

Village of Altamont Planning Board
Regular Meeting
June 28, 2010

Stephen Parachini, Chairman
Stephen Caruso
Elaine Van De Carr
Lois Ginsburg
Kevin Clancy

Michael Moore, Village Attorney
Donald Cropsey, Jr., Building Inspector
Dean Whalen, Village Liaison
Kelly Best, Secretary
Michael Giorgio, Applicant
Liberty LiVecchi, Applicant
Mr. Michael Roman, C2 Design Architecture
Jeffrey Perlee, property co-owner
Steven Pluvogel, property co-owner
5 residents

Chairman Parachini opened the meeting at 7:30 pm. The board reviewed the minutes from May 17, 2010. Board member Van De Carr made a motion to approve the minutes after amending the spelling of Clancy. Board member Ginsburg seconded the motion. All in favor.

Chairman Parachini read the following legal notice: Notice is hereby given that the Planning Board of the Village of Altamont, New York will hold a public hearing pursuant to Article VII Section 51 of the Zoning Law on the following proposition: Request of Michael Giorgio for a Special Use Permit/Site Plan Review under the Zoning Law to permit the conversion of an existing coffee/bagel store and apartment to a wine Bar and Bistro. Project to include an outdoor eating area and an accessible entrance. First floor apartment will be eliminated with the coffee shop relocated to a portion of the building with a Maple Avenue entrance per Article VII Section 51 for property owned by Jeffrey Perlee. The property is situated at 186 Main Street, Altamont, NY 12009, TMN 37.18-4-21 and is zoned Central Business Zone. Plans were open for inspection and the hearing is to be held tonight at 7:30 pm. Chairman Parachini reviewed the neighbor and agency notifications sent. Chairman Parachini spoke with Kristin Casey, 215 Main Street. She strongly supports the proposed plans but would prefer the exterior be painted a lighter shade than that proposed. She also stated that she wanted to see the Victorian look of the property remain. Board member Van De Carr stated she likes the color proposed.

Board member Caruso made a motion to close the public hearing. Board member Van De Carr seconded the motion. All in favor.

Mr. Parachini reviewed the need for additional parking with the applicant. Mr. Michael Roman, C2 Design Architecture, speaking on behalf of applicant stated that Mr. Giorgio was unable to work out an agreement with Key Bank. Mr. Roman provided the board with a letter from TEC Northeast Fire Protection stating that they would allow Mr. Giorgio's patrons to use his parking lot. Board inquired how patrons would be notified of the availability of additional parking at TEC Northeast Fire Protection. The applicant stated that it would be posted at the entry of their business.

The board reviewed a an email from Jeffrey Perlee relating to the NYS Right Of Way and the work done on Main Street and Maple Avenue between 2002-03. Mr. Perlee's document states that NYS DOT did not make any changes in 2002-03 to the NYS Right Of Way which was originally established in 1955. Steven Pluvogel, co-owner of property with Jeffrey Perlee stated that the porch has been part of the structure since the late 1800's.

Chairman Parachini reviewed the Albany County Planning Board recommendations. The recommendations included that the applicant would have to obtain permits from Albany County Health Department and all other agencies. They also recommended that the Planning Board ensure that there will be adequate parking.

The Planning Board inquired if the applicant had any additional information since the pre-application presentation to present to the Planning Board. The Board confirmed the business hours, the serving of wine, beer and food products. Mr. Cropsey stated that the Board should review what the business would be like, the number of seats, deliveries, and garbage pick-up. Also he suggested that the Board may want to ask for a more defined letter from TEC Northeast regarding the exact number of parking spaces that would be available. Frank Pecoraro, the real estate agent for the applicant stated that TEC Northeast verbally made reference to 35 to 40 parking spaces but did not put that in the letter to the board. If necessary, he could have the letter modified to reflect the number of parking spaces available. The Board stated that the applicant provided information to the Board that there will be seating for up to 42 people.

Mr. Giorgio stated that garbage would be handled in the same manner as it has been for the past 11 years. It would be placed in garbage cans located behind the business and be moved to the curb for pick-up once a week. The Board thought there might be an increase in garbage. The Board recommended Mr. Giorgio consider getting a small dumpster. They also suggested that all garbage containers need to be tightly sealed. Donald Cropsey suggested that the Board could include this as a condition in the Special Use Permit. Mr. Cropsey also suggested that the Board should check with the Superintendent of Public Works regarding the grease traps. Mr. Giorgio stated that there is a grease trap in the building presently and it is cleaned regularly. Mr. Giorgio told the Board that the restaurant will only be using wood fire (700 degree oven) and that the menu does not include any items that need to be cooked in fryers. The applicant will not be installing any fryers.

The Board reviewed the SEQR. Mr. Moore suggested that the smoke from the ovens might need to be reviewed by NYSDEC since this is a commercial business. Mr. Giorgio stated that it actually produces less smoke than that of a home fireplace. Board member Caruso made a motion that the proposed action complies with the existing Zoning Laws, it complies with the existing land use in the vicinity of the project, it will not adversely affect the environment, that the Village of Altamont Planning Board has determined that the project will not have any significant adverse environmental impact, finding that request is an unlisted action, a Negative Declaration under the SEQR is adopted. Board member Ginsburg seconded the motion. All in favor.

