



Zoning Board of Appeals  
May 10, 2016  
Regular Meeting

Present:

Maurice McCormick, Chairman  
Kate Provencher  
Danny Ramirez  
John Huber  
Stuart Linendoll

Kelly Best, Secretary  
Glenn Hebert, Building Inspector/Zoning Admin.  
Michael LaMountain, Alternate

The Chairman opened the meeting at 7 pm by reading the following Legal Notice for a Public Hearing per the request of Matthew R Aumand for a Variance of the regulations under the Zoning Law to permit the installation of a 4 foot high black chain link fence in a front yard. 3 feet is permitted, a 1 foot variance is requested pursuant to Article IV, Section 355-24 for property owned by Matthew R Aumand situated at 152 Maple Avenue, Altamont, NY 12009 Tax Map Number 37.18-4-39 and zoned R10. The public hearing was scheduled for tonight and plans were available for inspection at the Village Office during regular business hours.

The Chairman stated that the Board had received the application, map of the property indicating placement of the fence, a listing of 13 neighbor notifications that were sent. The Board acknowledged that there were no negative comments received.

Mr. Aumand stated he purchased the house in February, that he and his family love living in Altamont so far. That they are requesting the installation of a 4 foot fence along Jay Street because they have kids and a large dog. They started the installation not knowing that being a corner lot that the back yard was considered a front yard.

Mr. Aumand stated that he had asked the fence installation company to obtain any permits required. The fence company did not pursue any permits. The Building Inspector notified the applicant and then Mr. Aumand started the application process. Kelly Best, Secretary for the Planning Board provided the Zoning Board with draft minutes from the Planning Board meeting where Mr. Aumand was granted a special use permit to install a fence of at least 3 feet and that the Planning Board told Mr. Aumand if he wanted a 4 foot fence he would need to get a 1 foot variance approval from the Zoning Board.

Board member Provencher stated she felt the fence created no visual impact and in her opinion, works well for that neighborhood.

Mr. and Mrs. Aumand stated that they choose the fence as to create the least minimal asthenic impact, that they want to learn to keep the gardens going but also want to keep the kids and dog safe.

The board acknowledged that some installations impact the neighborhood, but felt that this was not the case.

Board member Provencher stated she was happy that the Planning Board was concerned about the snow plowing but noted that the minutes from the Planning Board public hearing reflect Superintendent Jeff Moller's opinion that it will not create any issues.

The applicant was informed that any damages to the fence will not be the Village's responsibility and Mr. Aumand stated that he understood.

Board member Huber wanted to know how this installation was started if the fence company didn't check for required permits. Mr. Hebert, Building Inspector/Zoning Administrator stated that the work ceased immediately once the applicant was notified. The applicants stated the fence company started the job just a little over a month ago, the day of the freak snow storm.

Board member Provencher asked the applicant to clarify if the fence came back to the porch. Mr. Aumand stated that yes the fence comes back to the porch with the gables.

Chairman McCormick made a motion to close the Public Hearing. Board member Linendoll seconded the motion. All in favor.

Chairman McCormick confirmed that the Village DPW use the small truck to plow that end of Jay Street. The Board discussed if there should be any landscaping on the outside of the fence. It was determined that there was landscaping on the inside.

Board member Provencher made a motion to grant a 1 foot variance allowing for a 4 foot fence in the front yard along Jay Street of a corner lot with the following findings: there is minimal impact, it is a black chain link fence, a 1 foot variance is the minimal, not substantial, does not create an adverse impact, understands the it is a self-created hardship which is of no consideration for this request and that the applicant understands that any damage to the fence by the village would be the owners responsibility to repair. Board member Ramirez seconded the motion. All in favor.

Board member Provencher made a motion to approve the minutes of the June 9, 2015 meeting. Board member Linendoll seconded the motion. Roll call, Board member Linendoll – yes, Board member Ramirez – yes, Board member Huber – abstain, Board member Provencher – yes, Chairman McCormick – Yes. Motion passed.

Board member Provencher made a motion to approve the minutes of the June 16, 2015 meeting. Board member Ramirez seconded the motion. Roll call, Board member Linendoll – yes, Board member Ramirez – yes, Board member Huber – abstain, Board member Provencher – yes, Chairman McCormick – Yes. Motion passed.

**New Business:**

Board member Provencher asked how the Village verifies people are doing what they are supposed to when issued Special Use Permits, etc. The Board discussed Zoning Enforcement. An example was Haines landscaping bushes were only 4 inches high. The Zoning Administrator asked if the board specified height when granting variance. The Board did not and now understood that they must be specific. The Board did state that part of the approval included that the replacing any dead shrubs. It was discussed that only the Zoning Board usually knows what the conditions attached to the approval. The Board discussed how the landscaping at Efaws on Western and Gregg, and the landscaping on Main and Schoharie Plank all died. Also the Board asked about screening the canopy at Stewarts so people do not see the top of the canopy when coming down the hill. The Board also discussed that the property on the corner of Thatcher and Main was still a mess.

The Board asked if they could be informed whenever there is a Special Use Permit request hearing before the Planning Board. Kelly Best stated she would try her best to make sure they were informed.

Chairman McCormick made a motion to adjourn the meeting at 8:15 pm. Board member Ramirez seconded the motion. All in favor.

Respectfully Submitted

Kelly Best