

DRAFT ZONING BOARD OF APPEALS

Regular Meeting

July 8, 2014

Maurice McCormick, Chairman	Kelly Best, Secretary
Kate Provencher, Board member	Mr. and Mrs. Kyle Haines
Stewart Linendoll, Board member	
John Huber, Board member	
Michael LaMountain, Alt. Board member	

Chairman McCormick opened the meeting at 7:05 pm.

Chairman McCormick read the legal notice for the request of Kyle Haines for a variance of the regulations under the Zoning Law to permit the installation of a 4' high chain link fence in a front yard. 3' high is permitted, a 1' variance is requested pursuant to Article IV Section 355-24 for property owned by Kyle Haines for property located at 2 Whipple Way, Altamont, NY 12009 TMN 37.14-5-14 and zoned R20. Plans were open for public inspection at the village offices during regular business hours. The public hearing is scheduled for today, July 8, 2014.

The Board asked the applicant when the fence was installed. Mr. Haines stated that he put the fence up around November 2013. Mr. Haines provided the board with the landscaping plan per the request of the board. He also provided the board with a couple of pictures.

Mr. Haines stated that the fence is 15 feet from the edge of the road, 30 feet from the center of the road and 110 feet from the center of the intersection.

Chairman McCormick noted that 20 neighbor notifications were sent, legal notice of public hearing was published both in the local paper and on the website. There has been no communication with either the board or office regarding concerns or opinions from the public.

Mr. Haines then reviewed the landscaping plan with the board. The board asked the length of the fence along Sanford Place. Mr. Haines stated that it is approximately 150 feet. It was determined that there are about 15 fence posts approximately 9 feet apart. Mr. and Mrs. Haines stated that they wanted to plant arborvitaes in front of each post and fill the space in between with flowers. The board stated that the reason they were requesting the applicant put in landscaping is to soften the appearance. Mr. and Mrs. Haines stated that the particular arborvitaes grew to about 3 to 4 feet wide.

The board asked Mr. Haines why it took him so long to apply for the building permit, variance and special use permit. Mr. Haines stated that he at first did not realize he needed a building permit for a fence, then once notified, did not pursue the application process due to his job which he travels approximately 160 days a year, he volunteer work with the fire department and his general home maintenance when he is home. The secretary, Kelly Best did say once Mr. Haines did finally start the process, the Village became aware that the technical assistance which should have been offered to Mr. Haines by the Town of Guilderland was lacking. The Mayor had acknowledged this and a meeting with Guilderland was held and this should resolved. Mr. Haines admitted he did

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finally proceed after receiving the last Zoning Violation letter in which court action would be taken if he did not proceed with the applications.

The board indicated low profile type plants may be more eye appealing. The board stated that 15 arborvitaes will not be enough to minimize the view of the fence. Mr. Haines stated that he was open to any ideas or suggestions from the board regarding the landscaping. The board discussed continuing the hearing and asking the applicant to present a more detailed landscaping plan. The board would like the applicant to document the measurement of the fence along Sanford Place, a more in depth description regarding height and width of plants and bushes. The board asked Mr. Haines to consider plants and bushes which would screen the fence as well as provide the some privacy.

Chairman McCormick made a motion to continue the public hearing until Tuesday, July 22 at 7 pm at which time the applicant is to provide the board with a more detailed landscaping plan, including the names of plants and bushes, the height and width of expected growth and a approximate date in which the landscaping plan could be completed. Board member Linendoll seconded the motion. All in favor.

The board choose not to review the draft minutes from the June 10, 2014 at this time.

The board had no new business to discuss.

The board reviewed the old business from June 10, 2014. The secretary, Kelly Best, reviewed the meeting between the Mayor, Zoning Administrator, Building Inspector, Kelly Best and Village Clerk, Patty Blackwood.

Items discussed were the fencing on Lark and Fairview, ATM hours and lighting at Key Bank, the screening of the canopy at Stewarts and Mr. Haines fence.

The Mayor agreed with the Building Inspector that once she interprets the Village Code, the village must accept her interpretation. The Mayor also stated that he would like the lighting issue with Key Bank to be separated from the request to amend the SUP for the ATM. The Town is to follow up on all of these concerns. Code enforcement was discussed and the Town agreed to be more proactive rather than reactive.

Chairman McCormick made a motion to adjourn the meeting at 8:35. Board member Huber seconded the motion. All present in favor.

Respectfully Submitted,

Kelly Best
Secretary