The Board reviewed the requirements for the Special Use Permit under the Village Zoning Law. The Board then reviewed the requirements for the Site Plan Review under the Village Zoning Law. The Board inquired about plans for deliveries. Mr. Giorgio stated that delivery trucks could park on street and use a hand truck and if there were no available street parking, the truck could park in driveway in which the property owner has an easement. Mr. Moore suggested that the Board could include that delivery vehicles could not impede the flow of traffic. Mr. Parachini stated that there were no issues with the fire lanes, hydrants, pedestrian traffic, walkways and bicycle racks. The Board told the applicant that lighting and signage will have to comply with Village Zoning Laws. The Board reviewed the landscaping and use of building also as an apartment house. The Board inquired about the proposed entertainment. The applicant stated that he would like to have someone play the piano maybe one night a week in the future. The Board recognized the building is in the historical district. Mr. Cropsey clarified that there are no real requirements just guidelines for buildings in the historic district. The Board inquired about employee parking. The applicant stated that he would have about 3 employees and they would be asked to park in the TEC Northeast parking lot. Chairman Parachini suggested that the applicant ask TEC Northeast to also amend the letter from TEC Northeast to include employee parking.

Board member Caruso made a motion that having reviewed the application under the Village of Altamont Zoning Law Chapter 355, Article 5, Section 355-35, paragraph E having reviewed Chapter 355 Article 5, Section 355-36 Paragraph E having determined that the proposed plan is an unlisted action under the SEQOR and having made a Negative Declaration, having received and reviewed the comments of the Albany County Planning Board, having received and reviewed the comments of the public at the Public Hearing held on June 28, 2010 the Village of Altamont Planning Board grant a Special Use Permit and Site Plan Approval to Michael Giorgio to create and operate a wine bar and bistro at 186 Main Street, Altamont, NY 12009, TMN 37.18-4-21 with the following conditions: Hours of operation will not exceed Sundays through Wednesdays 4 pm to 10 pm, Tuesdays through Saturdays 4 pm to 11 pm, permission to serve beer and wine and fresh meal items, piano music may be permitted one night a week, the business will possess a valid beer and wine license under State Liquor Authority, a valid food service permit under Department of Health, provide the Planning Board with an amended letter from TEC Northeast Fire Systems listing additional 35 to 40 parking spaces the bistro is authorized to use and confirm that employee may use TEC Northeast parking lot, the applicant will comply with the Village Zoning Laws in regards to lighting and signage, garbage will be sealed at all times and be kept in the rear of the building and brought out only for removal, grease traps will be, approved by Department of Public Works, verify with NYSDEC regulations regarding smoke output produced by the wood fire that it would be in compliance, deliveries be confined to loading and off loading in driveway side easement, and building continues to follow guidelines provided by the National Historic District. Board member Van De Carr seconded the motion. All in favor.

The Board reviewed the Special Use application for Liberty LiVecchi to operate a hair salon at 100 Main Street, Altamont, NY 12009, TMN 37.19-1-27. Ms. LiVecchi stated that she had one time had a hair salon in Altamont, moved to Western Avenue with her business partner and has sold her share of that business. She wants to open a small business back here in the village. Based on the narrative provided to the Board, she would be closed on Sundays and Mondays. Her proposed hours are listed in the narrative. The Board reviewed the information provided by Ms. LiVecchi. It was determined that the rental space is the area to the left of the building now currently used as part of the flower shop.

Ms. LiVecchi stated that she will use the existing lighting. The signage will be consistent with that of the other signs in the plaza and will meet the requirements under the Village Zoning Law. Chairman Parachini reviewed the application and the Board determined that all the elements required for the pre-application for site plan approval and special use permit were included in the application packet. Mr. Cropsey will notify the Albany County Planning Board and the Town of Guilderland.

Board member Ginsburg inquired if the 'entrance' and 'exit' signs were still in place at the plaza. Ms. LiVecchi stated that she was not sure but will check with the property owner.

Board member Ginsburg made a motion to that the Village of Altamont Planning Board approves the pre-application for Liberty LiVecchi for the Site Plan and Special Use Permit to operate a hair salon at 100 Main Street, Altamont, NY 12009. The property being zoned Business. The applicant is to discuss the traffic circulation on the property with the owner. The Planning Board waives the need for a contour map and a drawing of the natural features on the property. A public hearing will be held on July 26, 2010 at the Village Hall at 7:30 pm. Mr. Clancy seconded the motion. All in favor.

Chairman Parachini stated that the Board has received notification that Griggs House on Prospect Terrace has been placed on the NYS Office of Parks and Recreation as a historic site.

Mr. Paul Cowley and Mr. Ed Cowley spoke informally with the Planning Board regarding the subdivision of their father's property on Route 146 (Township Road) on behalf of their father. It is approximately 18 acres. Buttermilk Falls is located behind the property. The house was built in the 1960's. Mr. and Mrs. Cowley raised 4 children there. The

parents are now elderly. There are three existing driveways into the property. The Cowley's would like to subdivide the property into 3 lots. The smallest being 3.3 acres, the largest being 7.4 acres. The abutting property owners are the Brietenbachs and Weys . The entire property is located within the village limits. It is zoned R-40 meaning the minimum lot size must be at least 40,000 square feet. The Board asked Mr. Cowley to obtain formal approval in writing for the three driveways. It was determined that water and sewer would be available. The Board informed Mr. Cowley that he would have to provide a topo map when they return to the Board.

Board member Ginsburg made a motion to adjourn the meeting at 8:37 pm. Board member Van De Carr seconded the motion all in favor.

Respectfully submitted,

Kelly Best