

VILLAGE OF ALTAMONT
PLANNING BOARD MEETING
July 25, 2011

James Greene, Acting Chairman
Steve Caruso, Board member
Kevin Clancy, Board member
Elaine Van De Carr, Board member
Cathy Glass, Alternate Board member

Michael Moore, Legal Council
Patty Blackwood, Clerk
Dean Whalen, Village Liaison
Danielle Jahne, Applicant
Michael Giorgio, Applicant

General Public: 4

7:30 p.m.

Acting Chairman Greene called the meeting to order at 7:30 p.m.

Board member Caruso made a motion seconded by Board member Clancy to approve of Planning Board minutes for April 25, 2011. **Roll Call: All in favor**

Board member Clancy made a motion seconded by Board member Glass to approve of Planning Board minutes for June 27, 2011. **Roll Call: All in favor**

Public Hearing 7:37 p.m.

Acting Chairman Green opened public hearing with reading of Legal Notice to consider request of Danielle Jahne for Special Use Permit/Site Plan Review under the Zoning Law to permit leasing a portion of St. John's Church for the purpose of operating a part time preschool.

Danny Ramirez, Maple Avenue, stated he was interested in seeing site plans for the preschool. Mr. Ramirez inquired about the number of children that will be attending the preschool. Ms. Jahne, applicant, stated occupancy is 16 children. Acting Chairman Green stated at June's meeting Planning Board discussed use of facilities, outdoor activities, fencing, parking and traffic flow.

Acting Chairman Greene stated Planning Board heard back from Albany County Planning Board. Albany County Planning Board's recommendation is for Altamont Planning Board to make Special Use Permit conditional based on applicant applying for permit with Albany County Health Department if food is to be served. Acting Chairman Greene recommended Ms. Jahne follow-up with Albany County Health Department.

Michael Moore, Legal Council, inquired if Ms. Jahne has provided Planning Board with an authorization letter from St. John's Church proving she has authorization to use their space. Ms. Jahne stated she had not submitted a copy of lease or letter from St. John's Church. Mr. Moore recommended Ms. Jahne submit copy of lease or letter from St. John's Church.

Board member Glass inquired if appropriate fees have been paid by Ms. Jahne. Patty Blackwood, Village Clerk, acknowledged appropriate fees have been paid by Ms. Jahne.

Board member Van De Carr made a motion seconded by Board member Caruso to close public hearing at 7:50 p.m. **Roll Call: All in favor**

Altamont Planning Board reviewed Part II – Impact Assessment of Short Environmental Assessment Form.

Board member Caruso made a motion seconded by Board member Van De Carr to approve Acting Chairman Greene complete Short Environmental Assessment Form and also check second box on Part II – Impact Assessment of Short Environmental Assessment Form indicating there would be no significant adverse environmental impact from preschool. **Roll Call: All in favor**

Altamont Planning Board reviewed Code of the Village of Altamont, NY Section 355-35 subsection E titled Special use permit review; factors for consideration. Altamont Planning Board reviewed Code of the Village of Altamont, NY Section 355-36 subsection E titled Site Plan Review; factors for consideration. Altamont Planning Board members stated there weren't any concerns with sections 355-35 or 355-36 regarding the preschool.

Acting Chairman Greene recommended Ms. Jahne follow-up with Town of Guilderland Building Department regarding filing for a sign permit.

Acting Chairman Greene recommended Ms. Jahne follow-up with St. John's Church regarding snow removal and waste removal.

