

Village of Altamont
Planning Board
Regular Meeting
April 29, 2014

Present:

Chairman James Greene

Board member Stephen Caruso

Board member Elaine Van De Carr

Board member Kevin Clancy

Board member Tim Wilford

Kelly Best, Secretary

Trustee Dean Whalen, Board Liaison

Michael Moore, Village Attorney

Fame Rieckman, Applicant and Son

Mr. and Mrs. Grinmanis

3 other guests

7:00 pm

The Board reviewed the minutes of the March 24, 2014 meeting. Board member Clancy made a motion to accept the minutes. Board member Van De Carr seconded the motion. All in favor.

The Chairman notified the Board that the next meeting of the Planning Board will be on May 19th at 7 pm due to the Memorial Holiday falling on the regularly scheduled meeting night.

Chairman Greene read the legal notice request of Fiamma Rieckman for a Special Use Permit under the Zoning Law to permit the use of an existing building as a café/gift shop per Article VI Section 355-53 for property owned by T & L Sands Management situated at 182 Main Street, Altamont, NY 12009 TMN 37.18-4-20 zoned CBD. Plans open for public inspection at the Village Offices during normal business hours. Said hearing will take place on Monday, April 28, 2014 at the Altamont Village Hall beginning at 7:00 pm.

Board member Caruso made a motion to open the Public Hearing. Board member Van De Carr seconded the motion. All in favor.

Michael Grinmanis, 176-178 Main Street, stated that there has been an issue with parking in his driveway. His driveway is between his home and 182 Main Street. He has had a number of people parking either in his driveway, parking in his private lot behind his home or blocking his driveway to the point where he and his wife cannot leave. He has had to call the police, personally hunt down the driver to get them to move their vehicle. He has put signs stating it is a "Private Driveway" and also put out orange cones. They have all disappeared. He also stated that he has an elderly tenant. The ambulance has been called and they were not able to pull into driveway due to the fact that someone had blocked the driveway. He stated that large delivery trucks continuously park in front blocking his driveway.

The Board asked Mr. Grinmanis for suggestions on how they could assist. He stated that he would like more police enforcement and more signage. Mr. Grinmanis also stated that there has been an increase in trash, cigarette butts and broken glass on his property since Mio Vino has opened.

Ms. Rieckman stated that more signage is needed and asked if it was possible that yellow paint on curbs could be done.

After discussion with Mr. Moore and Mr. Whalen, the Board determined that the parking issue was a Village Board issue and not that of the applicant. Mr. Whalen suggested that the Grinmanis write a letter to the Village Board stating their concerns.

The Board reviewed the parking requirements for a business as outlined in the Village Zoning Law 355.22. It was determined that the applicant would need 6 parking spaces. Per the law, parking in the CBD allowed 20% of required parking is allowed in the public parking lots while the other 80% could be street parking. The Board concluded that the applicant met the parking requirements as outlined in the law. Due to the location of the business, the amount of parking was determined by the square footage of 1500 square feet.

The Board reviewed the Albany County Planning Board recommendation that local approval include review by Albany County Department of Health for food service and other required permits. The applicant stated that she would like to be open 7 am to 10 pm Monday – Sat and 8 am to 7 pm – Sun. Ms. Rieckman stated that she would like to do live entertainment such as poetry readings at least once a month. She also stated that she would not be doing any changes to the outside of the building.

The Board discussed 355-36 of the Village Zoning Law relating to “Site Plan Approval”. Chairman Greene asked how the board interpreted the word “development”. The Board discussed the fact that the applicant would not be making any changes to the exterior of the building or property. The Board concluded that site plan approval was not needed for this application.

The Board reviewed the lease agreement between property owner and applicant. Ms. Rieckman stated that the signing of the lease is contingent upon the receiving of the Special Use Permit.

The Board was informed that Joan Kappel, 167 Main Street called the office and wanted the Board to think about exhaust fumes and air quality. She stated that she seems the wood fire from Mio Vino and the smells from the Chinese Take Out.

Board member Van De Carr made a motion to close the Public Hearing. Board member Clancy seconded the motion. All in favor.

The Board review the SEQR short form 617.20 with Ms. Rieckman. The Board reviewed Part 2, the Impact Assessment answering no to question 1 through 11 finding that there would be no environmental impact by opening this type of business. A motion was made by Board member Wilford that no impact on the environment would be created. Board member Clancy seconded the motion. All in favor.

Board member Van De Carr made a motion that the Planning Board will notify the Village of Altamont Board of Trustees that the issue of parking in the CBD has arisen at the hearing for Ms. Rieckman and that there is information that the vehicle traffic from the businesses are using private driveways for parking and that the Board of Trustees should take action to ensure parking regulations are enforced. The Planning Board is suggesting that the Village of Altamont Board of Trustees should require strict police enforcement, install appropriate signage and take any other measures the Village Board deemed appropriate and Chairman Green request that the concerned residents write the Village Board and describe the actual events and actions taken. Board member Caruso seconded the motion. All in favor.

Chairman Greene will draft the letter and circulate it among Planning Board members. Once finalized, Chairman Greene will forward letter to the Village Board.

Board member Wilford suggested that the parking issue is not the applicant's problem and should not be considered when reviewing her Special Use Permit application. The Planning Board agreed with Board member Wilford.

Board member Wilford made a motion to approve the application of Ms. Rieckman for a Special Use Permit to operate a retail gift shop and café at 182 Main Street. The issuance of the permit is to be pursuant to the following conditions: 1) Review by Albany County Department of Health for food service and any other permits required. 2) The applicant is to inform delivery vehicles use only the Park Street designed parking for deliveries. 3) Hours of operation may not exceed the following - Monday through Saturday 7 am to 10 pm and Sunday 8 am to 7 pm. 4) live entertainment is limited to no more than once a month and must be held inside of the store. 5) There is to be no external change to property or parcel of land the building is on. Chairman Clancy seconded the motion. All in favor.

Board member Van De Carr made a motion to adjourn at 8:25 pm. Board member Caruso seconded the motion. All in favor.

Respectfully submitted

Kelly Best

