



Planning Board Meeting  
August 8, 2016  
Special Meeting

Present:

Tim Wilford, Chairman  
John Hukey  
Steve Caruso  
Kevin Clancy  
John Scally

Kelly Best, Secretary  
Geoff Brown, Landlord  
Mr. and Mrs. Herzog Towing  
Neil Taber, neighbor

Absent:

Deborah Hext

Chairman Wilford opened the meeting at 7:05 pm. He read the following legal notice into the record: Notice is hereby given that the Planning Board of the Village of Altamont, New York, will hold a public hearing pursuant to Article 355 Section 35 of the Zoning Law on the following proposition: Request of James Herzog for a Special Use Permit under the Zoning Law to permit a towing and light auto repair shop per Article 355 Section 35 for property owned by Geoffrey A. Brown situated at 980 Altamont Blvd, Altamont, NY 12009, Tax Map Number 48.06-3-10 Zoned Light Industry. Plans were open for public inspection at the Village Offices during normal business hours. Said hearing will take place on Monday, August 8, 2016 at the Altamont Village Hall beginning at 7:00 pm.

Chairman Wilford made a motion to open the public hearing. Board member Caruso seconded the motion. All in Favor.

The Board acknowledged the receipt of the two deeds relating to the easement access and the access permission letter from Mr. Brown.

Mr. Herzog explained that he has always conducted a towing business but now on a smaller scale. He is basically going to only tow for the Town, County and State Police Departments. He will be required to impound the vehicles. He stated that he would only impound 3 or 4 vehicles at any one time. The light auto repair is primarily for his hobby cars and some restoration of hobby cars. He may change oil, rotate tires or a few small jobs for just a few customers.

The Board reviewed the hours and days of operation as stated at last meeting. It was Monday through Friday 7 am to 7 pm and Saturday 7 am to Noon. The Board also reviewed that no vehicles would be unloaded from the tow truck during the off hours as well as no vehicles would be worked on during the off hours. The Board reviewed that all impounded vehicles will be secured and Mr. Herzog pointed out the spaces as listed on the plot plan submitted on 8/8/2016. He also pointed out where all the other vehicles would be parked also per plot plan submitted on 8/8/2016.

The Board reviewed the recommendations from Albany County Planning Board. They recommended that some type of preventive measure be taken to make sure oils and fuels don't seep into the ground in the area where the cars are impounded.

The Board told Mr. Herzog will only be allowed one tow truck if the SUP is granted and that he may only impound up to 3 or 4 cars at any one time.

Chairman Wilford read into the record the letter giving permission to Mr. Herzog to access 980 Altamont Blvd through 976 Altamont Blvd for his business. (Document is attached to office copy file). The Board informed Mr. Herzog that all deliveries must be done during regular business hours. The Board discussed when Mr. Herzog could block top the impound area. It was suggested no later than October 1<sup>st</sup>.

Chairman Wilford opened the floor to public comment.

Neil Taber, 970 Altamont Blvd, stated that both Mr. Brown and Mr. Herzog have been good neighbors. He hopes others were able to accomplish their goals as these two young men.

Kelly Best, 979 Altamont Blvd, stated that she was impressed by the improvements made on lands acquired by Mr. Brown and has no problem with Mr. Herzog operating the towing business.

Chairman Wilford reviewed with the board the SEQRA submitted. Chairman Wilford made a motion to declare a negative declaration finding based on the information and analysis submitted that the proposed action will not result in any significant adverse environmental impacts. Board member Scally seconded the motion. All in favor.

Chairman Wilford made a motion to grant the Special Use Permit to Mr. Herzog to operate a towing and light auto repair shop on property owned by Mr. Brown at 980 Altamont Blvd with the following conditions:

1. There will only be one tow truck allowed for this business.
2. The area of 18' x 36' where towed vehicles are to be secured must be paved as per recommendation of Albany County Planning Board to prevent oils and fuels from seeping into the ground. The paving must be completed by October 1, 2016.
3. There will be no more than 4 vehicles from the towing and recovery business in the secured fence area at any one time.
4. The applicant must adhere to the lighting restrictions as prescribed in the Village Code and are not to exceed hours of operation or foot candle brightness.

5. All vehicles related to the towing and repair business are to be kept physically in the parking spaces of 980 Altamont Blvd as outlined in the submitted plot plan with the application.
6. No towed vehicles are to be unloaded after business hours and will remain on the tow truck bed until the business is opened in the morning.
7. The hours of operation for the automotive repair shop will be 7 am to 7 pm, Monday through Friday, and 7 am to Noon, acknowledging the fact that the towing and recovery is available 24 hours.
8. The applicant is also required to obtain and maintain any and all necessary registration from NYS for the operation of garage and/or towing business.

Board member Clancy seconded the motion. All in favor.

The Board advised Mr. Herzog that the Special Use Permit may be withdrawn or he may be fined for violations if the aforementioned conditions are not adhere to during the life of the Special Use Permit.

The Board advised Mr. Herzog he must obtain a sign permit prior to the installation of any sign.

Chairman Wilford stated that he would not be available for the next regularly scheduled meeting on August 22, 2016. Board member Scally volunteered to be Acting Chairman if a meeting is required. There was some discussion that if the board did not receive any applications for review by August 11, 2016 that there would not be a meeting in August. The next regular meeting will be held on Monday, September 26, 2016.

The Board discussed enforcement. It was suggested the Board member Hukey write a letter to the Village Board and the members of the Planning Board would be willing to also sign the letter.

Board member Hukey made a motion to accept May and June and July minutes of the Planning Board. Board member Caruso seconded the motion. Board member Hukey – in favor, Board member Caruso – in favor, Board member Clancy – abstain, Board member Scally – in favor, Chairman Wilford – in favor. Motion passed.

Chairman Wilford made a motion to adjourn the meeting at 8:48 pm. Board member Scally seconded the motion. All in favor.

Respectfully submitted,

Kelly Best