Board member Van De Carr made a motion seconded by Board member Glass to approve having reviewed the application for Special Use Permit under the Village of Altamont Zoning Law; Chapter 355 Article 5 Section 355-35 paragraph E; and having reviewed the proposed plan under the Village of Altamont Zoning Law; Chapter 355 Article 5 Section 355-36 paragraph E; and having determined that the proposed plan is an unlisted action under the State Environmental Quality Review Act or SEQRA and having made a negative declaration there to and having received and reviewed comments of the Albany County Planning Board regarding the proposed plan and having reviewed comments of a public hearing as of tonight and having notified the Town of Guilderland regarding the proposed contract and having not received comment from the Town of Guilderland the Village of Altamont Planning Board approves the special use permit and gives site plan approval to Danielle Jahne to run a Montessori part-time preschool program located at St. John's Lutheran Church located at 140 Maple Avenue, Altamont, NY Tax Map #37.18-4-34 with the following conditions. First condition is Altamont Planning Board needs to receive authorization from the church in the form of a letter or duly executed lease showing Ms. Jahne has the right to use the premises. Second condition is pursuant to Albany County's recommendation that any food service or provision of food be in compliance with the Albany County Health Department regulations. Third condition is use of premises for this reason would be Monday through Friday from 8:00 a.m. to 5:00 p.m. **Roll Call: All in favor**

Acting Chairman Greene stated next agenda item is regarding project of Michael Giorgio, Mio Vino Bistro of 186 Main Street Altamont. Acting Chairman Greene stated stop work order was issued by Town of Guilderland building inspector based on his personal inspection and observation that the design as it was being built was different than what was approved by Altamont Planning Board.

Michael Giorgio, Mio Vino Bistro, stated after field verification the handicap ramp was going to take up a vast majority of the real estate and the streetscape was going to be compromised by thirty-five foot ramp going one direction then coming back another direction for thirty-five feet in order to meet ADA Compliance to get up to the level of the porch. Once the ramp was field verified Mr. Giorgio considered a handicap lift in place of the ramp. One reason was to improve the streetscape view of the real estate and the second reason was the ramp was going to be difficult for a handicap person to maneuver the ramp by themselves especially in bad weather conditions. Handicap ramps are never covered by roof. Due to the plot of the land and in order to be ADA Compliant, the ramp had to be very long. The solution was handicap lift which was developed by engineer. Mr. Giorgio stated he was unaware that he needed to come before Altamont Planning Board for approval of change due to the fact that he was using existing footings for porch that were originally drawn. Interim building inspector, Robert Delaney, had made a suggestion to contractor to extend the roof a few feet so the handicap lift would be covered and out of the elements.

Board member Clancy inquired if lift was using the same footprint as the ramp that was originally approved and asked if roof was extending out further. Michael Giorgio stated footprint for the lift would remain the same and the roof was being extended a few feet to cover the handicap lift.

Board member Glass inquired if a handicapped person could use lift independently. Michael Giorgio stated handicapped person could use lift independently and it would still be usable in inclement weather because of the roof cover. Mr. Giorgio stated lift works from electricity and hydraulics and in case of power outage there is a crank to be used to move the lift up or down.

Acting chairman Greene inquired if there are additional design changes. Michael Giorgio stated there aren't any other design changes.

Michael Moore, Legal Council, stated SEQRA was reviewed first time around and doesn't need to be reviewed again at this meeting.

Board member Clancy made a motion seconded by Board member Van De Carr to amend the previous site plan approval of June 28, 2010 for applicant Michael Giorgio for the project located at 186 Main Street, Altamont, Tax Map # 37.18-4-21 an amendment to allow a handicap access lift to be used instead of a previously submitted handicap ramp design. The redesign would include a roof over the lift and no other changes would be made to the previously submitted design plans. Design changes would be pursuant to plans submitted by Joseph Lanaro, Professional Engineer, dated March 12, 2011 for the Mio Vino Wine Bar and Bistro applicant Michael Giorgio to provide for the handicap lift as well as roof covering the lift. This is consistent with recommendation of the Albany County Planning Board dated July 21, 2011. The Albany County Planning Board concluded they were deferring to Altamont Planning Board and found the proposed action will have no significant countywide or intermunicipal impact.

Roll Call: All in favor

Board member Caruso made a motion seconded by Board member Van De Carr to adjourn at 8:43 p.m. **Roll Call: All in favor**

Respectfully Submitted,

Patty Blackwood
Clerk