply for a height variance that he should not be charged the application fee a second time.

Both the Zoning Board and Mr. Hebert agreed that Mr. Sullivan will need to apply for a height variance for his garage. Both the Zoning Board and Mr. Hebert agreed that Mr. Sullivan would not be charged an application fee. Mr. Hebert stated that the secretary can notify Mr. Sullivan by letter. The Zoning Board stated that Mr. Hebert will notify Mr. Sullivan, not the secretary. The Board asked if Mr. Hebert has spoken to Mr. Sullivan after the May 9, 2017 ZBA meeting. Mr. Hebert stated that he stopped by 161 Main Street and left a card. Chairman McCormick asked Mr. Hebert to send a letter to Mr. Sullivan letting him know what that a height variance application must be completed and a public hearing must be held.

The Zoning Board questioned Mr. Hebert as to where in the Village Code does it say if a non-conforming building is taken down completely, that it can be rebuilt exactly as it stood previously. The Board was referring to Section 355-29 D.

Mr. Hebert read Section 355-34 in response to the ZBA questions regarding rebuilding of a non-conforming building. It was agreed that if the Ketchum building on Prospect Terrace was to be rebuilt, a variance would have to be obtained.

The Board asked Mr. Hebert to follow-up on the following properties:

Stewart Shops – The ZBA informed Mr. Hebert that as part of their SUP, Stewarts was to put some form of shielding to hide fire extinguisher system on the canopy so people descending Route 156 into the village would not see the top of the gas canopy. This has not been completed and the ZBA wants Glenn to look into it.

Mr. Hebert stated that he had to review the minutes and the conditions of the SUP that was granted to Stewarts. ZBA asked secretary to provide Mr. Hebert with a copy of both.

ZBA asked Mr. Hebert to follow-up with the conditions attached to a variance for a four foot fence on a corner lot at the corner of Whipple Way and Sanford Place. The condition was that the fence would be hidden with some landscaping and if the landscaping died, the applicant would replace the landscaping.

Mr. Hebert was to also follow-up on the same issues for the property located at the corner of Main Street and Schoharie Plank Rd.

The Board asked what the status of the property on the corner of Main Street and Thatcher Drive was at this point. Mr. Hebert stated that the owners had reinforced the fence and that there was not much more the village could require the owner to do. The ZBA felt that the fence was not attractive. Mr. Hebert stated that it was the nice side of the fence and that was the only thing required under the NYS property maintenance law. Mr. Hebert stated that the property owner doesn't have to mow if the grass is less than 10 inches high.

The ZBA asked if the regularly scheduled Tuesday night meeting of the ZBA works for Mr. Hebert because they felt he should be at the meetings to assist the board when reviewing applications. Mr. Hebert stated that he missed the last two meeting because the Stewarts application in Voorheesville and as a Voorheesville employee, those meeting was a priority. Mr. Hebert stated he would be available for all ZBA as needed and all the Chairman had to do was let him know in advance.

The Board discussed that fact that they did not feel that Mr. Hebert was able to do his required work in the time allotted. Planning Board Chairman Wilford stated that he agreed with the ZBA.

Michael LaMountain made a motion to adjourn the meeting at 8:10 pm. Board member Ramirez seconded the motion. All in favor.

Respectfully Submitted,

Kelly Best, Secretary