

Village of Altamont Zoning Board of Appeals
Regular Meeting
December 10, 2019

Maurice McCormick, Chairman
Danny Ramirez, Member
Isaiah Swart, Member
Kathryn Provencher, Member
Tresa Matulewicz, Member
Sal Tassone, Alt. Member, Absent

Lance Moore, Building Inspector/Code Enforcer
Dean Whalen, Board Liaison,
Allyson Phillips, Village Attorney
Ginger Hannah, Secretary

Chairman McCormick opened the meeting at 7:02 p.m. and welcomed everyone. He noted where the exits and bathrooms were. He introduced himself and the Board as follows: Maurice McCormick, Chairman of the Zoning Board; Members of the Zoning Board: Kate Provencher, Isaiah Swart, Tresa Matulewicz, Danny Ramirez; Secretary: Ginger Hannah; Building Inspector/Code Enforcer: Lance Moore; and Allyson Phillips, Village Attorney.

Chairman McCormick stated that the only thing on the agenda tonight is a concept hearing / informational meeting on Stewarts. He stated that Stewarts will show us their revised plans based on the different interpretation of a gasoline service station and convenience store now rather than just a convenience store and maybe some other changes that they've made. He stated that just so everybody's aware, this is more of a meeting between the Applicant and the Zoning Board. The time for public comment will be at the next meeting when we have a Public Hearing on it. This has not been scheduled yet.

A lengthy discussion was held between the Zoning Board and Mr. Marshall, representing Stewarts. Mr. Marshall stated that there were originally six variances being sought when Stewarts was classified as a convenience store. With the re-classification of Stewarts as a gasoline service station and convenience store, there are now only three variances being sought. The three variances that are no longer being sought are two variances regarding the gasoline canopy that were eliminated and one regarding the free-standing sign, which was re-positioned and brought into compliance.

Mr. Marshall stated that his intention was to go through the application and go over any supplemental information the Board would like to review for its completeness. He stated he needed to reaffirm that Stewarts did not submit the environmental assessment form (SEQRA) because as of the zone change, the Village Board acted as lead agency and made a SEQRA determination, and the Village Clerk would provide a copy of that if the Board wanted to see any of the findings.

Mr. Marshall stated that in taking away the old variances that were limited by definition of the use, there are three variances Stewarts feels they need:

- The setback from 111 Helderberg Ave. to the back of the store. 355-38(E)(4) requires a 50 foot separation.
- A variance from the overall square footage. Per 355-38(E)(11) a gasoline service station shall be permitted on lots only of 40,000 square feet or more. However, the lot dimensions are met.
- The setback from the building to Altamont Blvd. All the other setbacks for the building are met in accordance with the central business district code requirements.

Topics covered during the discussion included:

- Fencing - proposed 6 foot fence vs. 2 separate surrounds for the HVAC equipment; building it on a berm. Whether construction of fence should be vinyl or cedar
- Parking – 26 spaces vs. current 24 spaces, based on comparison with similar-sized stores
- Dumpster location and time of garbage pick-up
- Lighting – candle watt power and light escape – requesting 4000 Calvin softer light vs. 5700
- Deliveries – timing
- Storm Water Pollution Prevention Plan (to go to Planning Board)
- Signage – mechanical scroll vs. digital display
- Landscaping – spruce and evergreens
- Request of SEQRA and recommendations of Planner, Nan Salzenburg
- Cupola and dormers, and whether to illuminate them or not
- Placement of the building on the lot
- Location of the gas pumps
- Hours of operation – 4:30 a.m. to midnight
- Does this store fit in the Village of Altamont? Current store 2697 sq ft, up about 20% to 3350. One of a kind with porches extended to match Altamont Corners.

Mr. Marshall stated that he would have revised plans to the Village Office by December 27. Chairman McCormick said he wanted to consider what would be the best date for the Public Hearing.

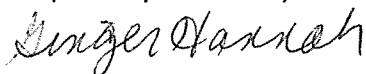
Village Attorney Phillips suggested that the Zoning Board consider requesting the replenishment of the existing escrow account to cover legal expenses if they wanted her attendance at the meetings to assist in the review of the Stewarts' Application. Chairman McCormick agreed, and made a motion to have Stewarts replenish the fund for an escrow account of \$5,000 for legal and transcription expenses associated with their Application and Appeal to the Zoning Board of Appeals for a Variance. Board Member Provencher seconded the motion. All in Favor.

A discussion was held by the Board to have previous variance conditions on other matters as indicated in previous Zoning Board of Appeals minutes sent by the Chairman to the Code Enforcement Officer for enforcement.

The Board reviewed the minutes from the May 28, 2019 Meeting. Board Member Ramirez made a motion to approve the minutes of May 28, 2019. Board Member Matulewicz seconded the motion. All in favor.

Board Member Provencher made a motion to adjourn the meeting. Chairman McCormick seconded the motion. All in favor. The meeting was adjourned at 8:55 p.m.

Respectfully submitted,



Ginger Hannah